

# LEGAL MANAGEMENT

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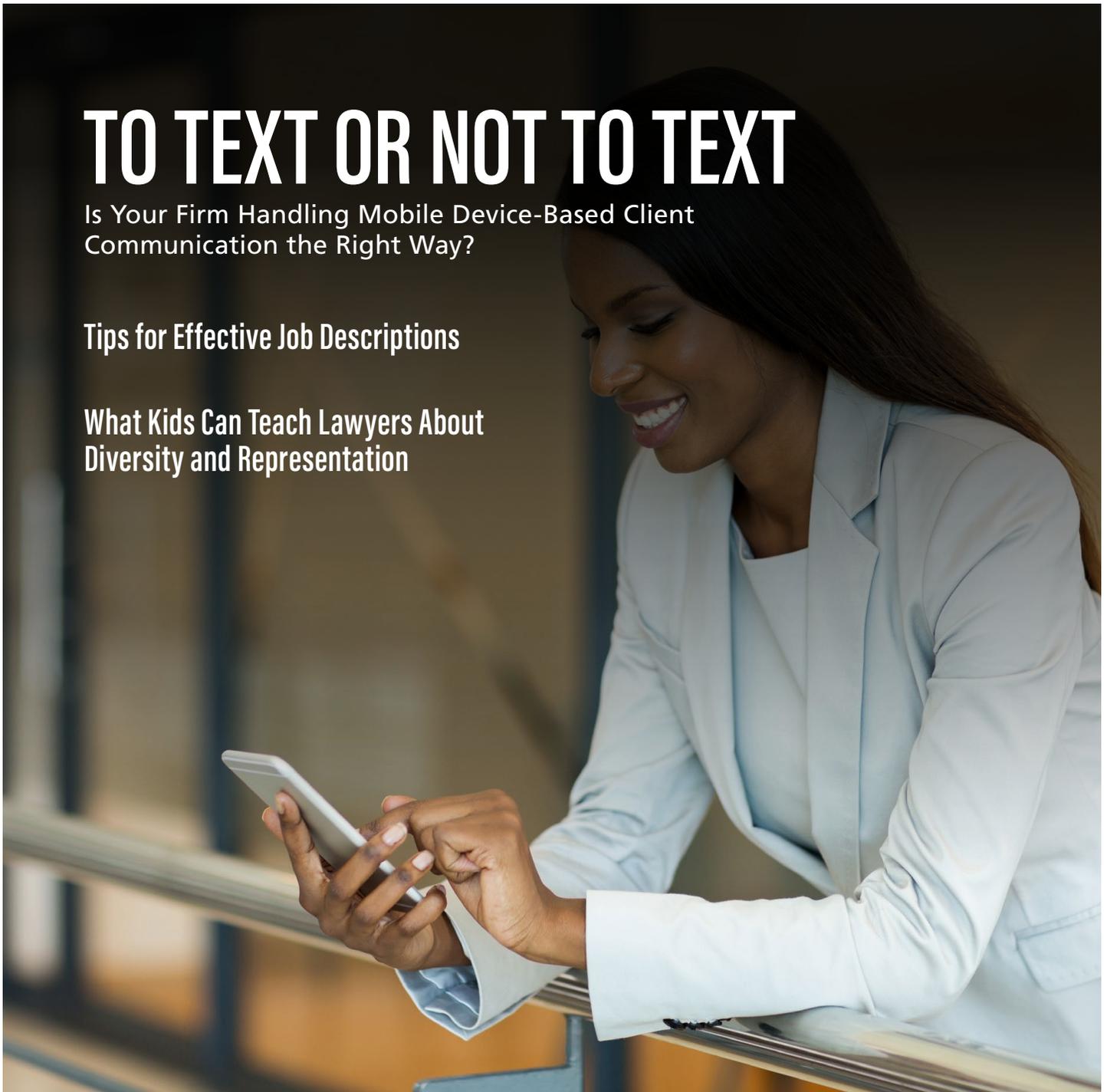
THE MAGAZINE OF THE ASSOCIATION OF LEGAL ADMINISTRATORS

## TO TEXT OR NOT TO TEXT

Is Your Firm Handling Mobile Device-Based Client Communication the Right Way?

Tips for Effective Job Descriptions

What Kids Can Teach Lawyers About Diversity and Representation



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## LEGAL MANAGEMENT STAFF

### PUBLISHER

Oliver Yandle, JD, CAE  
[oyandle@alanet.org](mailto:oyandle@alanet.org)

### EDITOR-IN-CHIEF

Theresa Wojtalewicz  
[twojtalewicz@alanet.org](mailto:twojtalewicz@alanet.org)

### MANAGING EDITOR

Valerie A. Danner  
[vdanner@alanet.org](mailto:vdanner@alanet.org)

### ADVERTISING OPPORTUNITIES

Robert Leighton  
[advertising@alanet.org](mailto:advertising@alanet.org)

### ART DIRECTOR

Jeff Wojciechowski  
Straight North, LLC

### GRAPHIC DESIGNER

Abby Burkle  
Straight North, LLC

Cristina Muzzio  
Straight North, LLC

### WEB TEAM

Eric Michalsen  
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**GARY T. SWISHER, II, CLM**  
2017-2018 ALA President  
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## Meeting Tech Challenges

**How many times have you had a partner talking about technology ... but it's not correct? They'll ask you how to do something with their phone, but then it soon turns to, "while I have you in the office ...." Then they'll ask you for your assistance with another tech-related conundrum.**

I know you have been there; so have I. Standing in the partner's office looking like a deer in the headlights as the partner pushes the monitor button on and off saying that his CPU is not working and he thinks it's the hard drive. Or, how she hates when a client texts her because she has to push the "5" button three times to type an "L."

Many of us — not just our partners — have a love-hate relationship with technology. But it's something we need to be proficient in. Clients demand us to be efficient and will look for those firms who best can leverage technology to meet their needs. Moreover, in 2012, the ABA approved a change to the *Model Rule of Professional Conduct* that clearly dictates that attorneys not only be competent in the law and its practice — but in technology, too.

That's why this month's Operations Management (OM) Feature, "Closing the Tech Proficiency Gap," is an important read. It reveals some interesting statistics. While cybersecurity and artificial intelligence may be hot issues, questions related to basic tools like Word, Outlook, Excel and PDFs are most common. According to the *User Support Guru Guide*, a series of reports produced by outsourced service/helpdesk provider Intellitech, 43 percent of helpdesk tickets are related to Microsoft Office queries.

It's clear we have a long way to go to helping our offices be at the level they need to be. But that's where ALA is a premier resource for support in this area. I often rely on the Online Community to answer my own firm's tech needs.

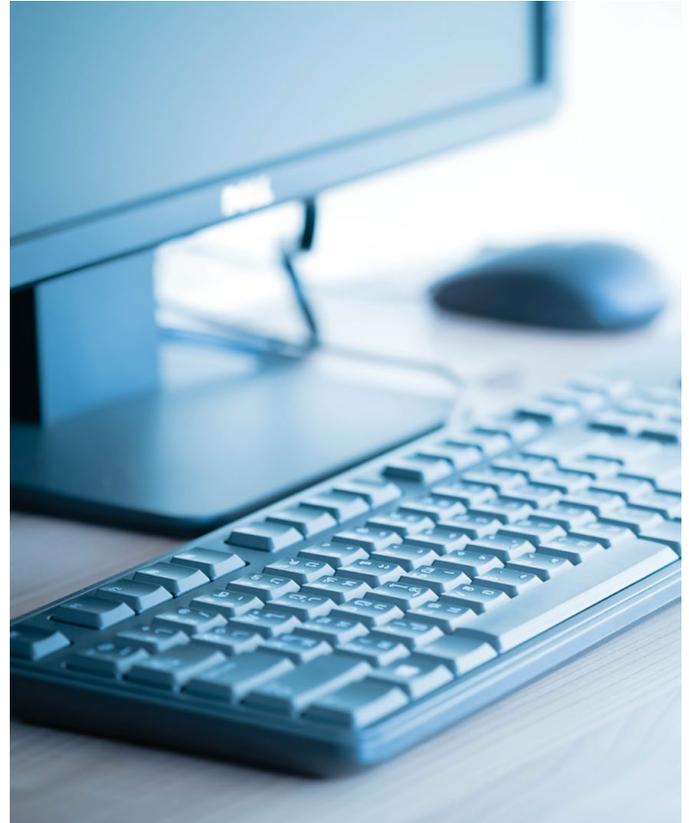
In fact, many of the most recent topics discussed in the General Forum broached tech-related subjects, such as time and billing software suggestions, outsourcing document processing,

“

Many of us — not just our partners — have a love-hate relationship with technology. But it's something we need to be proficient in. ”

conflict check software, website redesign, cloud technology and cybersecurity. It's a similar story in the Information Technology section of the Shared Interest Group Online Community. There you'll find inquiries about IT policies, leasing servers and IT audits.

