

## PRACTICAL NEWS & PERSPECTIVES

### Impaired at the Office

#### On-the-Job Alcohol Use Affects 15 Percent of U.S. Workforce

Workplace alcohol use and impairment directly affect approximately 15 percent of the U.S. workforce, or 19.2 million workers, according to a recent study conducted at the University at Buffalo's Research Institute on Addictions and reported in the *Journal of Studies on Alcohol*.

Researchers obtained data about workplace alcohol use and impairment during a 12-month period through telephone interviews from 2,805 employed adults residing in the 48 contiguous states and the District of Columbia. Interview subjects were asked how often during the previous year they had consumed alcohol within two hours of reporting to work, consumed it during the workday, worked under the influence, or worked with a hangover.

Based on the results, Michael R. Frone, the study's principal investigator, estimates that 2.3 million workers (1.8 percent of the workforce) have consumed alcohol at least once before coming to work and 8.9 million workers (7.1 percent of the workforce) have consumed alcohol at least once during the workday. Most workers who drank during the workday did so during lunch breaks, though some drank while working or during other breaks. Frone also estimates that 2.1 million workers (1.7 percent of the workforce) have worked under the influence of alcohol and 11.6 million workers (9.2 percent of the workforce) have worked with a hangover.

"Of all psychoactive substances with the potential to impair cognitive and behavioral performance, alcohol is the most widely used and misused substance in the workforce," Frone said. "The misuse of alcohol by employed adults is an important social policy issue with the potential to undermine employee productivity and safety."

For more information, visit [www.ria.buffalo.edu](http://www.ria.buffalo.edu). \*

### The Verdict Is In

#### Attorneys Identify Client Service as Key to Long-Term Career Success

What's the best strategy for lawyers who want to get ahead? According to a recent survey of North American attorneys, focusing on client service is most critical to long-term success.

Attorneys were asked, "If you could offer someone advice on how to