That's probably one of my favorite benefits about ALA — getting to rely upon other members to help solve problems. Who else better understands what we're dealing with than others within our own professional community? While we all work to stay abreast of the latest services that can help us run our firms more efficiently, I invite you all to remember what a valuable resource our Online Communities are for keeping us connected. ■



 [gswisher@clarkpartington.com](mailto:gswisher@clarkpartington.com)

 850-208-7053

 [www.linkedin.com/in/garyswisherii](http://www.linkedin.com/in/garyswisherii)



*One location ... three areas of interest!*

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**October 12-14, 2017**  
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**MICHELLE SILVERTHORN**  
Diversity and Education Director  
Illinois Supreme Court Commission  
on Professionalism

## What Kids Can Teach Lawyers About Diversity and Representation

**Remember that Cheerios commercial from a few years ago? It starred a black dad, a white mom and their biracial daughter. You might have heard about it — and the reactions to it.**

“

If you want diverse people to be a part of your organization, then there must be people at the top who look like the people you want to attract.”

Many Americans were indifferent. Some Americans were disgusted. And me? I was ecstatic at that ad — and so many others from State Farm, Swiffer and Old Navy — that feature interracial couples and multiracial families. I feel actual joy because I see a family portrayed in the media that looks just like mine. (Well, somewhat. We are less model-esque.) “Finally,” I think. “We are part of the mainstream narrative. We are represented.”

### THE POWER OF REPRESENTATION

It’s a powerful thing, representation: the realization that people like you are part of a narrative larger than yourself. And it struck me recently as to how early that feeling takes hold, and how it can impact the rest of your life, including, say, your tenure at a law firm.

My children, like the children in those ads, are half black and half white. Because of that — and considering only 7 percent of the country identifies as multiracial — they almost never see people who look like them represented in media. So imagine my 4-year-old daughter’s delight when she saw just that.

A few weeks ago, we were at a supermarket in Chicago. All of a sudden, my daughter leaped out of her stroller and shouted, “Look, Mama! It’s me!” She was right. There in front of us was a box of Pampers diapers with a boy on it who really did look just like her: light brown skin, hazel eyes and a curly blond afro. She was delighted.

## THE IMPORTANCE OF SELF-ESTEEM

See, people like to see people who look just like them. “Just like me” is even the basis of one of the strongest implicit biases we have, in-group bias. We prefer people who look like us, who belong to our “tribe,” so to speak. We do it for trust, protection, safety and belonging. But most crucially, according to research, we do it for self-esteem.

Seeing someone who looks like us increases our own self-esteem. We have a more positive impression of people who look like us, increasing our own positive impression of ourselves.

So what does this have to do with representation? Self-esteem, I think, is a slightly different rationale for increasing diversity and encouraging inclusion, and another explanation of why our efforts keep stalling. If you want diverse people to be a part of your organization, then there must be people at the top who look like the people you want to attract, and who, in turn, can build up that self-esteem and sense of belonging for the diverse people joining your organization.

If those people aren’t at the top, then the people coming in at the bottom are less likely to stay because they don’t see a space for them above.

## THE NEED FOR INCREASED LEADERSHIP REPRESENTATION

We know the legal profession is not doing well in diversity, particularly at the leadership level. According to the National Association for Law Placement’s (NALP) 2016 diversity report, minorities constitute 22.72 percent of associates in large law firms but only 8.05 percent of partners. The number for minority women is even starker — only 2.76 percent of partners are minority women.

Meanwhile, women account for 45 percent of associates at law firms. However, they only account for 22.13 percent of partners. Crucially, among nonequity partners who graduated law school in 2004 and later, 62 percent were men and only 38 percent were women.

We know the many reasons for the continued lack of diverse leadership in the legal profession. Increasing representation isn’t an easy task, but the reality is, if we want to increase diversity in our profession, we have to increase the representation of our leadership as well. It’s a cycle, vicious and unending. And it makes a difference, particularly since our lack of diversity seems to exclude the many groups who aspire to belong to our profession.

From the 2010 ABA Next Steps Report:

*The legal profession has ... historically provided access to income and wealth commensurate with the ‘American Dream.’ Historically, racial and ethnic groups, women and other marginalized groups have recognized that a law degree accelerates their social and economic mobility. If any part of our profession — especially the vast and powerful fields of private practice — fails to be diverse and inclusive, we are sending meaningful symbolic messages to members of underrepresented groups, especially those of lower socioeconomic status.*

“Meaningful symbolic messages.” My 4-year-old daughter understands exactly what those are. Representation matters. Self-esteem matters. We all want to see ourselves represented, no matter how old we are, whether in a law firm board room or on a box of Pampers diapers.

So if you remain frustrated as to why our profession’s diversity numbers are stalled, even after all the time and money and effort spent on diversity initiatives, look at how many women and minorities are represented in the positions of power. How many are on compensation committees and management committees? How many are recognized as powerful sponsors?

How many are given credit for high-profile clients? How many are marketed as the key partners for the firm? How many are even there in the first place?

Kids understand why representation matters. So should we. ■

### ABOUT THE AUTHOR

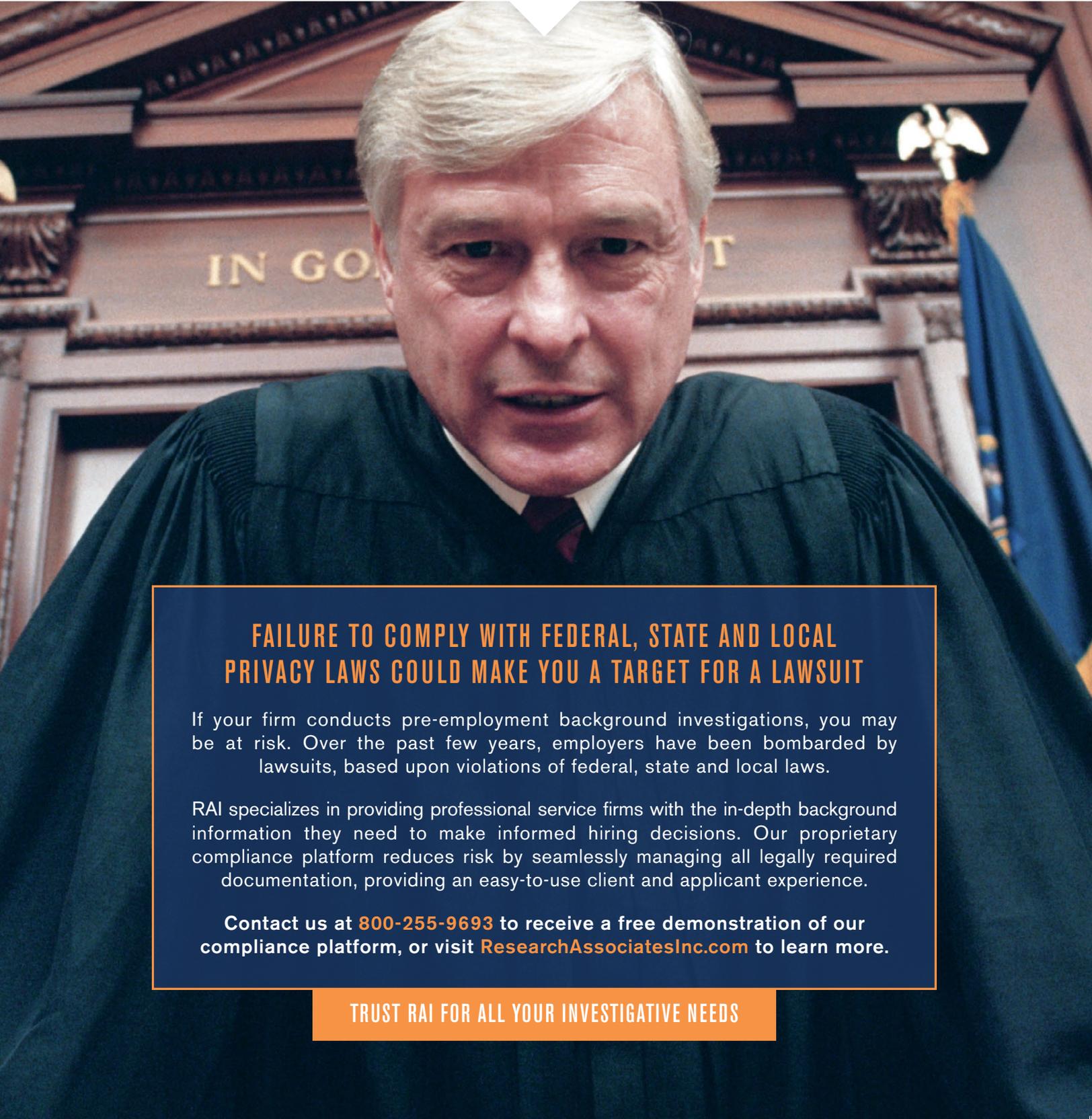
**Michelle Silverthorn** is the Diversity and Education Director for the Illinois Supreme Court Commission on Professionalism. Through the Commission’s online platform, 2Civility, Silverthorn works on blog posts, social networking sites, and online discussion groups focusing on legal education, diversity and young lawyers. She also works with law schools, law students and other legal groups, developing education courses and workshops.

 [www.linkedin.com/in/michellesilverthorn](http://www.linkedin.com/in/michellesilverthorn)

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# Facts and Stats



## WANT A QUICK RESPONSE? SEND A TEXT

More than **90 percent** of people read a text message within the first three minutes of receiving it.

For more on the ins and outs of texting clients, read this month's cover story, "To Text or Not Text."

## QUICK STATS

**65 percent** of law firm leaders say their partners resist most change efforts, and **56 percent** say most partners are unaware of what they might do differently. This reluctance to change is an intractable problem in many law firms.

**88 percent** of firms say they have chronically under-performing lawyers. Equity partners are not sufficiently busy in **52 percent** of firms, and non-equity partners aren't busy enough in **61 percent** of firms. Overcapacity is diluting profitability in **61 percent** of law firms.

Source: Altman Weil's 2017 Law Firms in Transition Survey





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## BLOOMBERG LAW IDENTIFIES THE 10 COUNTRIES WITH THE HIGHEST DATA BREACH NOTIFICATION COMPLIANCE RISK

Based on analysis from its *Compliance Risk Benchmarks* data, Bloomberg Law reveals the 10 most compliance-risk countries for breach notification. The top-10 breach notification list — which ranks South Korea at the top with a risk benchmark score of 83/100, and includes countries like France, Japan and Belgium — looks at a number of factors that make these countries the riskiest for data breach notification. These factors include enforcement level, potential criminal and civil monetary penalties, potential criminal imprisonment, and more.



Breach notification is just one of 10 topics impacting global businesses into which the tool can offer country-specific insights. It also includes burdens and risks related to health information, employee monitoring and surveillance, and online privacy.

## SAFEGUARDING SENSITIVE INFORMATION

The 7th annual Shred-it Information Security Tracker Survey, which surveyed and analyzed C-suite execs and small business owners (SBO) across multiple verticals, finds that companies of all sizes are slacking when it comes to employee training around legal requirements and policy and protocols for destruction of confidential information.

Key findings from the report include:

- Training of staff on company’s information security procedures is highest among the finance/legal/insurance industries (81 percent).
- Despite the growing trend and movements for paperless offices, 39 percent of C-suite executives anticipate an increase in the volume of paper their organization will use over the next year and 52 percent of SBOs anticipate the volume of paper to stay relatively the same.
- 32 percent of SBOs believe that the loss or theft of documents would cause no damage to their organization and 31 percent think a data breach wouldn’t significantly impact their business.
- Only about half of all C-suite professionals (51 percent) train their employees on legal requirements at least twice a year and 36 percent of SBOs never train their employees at all — highlighting the need for more robust training within businesses both large and small.



## SUMMER PERKS

HR managers were asked, “Which, if any, of the following summer benefits are offered at your company?” Their responses (multiple responses permitted):

	2017	2012
Flexible schedules	62%	75%
More relaxed dress code	29%	57%
Leaving early on Fridays	20%	63%
Activities such as a company picnic or potluck	17%	28%

Source: OfficeTeam, a Robert Half company



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# Tips for Writing Effective Job Descriptions

The right words and formatting can help you attract the right candidates.



**KYLIE ORA LOBELL**  
Freelance Writer

**Assembling a stellar team for your law firm is crucial to your success. With the right partners and support staff, you can ensure that operations will run smoothly and your clients will be satisfied with your service.**

But finding the best team members starts with writing effective job descriptions. If you can articulate your firms' needs and you know exactly what you want in a candidate, you will be able to keep your firm moving forward.

"A well-written job description is an important part of the hiring process," says Charles Volkert, Senior District President at Robert Half Legal, a legal staffing agency. "It outlines the criteria to evaluate potential hires, which can help determine what skills and experience candidates should possess. A job description can be used to form the basis for online job postings and as a guide for consistent candidate assessment when the time comes to review resumes."

When searching for new employees to welcome into your law firm, you need to follow a few guidelines for writing excellent job descriptions. Here's where to start.

## **KEY DETAILS**

Volkert says to begin with the basic requirements. These include the job title, an overview of the position, clear expectations for the job and detailed descriptions of duties. Also,

“Be as precise as possible in describing what you’re looking for, without excluding the possibility of enticing unique candidates whose experience adds up to more than the sum of the parts.”

list the most important functions, job qualifications and specifications, locations, and other relevant details like workplace culture and reporting relationships.

Delia Swan, Founder of Swan Legal Search, specializes in placing partners and associates at firms. She says that if you’re looking for lawyers, you should list Juris Doctor (JD) years, academic and bar requirements, and specific practice areas you’re seeking out.

In your job descriptions, you need to, “Be as precise as possible in describing what you’re looking for, without excluding the possibility of enticing unique candidates whose experience adds up to more than the sum of the parts,” says Swan. “For example, while you might want candidates with particular JD years, similar length of experience in the specialty might open you up to more seasoned attorneys who shifted gears during their careers.”



To appeal to attractive candidates — whether they are support staff, partners or associates — you should highlight exclusive perks of the position and interesting benefits that come with working for your firm.

“Include sizzle points about your company or firm [and] think about what makes the position or company/firm unique,” says Amanda Ellis, Senior Vice President at Special Counsel, which provides legal staffing and recruiting services. “The sizzle could include unique benefits or perks, such as on-

site massage therapy or pet insurance. Or, [the] sizzle could be a detail about the position, such [as the] opportunity to support the managing partner or [the] opportunity to support the practice group leader.”

The particulars about company culture may seem small, but in the grand scheme of things, they’ll help you recruit only the most appealing prospects. “We find that candidates are attracted to firm culture as much as prestige,” says Swan. “Today’s best candidates are often looking for a life experience that brings more breath to their resumes. You benefit, then, from attracting more thoughtful and mature lawyers.”

The particulars about company culture may seem small, but in the grand scheme of things, they’ll help you recruit only the most appealing prospects.

## THE STRUCTURE

After you’ve determined the content of your job descriptions, you have to then follow the best practices for all the technical details.

Volkert says you need to use a conversational tone as well as action words to describe the position, the skills and capabilities required, and the key responsibilities. “Employers should use concise language, but provide specific and detailed information. Use search-friendly keywords that will maximize viewing by increasing numbers of online job seekers and applicants.”

According to Ellis, shorter is better, and the descriptions should be 150 to 500 words. That’s because many candidates will be reading the descriptions on their mobile devices while on the go. She also suggests avoiding long paragraphs, and to use an opening paragraph followed by one to three sections with headings and bullet points. Another best practice is to write in second person using “you” and “your” to personalize the posting.

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Shorter is better, and the descriptions should be 150 to 500 words. That's because many candidates will be reading the descriptions on their mobile devices while on the go.

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At all costs, you need to avoid using technical jargon, acronyms, buzzwords and abbreviations, says Volkert. It's also crucial to go over the job description and make sure that there isn't any language that could be considered discriminatory. When you're formatting the description, keep it simple, and don't feel the need to include large images that will take a long time for mobile users to download, he notes.

Aside from incorporating those search engine optimization-friendly keywords, you can make your job listing stand out by writing an article on LinkedIn about it, says Ellis.

In her own LinkedIn article, where she aimed to hire attorney recruiters, she started off the piece with conversational questions like, "Are you an attorney who is ready to leave the practice of law?" and "Do you enjoy attending networking events?" She then included some basics about the job and pictures of employees enjoying each other's company. It served as a way to highlight the work culture, too.

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Effective job descriptions can transform your firm by attracting only the top candidates.

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### SAMPLES TO GET YOU STARTED

After you figure out all the technical and structural details of your job descriptions, you can look to other firms and legal staffing agencies to see what they included in their own descriptions. Then, you can use what you learned in your own listings. (For links to these, checkout the digital version of this article.)

For example, in a job description on the Robert Half website for an administrator/office manager, the recruiter started with the responsibilities of the job, the required experience, and whom the candidate would report to in a short paragraph. Then, in bulleted form, the recruiter listed some of the typical duties that would be required of the candidate.

Robert Half also provides firms with a list of the U.S. glossary of legal job descriptions that they can use in their own efforts.

The guide includes everything from job descriptions for law firm attorneys, litigation support staff, legal specialists and general administrative employees.

On Swan Legal, a job description for a bankruptcy associate is comprised of a summary of the job in a small paragraph up top, bullet points including the typical responsibilities, and additional bullet points for the on-paper qualifications like having a JD, being a member of the bar in California, and practicing bankruptcy law for at least four years at a private firm. There are also personality qualifications, such as possessing the ability to multitask as well as being able to work on a team.



### MAKE YOUR WORDS COUNT

Effective job descriptions can transform your firm by attracting only the top candidates. Volkert says they have many uses beyond their initial purpose when it comes to hiring procedures.

"Written effectively, job descriptions serve as a valuable resource for many audiences and across a variety of functions," he says. "To name a few functions, job descriptions can be a comprehensive resource to advise job candidates about details and requirements of a position or serve as an objective guide to assist hiring managers during the recruitment and interview process." ■

### 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/kylieoralobell



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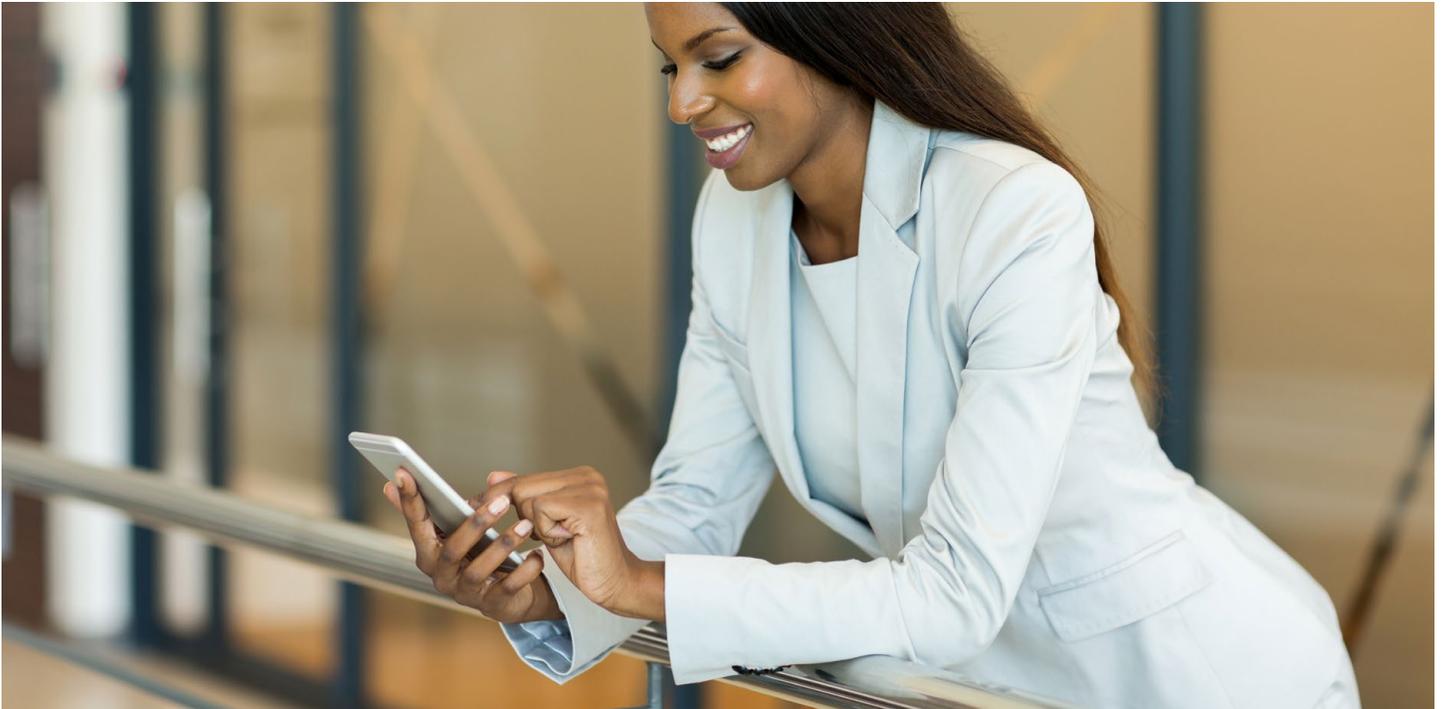
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Marco Maggio • [mmaggio@allcovered.com](mailto:mmaggio@allcovered.com)  
Zina Motley-Weaver • [zmotley@kmbs.konicaminolta.us](mailto:zmotley@kmbs.konicaminolta.us)





# To Text or Not to Text

Is your firm handling mobile device-based client communication the right way?



**ERIN BRERETON**  
*Owner, Chicago Journalist Media*

**When Patrick J. Lamb, Partner at Valorem Law Group in Chicago, needs to briefly discuss a matter with another attorney in his office, instead of calling or sending an email, he often reaches for his cell phone.**

“We text internally at work,” Lamb says. “Sometimes it’s just easier to do that because you know people will check texts sooner than emails.”

Valorem’s attorneys aren’t off-base; more than 90 percent of people read a text message within the first three minutes of receiving it, according to research firm MobileSquared.

Because you don’t have to log in to a system to send or receive texts, they’re sometimes viewed as a more convenient option than email.

We’re also just getting a lot less of them. With Americans receiving roughly 122 business emails a day, according to research firm The Radicati Group, compared to approximately 32 to 33 texts each day, software-as-a-service provider Text Request’s estimate, text messages tend to stand out more than email — one reason they’ve become some clients’ preferred communication choice.

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All those messages can add up; unless the firm has agreed to an alternative fee arrangement, clients may be surprised to find out they're being charged for the exchanges.

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"In the last five years, as texting moved generationally from being something that younger people did into being a common method of communication, clients are most likely texting — so they're more likely to communicate with their law firm that way," says Meghan Freed, Managing Attorney at Connecticut marital and family law firm Freed Marcroft LLC.

### THE TROUBLE WITH TEXTING

Mobile device messaging may have become more popular in the legal realm; it can, however, pose some concerns.

Because the general texting vernacular skews toward casual, texts may not, for example, convey all the necessary information.

"Text was designed for short, quick responses," says Eric Kahn, Managing Shareholder at Javerbaum Wurgaft Hicks Wikstrom & Sinins P.C., a more than 40-attorney firm in New Jersey, New York and Atlanta. "It's very hard to give full and complete responses to legal questions by text."

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Email allows users to easily attach written and other documents, include a disclaimer, and spellcheck the message before sending it. Text creation can, in some instances, feel a bit more haphazard.

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Email allows users to easily attach written and other documents, include a disclaimer, and spellcheck the message before sending it. Text creation can, in some instances, feel a bit more haphazard.

"Our sense of text messaging is the response should be immediate, even if it's maybe not an urgent matter," Freed says. "You can send a lot of rapid-fire texts and don't have to gather your thoughts."

Deciphering a string of messages — or trying to respond to one — can be challenging. Clients, according to Larry Casey, Shareholder at midsized firm Davis, Malm & D'Agostine, P.C.

in Boston, may not be sure which specific text an attorney is responding to.

"From a legal perspective, if lawyers are writing something that's not clear and the client acts on it, there's a problem of liability," Casey says. "If clients aren't reading texts carefully, a response could be confusing or be misinterpreted, if you have a text that says 'Are you OK with their offer?' versus an email that says, 'This confirms the terms of the email below.'"

Awkward phrasing isn't the only potential predicament; texting can also cause a number of other prospective issues — such as:

**Cost concerns:** Texting isn't always the most efficient communication method, according to Casey.

"People tend to not give full explanations or descriptions, or even full responses, to what the inquiry is, so you have to text again," he says. "There's much more going back and forth."

All those messages can add up; unless the firm has agreed to an alternative fee arrangement, clients may be surprised to find out they're being charged for the exchanges.

"Clients can lose track of how much time texting back and forth takes because it feels so informal," Freed says. "It's not a consolidated way of communicating, which leads to higher bills for no reason."

**Reduced work-life balance quality:** Clients know, with today's technology, attorneys can be reached virtually any time, which makes it hard for firm members to disengage and relax at the end of the day.

"Almost all lawyers here use smartphones; unfortunately, [that means] we can get our email and receive texts 24/7," says Rubin Sinins, Shareholder at Javerbaum Wurgaft. "And the expectation of clients oftentimes is that they're going to get an immediate response."

Freed's firm found clients several years ago were starting to text attorneys outside of traditional nine-to-five hours.

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Texts, which can appear on a locked screen, even if the phone is in sleep mode, may also put messages at a greater risk of being seen by unintended viewers than email, which is password-protected.

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"If you have a cell number, you can text it," Freed says. "We interact with a lot of folks going through something in their personal life, and we understand there are heightened emotions. It just became difficult to wade through the expectations of clients for immediacy, versus needing to make sure our team is able to leave work. It makes it difficult for them to have a home life."

**Document management difficulties:** Although clients can send some evidence via text, such as photos, Chicago-based Solo Practitioner Charles A. Krugel, a labor and employment attorney, has run into situations when messages or images come through without key information.

"What I really need when they send me things is metadata — [identifying] when the document text was created, who had the chain of evidence, where it came from in the organization," Krugel says. "If we can't independently corroborate its existence, then it's really no good; the evidence is basically worthless."

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With more than 560 billion texts being sent each month worldwide — a more than 7,700 percent increase in the past decade — texting doesn't seem to be going away anytime soon; it's up to firms to find an approach that will help them manage the correspondence.

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Texting can also complicate document storage and retrieval. Although Freed's firm has systems in place to capture emails and phone calls, it realized, when clients began texting more frequently, that it didn't have a way to log text messages.

"People were capturing them via screenshot and uploading them into the filing system, which was just not an efficient way to communicate and save documents [in regard to] practice management and maintaining files," Freed says.

**Privacy risks:** Although Krugel says a basic attorney-client privilege would technically apply to texts due to the nature

of the communication, he has seen instances in which clients have mistakenly sent items to other people — for example, the opposing counsel — because the person's phone automatically populated numbers or names.

"All you can do is tell the other side it was intended to be a privileged conversation and ask them to destroy it," he says. "You can't just leave it out there if the client sends something to someone by mistake; you have to maintain some sort of protection of privacy."

Texts, which can appear on a locked screen, even if the phone is in sleep mode, may also put messages at a greater risk of being seen by unintended viewers than email, which is password-protected.

"A lot of times, texts will appear when you turn your phone on," Lamb says. "You want to avoid texting confidential information in case something appears, and the intended receiver isn't the one opening the phone."

Clients, however, sometimes do text sensitive information — which, with some devices, may appear in multiple locations.

"A text message might show up on my phone — but also on my child's iPad or the family computer through iCloud," Freed says. "You could be texting and commiserating with a friend about your situation and have a spouse or child read it, which can lead to upset feelings or acrimony. It's not the most private way to chat."

### WHAT FIRMS CAN DO

With more than 560 billion texts being sent each month worldwide — a more than 7,700 percent increase in the past decade, according to data from research provider Statistic Brain — texting doesn't seem to be going away anytime soon; it's up to firms to find an approach that will help them manage the correspondence.

The most obvious way to prevent clients from texting you is to avoid giving them your cell phone number. A number of attorneys at Javerbaum Wurgaft share their contact information sparingly.

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## A carefully crafted communications policy can also help prevent texting from becoming an issue.

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“We don’t require or even encourage lawyers to give their cell phone number to clients,” Rubin says. “The nature of most attorneys’ work doesn’t lend itself to [needing an immediate response].”

Kahn doesn’t always offer his cell number to clients either.

“In criminal cases, you need after-hours contact because people get arrested on weekends and Friday nights,” he says. “In the personal injury work I do, primarily, there’s not a lot of action required on an urgent basis. I don’t trust everyone to honor my time away from the office or weekends; I’d rather be more judicious in who I give my number to.”



Some attorneys limit their texting to brief updates and encourage clients to do as well.

“I don’t have any problem with quick communications to connect with a client,” Casey says. “I’ve seen more short texts — ‘I’m available for a call’ or ‘I just left a voicemail; call me back,’ than heavy-duty texting.”

A carefully crafted communications policy can also help prevent texting from becoming an issue.

When Freed’s firm realized a number of attorneys were getting texts outside of normal business hours, it decided to put an informal communications policy into writing.

Clients now see a two-page document when they start working with the firm that explains why text messaging isn’t the best way to communicate and outlines its preferred contact methods, along with other information, such as what

the firm defines as a textable emergency — for example, a spouse threatening to take the children out of the country.

“The vast majority of people don’t run afoul of it; when people do, our first attempt isn’t to remind them that they violated a policy,” Freed says. “We decided when a lawyer received a text message from a client, they should just respond in email. We’ve learned by responding via a more approachable communication mode, most people get it and redirect the communication.”

Freed Marcroft’s attorneys do, on occasion, text clients — if, for example, the courtroom they were supposed to meet in has been changed to one on a different floor. But firm members are careful not to make it a habit.

“We try to isolate it for limited purposes, if it’s time-sensitive — just a quick note because the client might not be opening email on their way into court,” Freed says. “But even before we do that, we say, ‘I apologize for texting,’ to acknowledge that we’re going out of our normal communication method.”

Adhering to a well-defined communications stance is crucial to reigning excessive client texting habits in — and keeping them from again getting out of control.

“In general, if the firm has a policy or not, you have to have your own personal policy, depending on how comfortable you are receiving texts or calls,” Kahn says. “We need to be available to our clients; but we don’t need to be available to all of them 24/7 — it’s just not a reasonable expectation.” ■

### 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](mailto:breretonerin@gmail.com)

 [twitter.com/erbrer09](https://twitter.com/erbrer09)

 [www.chicagojournalist.com](http://www.chicagojournalist.com)

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# Closing the Tech Proficiency Gap

The tech skills attorneys are most lacking, and how you can get them on track.



**JOBST ELSTER**  
Head of Content & Legal Market  
Strategy, InsideLegal

**Technology can be a love-hate relationship for many law firms. On one hand, it's streamlined many processes to make firms function more efficiently. On the other, it's forced some attorneys to change up the way they've always done things, to add proficiencies that may be outside their comfort zone. Additionally, there can be a wide range in abilities.**

And that leaves you to bridge that gap — a gap that needs to be filled. In 2012, the American Bar Association formally approved a change to the *Model Rules of Professional Conduct* to clearly communicate that lawyers have a duty to be competent not only in the law and its practice, but also in technology.

The amendment to the rule on maintaining competence reads as follows: "To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, *including the benefits and risks associated with relevant technology*, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject." As of March 2017, 27 states have adopted the ethical duty of technology competence for lawyers.

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The reports show that 43 percent of helpdesk tickets (based on the analysis of 2.2 million-plus tickets within an 18-month timeframe) related to various versions of Microsoft Office — 22 percent specific to Outlook and 19 percent regarding Word.

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So how does ABA's acknowledgement that "technology and lawyer" is not an oxymoron affect real world law practice? And to what extent is the onus on the legal management professional to prove technological compliance?

### STATE OF TECH PROFICIENCY

We can argue that it was just a matter of time before technological inefficiencies (based both on available tools and tool proficiency) caught up to legal professionals. But where are we currently seeing the biggest skill gaps?

While current hot button issues like cybersecurity, data analytics, machine learning and artificial intelligence are grabbing most of the headlines, application proficiency in basic tools like Word, Outlook, Excel and PDFs is still at the core of many training initiatives — and rightfully so.

In terms of helpdesk tickets, Microsoft Office tops the list of where help is needed. The *User Support Guru Guide*, a series of reports produced by outsourced service/helpdesk provider Intelliteach, aggregated independent law firm user support and service desk statistics and metrics to help better understand which law firm applications are most supported. In other words, which yield the most questions and needed guidance from firm technology trainers?

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Firm clients demand efficiency and sophistication when it comes to leveraging technology to drive results; technology and its effective use are less a competitive advantage, but more a prerequisite for engagement.

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The reports show that 43 percent of helpdesk tickets (based on the analysis of 2.2 million-plus tickets within an 18-month timeframe) related to various versions of Microsoft Office — 22 percent specific to Outlook and 19 percent regarding Word.

The data, last published in 2013, also found that document management systems (10 percent of total support tickets),

PDFs and similar applications (6 percent), and document production (4 percent) required the most training and follow-up. These user support-based benchmarks mirror what we are seeing in terms of educational training and curricula being offered at national legal technology conferences like ABA TECHSHOW, as well as regional events like the Missouri Bar Solo and Small Firm Conference.

Firm technology trainers have gotten creative about providing on-demand, bite-size, often virtual training for busy professionals. Plus, organizations such as Legal Technology Core Competencies Certification Coalition (LTC4) and Legal Technology Assessment (LTA) are providing corresponding proficiency standards and competencies to establish learning consistency, reliability and transparency, something law firm clients are increasingly demanding of their outside counsel.

I have spent the last few years working closely with law firms, legal technology competency organizations, legal technology vendors and legal trade associations on demystifying technology proficiency. One of the most frequently asked questions addressed in related panel discussions and conference sessions continues to focus on the state of technology skills: How do you currently evaluate attorney technology competence at your firm?

"It starts with the attorney's own perception of their needs," says Tony Gerdes, Learning and Development Manager, Offit Kurman, and Contributing Member, LTC4. "Then as new projects demand greater skills, or attorneys are presented with learning opportunities, the gaps between one's current level of performance and the required level become more obvious."

For Justin Hectus, Director of Information at Keesal, Young & Logan, best practices technology training delivery is achieved via tailored, short one-on-one sessions, combined with an annual three-hour tech CLE requirement for all timekeepers. Led by Hectus, the firm is considered an early adopter of technology proficiency standards, certifications and assessments, all designed to drive overall efficiency and client service.

The desire to work smarter and more efficiently has helped drive firms to buy in to tech proficiency. "It wasn't hard to

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It is clear that law firms and their professional staffs will no longer get a pass when it comes to technology prowess.

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demonstrate to our management that increased proficiency would improve our profitability, while reducing costs and errors,” says Gerdes. “My goal was to create an environment where certifications became something that our staff would want to pursue, rather than simply being mandated.”

### STANDARDS AND ASSESSMENTS

Fortunately, technology standards and assessments are available to help you sort through this and keep up with ABA’s ethics/model rules of professional conduct changes.

According to Gerdes, there are a few key drivers in assessing and testing technology competence.

For example, LTC4 sets a standard and offers certification of those who demonstrate they have the necessary skills. Currently, there are 10 core competencies that span core workflows, processes and applications within the firm, covering everything from legal collaboration technology to security and e-discovery.



The LTC4 membership ecosystem includes law firms, law schools, training and technology vendors, and increasingly law firm clients.

“While our current clients may not be asking to see our certifications, some have been pleased that we have them. In addition, the ABA has made it clear that keeping abreast of relevant technology is part of an attorney’s ethical responsibility. From competency and ethics to profitability and cost reduction, ensuring that our attorneys are technologically proficient benefits both our clients and our firm,” says Gerdes.

Casey Flaherty is the Founder of Procertas, which offers professional certifications and technology assessment,

including the Legal Technology Assessment (LTA). He sees proficiency as mainly firm-driven with an eye toward clients. “Primarily, it is one piece of a much larger puzzle in continuously improving client service delivery. Secondly, it is one among many ways we can provide transparency to our clients and assure them of our commitment to providing maximum value,” he says.

The LTA is a benchmarked assessment and training platform that establishes how fluent legal professionals are with the basic technology tools, including Word, Excel and Adobe PDFs. Benchmarked results are primarily used to ensure that legal professionals are getting the training they need. But the results can also be used for professional development, onboarding, rate negotiation and even invoice review.

So what’s the technology proficiency bottom line? It is clear that law firms and their professional staffs will no longer get a pass when it comes to technology prowess. In terms of finding a starting point when it comes to assessing technology competence, LTC4 offers learning plans, focused on 10 core competencies covering everything from legal collaboration technology to security and e-discovery, for guidance.

But firm clients demand efficiency and sophistication when it comes to leveraging technology to drive results; technology and its effective use are less a competitive advantage, but more a prerequisite for engagement. It’s up to the legal management professionals to ensure their staff can meet this demand. ■

### 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](mailto:elster@InsideLegal.com)

 [twitter.com/insidelegal](https://twitter.com/insidelegal)



**URI GUTFREUND**  
National Law Firm Practice Leader  
Risk Strategies Company

“

Misconceptions are shortcut assumptions that are wrong. If you learn more about these issues, you can easily improve on each of these areas.”

## 7 Insurance Misconceptions

**I know it's true because I read it on the internet, right? There are lots of misconceptions out there in every area of life and in the law firm insurance world (a small world where geeks like me live) is no different. These are seven common misconceptions that we find among law firms:**

- 1. Raising my professional liability deductible will lower my cost.** While intuitive and true on some types of insurance coverage like personal auto insurance, raising your deductible on your professional liability insurance will almost never make business sense. For example, saving \$500 on your annual premium by increasing your deductible by \$25,000 would be a big mistake. Think about the total cost of risk.
- 2. Contents coverage protects my stuff.** All law firms purchase coverage for their office equipment and build-out space as part of their office package policy. However, the amounts of each coverage must be customized for your firm. The coverage does not grow with your firm. If you did this process 15 years ago, you can be certain that the coverage is no longer appropriate.
- 3. All policies are standard.** Most of the policies that you have at your firm are not standard forms. General liability, umbrella and workers' compensation are exceptions and are standard forms. The rest — professional liability, health insurance, cyber, employment practices liability insurance (EPLI) — are all important coverages, but are not at all standard. If you are not a technical reader or your broker isn't giving you a complete review, enlist one of your lawyers to read your policies.
- 4. Professional liability insurance applications are just paperwork.** How you complete the professional liability application will determine your premiums, options from other companies, and, importantly, whether there will be coverage in times of claim. Start with a copy of last year's application, discuss it with your broker to come up with a draft for this year and then type your application in a neat and comprehensive format.

**5. Don't report the small claims.** When there is even a whiff of dissatisfaction about your legal services, report to your insurance company. Yes, this could impact your future premiums. However, it is still the right thing to do for two reasons: 1) Even if you think it will become nothing and fall well below your deductible, you can never be 100 percent certain of that — risking your coverage on a claim is an unacceptable risk for your firm. 2) You will have another application to complete in the next 12 months asking you if you know of any circumstances that could lead to a claim, so you will be giving the insurance company a reason to void your policy (if you continue to hide it). Or, if you disclose it, you will suffer the same future premium increases as you started with above. Your broker can mitigate future premium increases due to frivolous claims.

**6. Health insurance claims are the employee's burden.**

All health insurance companies have trouble paying claims in a simple, easily understood way. This confusion is compounded when claims are either denied or disputed. It should be part of your human resource department's responsibilities (with your outside vendors and consultants) to help the employees resolve these claims for two reasons: 1) your team can do it better; 2) you do not want your employees spending time worrying and dealing with these issues. Lots of data shows that these claims will negatively impact their mindfulness and efficiency at work.

**7. We know everything we need to know about insurance.** It is impossible for any one person to be up-to-date on every nuance of every coverage of insurance for your firm. Even insurance brokers (whose job is entirely insurance) have specific departments of specialization. You need to keep learning from conferences and reading and using professionals who are themselves always learning. A perfect example of this need is keeping up with cyber liability coverage, which is constantly changing.

Misconceptions are shortcut assumptions that are wrong. If you learn more about these issues, you can easily improve on each of these areas. Your professionals can help, but ultimately it is up to you to make these improvements. Your partners will thank you. ■

**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](mailto:ugutfreund@risk-strategies.com)



[www.linkedin.com/in/urigutfreund](http://www.linkedin.com/in/urigutfreund)



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## Wireless Headphones — Cutting the Cord?

**When Apple’s iPhone 7 shipped last year, our geeky curiosity was aroused. As most of you know, the iPhone 7 shipped without a headphone jack. Obviously, Apple is attempting to move the entire smartphone industry to a new wireless era. As you might expect, we pulled out our respective wallets and began our wireless headphone spending spree.**

“

Wireless earbuds are great while you are walking or working out, while you are calling on your cell phone, or while you are relaxing but want to maintain a better awareness of your surroundings.”

First things first. We are not including Apple AirPods in this review. In fact, we have not included any completely “wire-free” headphones in this review. These earbuds are completely wire-free because there is no cable running between the earpieces. Each earbud is completely separate from the other, so you don’t have to worry about cable. However, there are many drawbacks to these wire-free models — such as poor sound quality and battery life, and the ease with which they can be misplaced or lost. So we do not recommend any completely wire-free headphones. Hopefully, the technology will continue to improve and, when it does, we will be the first to go wire-free.

If you are looking for audiophile sound quality in these wireless headphones, you will not find it. Bluetooth signals are compressed, and, although technology has continued to improve the sound quality, wired headphones and earphones still retain a sound-quality edge. However, the convenience of wireless headphones lets you avoid having a cable dangling down to your smartphone. Plus, they look cool. If you are looking to get you a set of these babies, there are three decisions you have to make.

First, you’ll need to decide if you are going to buy earphones or headphones. In other words, do you want “cans” on your ears? Or just in-ear earbuds? The cans (headphones) generally sound better. Next, consider if you want noise-canceling headphones or earphones. Noise-canceling headphones block out outside noise, which makes them particularly useful on

airplanes or other noisy spaces. However, they will cost you extra. A third decision is how much you want to spend. Since we blow all of our money on gadgets anyway, this is our least important factor.

### THE WIRELESS HEADPHONE CONTENDERS

First let's discuss the best wireless headphones. In a lot of ways, wireless headphones are the most convenient to use, even though they do cover up your entire ear. The wires connecting the speakers on each side run through the "strap" that goes over the top of your head. Our three picks in this category are as follows: 1) Bose QuietComfort 35, 2) Plantronics Backbeat Pro 2, and 3) Bowers & Wilkins P7 Wireless.

The Bose QuietComfort 35 headphones (\$349) are clearly a world-class pair of headphones. These have what is probably the best noise cancellation available on the market. Plus, the battery life is long. They sound great, and the design and form factor is some of the best available on the market.

The Plantronics Backbeat Pro 2 headphones (\$199) save you about \$150. We love these headphones because they have a battery life of approximately 24 hours. In addition, they are very comfortable, and the sound quality and noise cancellation are very good (though not quite as good as the Bose).

Finally, the Bowers & Wilkins P7 Wireless headphones (\$399.98) also have an incredible battery life — 17 hours. In addition, they are probably the best sounding headphones on the market, but because they are so expensive — but still don't include noise cancellation — they are our third choice in this roundup.

### NEXT UP: WIRELESS EARPHONES

Now let's talk about our favorite category, wireless earphones (in-ear headphones). We love this category. They are great while you are walking or working out, while you are calling on your cell phone, or while you are relaxing but want to maintain a better awareness of your surroundings. Our favorite three items in this category are: 1) Beats by Dr. Dre BeatsX, 2) Bose QuietControl 30, 3) JBL Reflect Mini BT, and 4) Jaybird X2.

The BeatsX (\$89.99) are our pick for the best in this category. These earphones have the Apple W1 chip that makes it easy to pair and connect these headphones wirelessly, especially to an iPhone. The headphones are reasonably priced, and they have good (but not the best) sound quality. Plus, you can

charge them in approximately five minutes. In addition, the BeatsX stay paired with your phone well beyond 30 feet — most Bluetooth earphones do not reach that far.

Coming in next are the JBL Reflect Mini BT in-ear sports earphones (\$79 at Amazon). We love JBL speakers, and we love these JBL earphones. To our untrained music ear, these earphones provide the most accurate sound, both solid bass and accurate highs. These are sport model headphones (like the Jaybird X2 we talk about next) come with multiple options for ear tips, so they can stay in your ears during the most intense workouts. Moreover, the price is right.

Our third choice is the Jaybird X2 wireless headphones (\$109). We first saw the Jaybird wireless Bluetooth headphones at the Consumer Electronics Show (CES) approximately four years ago. The X2 is their latest offering. The Jaybird X2 earphones have fantastic sound performance and good battery life. Both the JBLs and the Jaybirds provide really a good bang for the buck and are good for workouts because both are sweat-proof.

Finally, we have the Bose QuietControl 30 headphones (\$299). These headphones provide great sound performance and noise cancellation. They also have a wide variety of earbuds, making it easy to find a good ear fit. We do, in fact, love these earphones and would give them a higher rating out of this group. But the price (\$299) is just a bit much for this category, because the primary use for these wireless earphones is for casual and workout use.

And there you have it. It is time to go wireless with your headphone and earphone choices. One day, in-ear earbuds — like the Apple AirPods, the Skybuds and the Motorola VerveOne — will be good choices. But for now, we think it is best to go quasi-wireless and pick from one of the pairs we have listed above. ■

### 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](http://www.thebillandphilshow.com).

 [twitter.com/billandphil](https://twitter.com/billandphil)

# Sometimes Saying “No” Is Your Best Business Decision

By Bob Denney



**The managing partner of one of our clients once said to me, “The hardest thing in the world for most lawyers is to decline an opportunity for increased business, even when it’s because of a conflict or a question of ethics.”**

There’s obviously no question about having to say “no” in those situations. But there are other opportunities for increased business when the wise decision for the firm may be to say no. Here are examples from two of my clients.

## LATERAL ENTRY OPPORTUNITY

A 40-lawyer litigation was approached by a widely recognized and successful partner at a BigLaw firm. He had a blue-chip client list and a large book of business and planned to bring in two younger partners and two associates. He demanded a guaranteed compensation package that would have made him the highest paid partner in the firm. He also demanded that his two partners and the two associates be made equity partners as well.

My client very much wanted this lawyer, his clients and the revenues that would probably ensue. But, after reviewing the situation, the partners decided to say “no.” If they met all this potential partner’s demands, it would disrupt the firm.

Six months later, my client was approached by another Big Law partner who also had a blue-chip client list and a substantial book of business. However, this person did not require his compensation be guaranteed, or that the two associates he’d bring with him be admitted as partners. My client said “yes” to this opportunity, which has proved very successful.

## CLIENT DEMAND

In another situation, one of the top three clients of a 200-lawyer firm demanded a number of additional “value-added” services, or they would take all their work to another firm. The fee arrangement they demanded would have made this client unprofitable.

Despite the considerable revenue involved, my client said no. However, they offered to provide other additional services at no charge, and also proposed a different fee arrangement that would still be profitable for the firm. After some discussion and negotiation, the client agreed to the firm’s proposal.

Shortly thereafter, in a surprising development, the client informed my client that they were terminating the other firm they’d been using. All of the work would now go to my client — work that was also profitable.

## STRATEGIC DECISION

In today’s highly competitive legal market, some firms accept work from current or potential clients even though they have limited experience or capability in the area. It is an unwise attempt to be all things to all people. What most firms should do is make the strategic decision to focus on and develop certain practice areas, types of clients or industries and, in effect, say “no” to opportunities that do not fit their strategic positioning.

It's not easy and it requires courage, but successful operations have learned that sometimes the best business decision is to simply say "no."

That said, this does not mean firms should tell clients that they don't want their additional work. If the firms do not have sufficient depth or expertise in an area, what they should say is, "We're not the best choice for this work. Let us refer you to a firm that has the expertise you need in this area." By handling the situation this way, the firm strengthens its relationship with those clients because it demonstrates that it places their interests ahead of its own desire for any additional business.



Despite the soundness of this decision, there may still be partners who believe bringing another firm into the picture risks potentially losing all the current work they do with the client. Others in the firm may believe they can't afford to say "no" to any work. The reality in these cases is that, if a firm accepts work for which it doesn't not have sufficient depth or expertise, it will eventually lose all the work it has been doing with those clients anyway.

This principle doesn't just apply to law firms. It applies to every business and professional firm. It's not easy and it requires courage, but successful operations have learned that sometimes the best business decision is to simply say "no." ■

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#### 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

## ALA's 2017 Compensation and Benefits Survey

Enter your firm's data to help compile the industry's most comprehensive, up-to-date report on legal management professionals.

- ▶ Discount if you purchase the report
- ▶ Customized online dashboard for participants



Participation Opens in June! [alanet.org/compsurvey](http://alanet.org/compsurvey)



## Experience ALA's Webinar Series

For the best value in online education, look no further than ALA's webinar series – spanning functional specialties and topics for every legal manager.

Check out our summer lineup:

<b>JUN. 1</b>	<b>Using Billing and Invoicing as a Business and Client Development Tool</b>	
<b>JUN. 21</b>	<b>Communication for the Brave, the Meek and Everyone in Between</b>	
<b>JUL. 6</b>	<b>Ethics/Liability: Why Law Firms Must Get Serious About Substance Abuse</b>	
<b>JUL. 19</b>	<b>Better Self-Management Through Type</b>	
<b>AUG. 3</b>	<b>Mindful Mentoring</b>	
<b>AUG. 16</b>	<b>Attorney and Matter Profitability</b>	
<b>AUG. 22</b>	<b>USPTO's eMod Patent Center Update</b>	

Don't miss out! All of our 2017 and 2016 webinars are available on-demand.

Learn More: [alanet.org/webinars](http://alanet.org/webinars)

# Anniversaries, Awards and Appointments

## MEMBERS ON THE MOVE >>>>



**Ashley O'Neill**, member of the Capital Chapter, is now Director of Operations at Feldesman Tucker Leifer Fidell LLP in Washington, DC.

**William A. Rector**, member of the Capital Chapter, is now Office Administrator at O'Melveny & Myers LLP in Washington, DC.

## CONGRATS TO OUR NEW CLMS!

The following individuals received the CLM® designation after passing the May 2017 exam:

- **Phillip Brooks Gould, CLM**, McKool Smith, Dallas, Texas
- **Teresa F. Wood, CLM**, Dale Woodard Gent Law Firm, Franklin, Pennsylvania
- **Alfred E. Smith II, CLM**, Daniel Coker Horton & Bell, Jackson, Mississippi

It takes a lot of hard work and dedication to get ready for the exam, and we look forward to announcing those who earn this prestigious designation. Want to sit for an upcoming exam? Learn more about what it takes to earn the CLM at [alanet.org/education/certification](http://alanet.org/education/certification).



## MORE FROM OUR MEMBERS

- **The ALA Committee on Diversity and Inclusion's Diversity Toolkit** article has been published in the current issue of the *ILLP Review 2017: The State of Diversity and Inclusion in the Legal Profession*. As leaders in the legal industry, ALA is grateful for the committee's effort and success in increasing awareness of, and sensitivity to, diversity within the legal management community.
- **ALA congratulates Renee Lane-Kunz**, Partner/Chief Operating Officer with Shapiro Sher Guinot & Sandler P.A. Renee is a member of the Maryland Chapter. She is a winner of the 2017 Leadership in Law award.
- **Congratulations to ALA member** and winner of the Maureen Varnes, CLM Memorial Volunteer of the Year award for 2016, **Terri Oppelt, CLM, SPHR, SHRM-SCP**, Executive Director of Klee, Tuchin, Bogdanoff & Stern LLP. Terri received the award for her involvement, dedication and many achievements as recognized by the Greater Los Angeles Chapter of ALA.
- **Are you on Pinterest?** The ALA Gateway Chapter created a Pinterest page to showcase photos of what its members are doing.

# What's Happening at Headquarters?



## SAME GREAT EDUCATION AND SPEAKERS — TWO LOCATIONS

Registration is now open for ALA's Regional Legal Management Conferences — Las Vegas and Nashville. The conferences feature experts discussing profitability, innovation, strategy, leadership and technology. Here are some education highlights:

- Keynote speaker David Thomas, Leadership's Indispensable Ingredient and general session *HUMOR! Paul Huschilt's, Outlandishly Fun 5-Step Program for Workplace Wellness*
- Preconference Workshop: Legal Lean Sigma® and Project Management White Belt Certification Course

Consider joining West (Regions 4, 5 and 6) at the Venetian Las Vegas from September 7–9 or join East (Regions 1, 2 and 3) at the Renaissance Nashville from October 12–14. Learn more by visiting [alanet.org](http://alanet.org) and clicking on "Events."

## REGISTER TODAY FOR THE LARGE FIRM PRINCIPAL ADMINISTRATORS RETREAT

This year's retreat will take place in Boston from August 3–5. Check your eligibility and register to join us for best practices and valuable networking in your niche. Learn more by visiting [alanet.org](http://alanet.org) and clicking on "Events."

## TWO NEW E-LEARNING COURSES AND A CERTIFICATE

Interested in learning more about financial analysis or accounting? Registration is now open for two summer eLearning courses: FM2A: Financial Information & Analysis and FM1B: Law Firm Accounting. The courses begin July 17. These six-week, instructor-led online courses meet live each week for an hour.

You can also choose to enroll in only one FM course — or, enroll in both to get a discounted package rate! Learn more at [alanet.org/elearning](http://alanet.org/elearning).



## TWO NEW E-LEARNING COURSES AND A CERTIFICATE

ALA is a finalist for the Association Media & Publishing's EXCEL Awards. ALA is proud to be honored among other leaders in association media and publishing, with this award honoring the best and brightest. Just 235 finalists were selected from nearly 830 entries. ALA entered its new, online "ALA Business Partner Portal" for consideration ([alabp.org](http://alabp.org)).





## CALENDAR

**JUNE 18**  
**FATHER'S DAY**

**JUNE 21 | 2PM, CENTRAL**

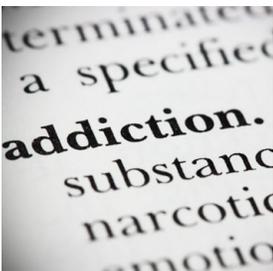
### **COMMUNICATION FOR THE BRAVE, THE MEEK AND EVERYONE IN BETWEEN**

Participants will learn two communication models — Create A Win-Win Conversation and Coaching Skills — and how to use them to have solution-focused conversations with lawyers and colleagues. The techniques help the brave gain buy in without bullying, and the meek initiate difficult conversations with aplomb.

Questions about this event? Contact [psiems@alanet.org](mailto:psiems@alanet.org).



**JULY 4**  
**INDEPENDENCE DAY**  
ALA Headquarters Closed



**JULY 6 | 2PM, CENTRAL**

### **A PROFESSION ON NOTICE: THE ETHICAL AND LIABILITY CASE FOR WHY LAW FIRMS MUST GET SERIOUS ABOUT SUBSTANCE ABUSE**

Recently, the *Journal of Addiction Medicine* published a groundbreaking study by Hazelden Betty Ford and the American Bar Association Commission on Lawyer Assistance Programs titled, "The Prevalence of Substance Use and Other Mental Health Concerns among American Attorneys." Although it had been commonly presumed that the legal profession had a heightened rate of these problems, nobody expected the numbers — reported by only active, practicing attorneys — to rise to the level that they did. The study clearly revealed a full-blown crisis that cannot be ignored. This program will outline the enhanced ethical and legal problems which loom, but, more importantly, suggest 10 specific strategies which firms and administrators can employ immediately to address this issue. These strategies should be of increased relevance for any legal managers, both in respect to their own personal issues as well as their role in formulating and executing pro-active planning to prevent and reduce impairment within the firm.

Questions about this event? Contact [psiems@alanet.org](mailto:psiems@alanet.org).



**JULY 19 | 2PM, CENTRAL**

### **BETTER SELF-MANAGEMENT THROUGH TYPE**

Participants will take TypeCoach online and at no charge to learn about their own Type and the Types of others. Unlike the standard CPP version of assessing Type, TypeCoach teaches learners about Type and gives them access to tools for better self-management after the webinar.

Questions about this event? Contact [psiems@alanet.org](mailto:psiems@alanet.org).



**JULY 20–22**

### **CHAPTER LEADERSHIP INSTITUTE**

Minneapolis, Minnesota

Questions about this event? Contact [chapters@alanet.org](mailto:chapters@alanet.org).

**JULY 23**

### **TAKE YOUR DOG TO WORK DAY**

## ASSOCIATION OF LEGAL ADMINISTRATORS AND AFFILIATE CONSOLIDATED STATEMENTS OF FINANCIAL POSITION

At ALA, we continue to work to make the most efficient and impactful use of our financial and human resources. ALA's Board and staff are continuously exploring and identifying opportunities to improve efficiencies and optimize results.

Overall, revenue for 2016 was \$7.88 million and expenses were \$7.67 million, resulting in a net gain of \$206,371.

As we head into the second half of 2017, we remain focused on elevating your membership experience. We invite you to check out the ALA 2017–2020 Strategic Plan to see the goals we are working to in the next few years. We look forward to working with the entire ALA community — members, business partners, chapters and other leaders in the business of law — to achieve these goals.

As of December 31	2016	2015
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Cash and Cash Equivalents	\$ 1,327,729	\$ 1,894,010
Receivables, less Allowance for Doubtful Accounts of \$7,500	17,866	55,638
Investments, at Market, Current	1,289,180	915,374
Other Assets (Principally Prepaid Expenses)	298,069	312,764
Prepaid Income Taxes	320	25,511
Total Current Assets	2,933,164	3,203,297
<b>INVESTMENTS, AT MARKET</b>	42,657	69,472
<b>PROPERTY AND EQUIPMENT, AT COST</b>		
Furniture	324,177	324,177
Computers and Equipment	294,719	326,577
Leasehold Improvements	359,657	359,657
Less Accumulated Depreciation and Amortization	978,553	1,010,411
	430,879	320,355
	547,674	690,056
<b>OTHER ASSETS</b>		
Intangible Assets, net	203,677	73,422
<b>TOTAL ASSETS</b>	<b>\$ 3,727,172</b>	<b>\$ 4,036,247</b>
<b>LIABILITIES AND NET ASSETS</b>		
<b>CURRENT LIABILITIES</b>		
Current Portion of Capital Lease Obligation	\$ 1,244	\$ 7,464
Accounts Payable	64,209	88,867
Accrued Expenses	134,059	249,557
Deferred Rent - Current Portion	10,006	7,913
Deferred Revenue	2,045,327	2,401,027
Total Current Liabilities	2,254,845	2,754,828
<b>LONG-TERM LIABILITIES</b>		
Deferred Rent	336,517	346,524
Capital Lease Obligation	—	1,244
Total Long-Term Liabilities	336,517	347,768
Total Liabilities	2,591,362	3,102,596
<b>UNRESTRICTED NET ASSETS</b>	<b>1,135,810</b>	<b>933,651</b>
<b>TOTAL LIABILITIES AND NET ASSETS</b>	<b>\$ 3,727,172</b>	<b>\$ 4,036,247</b>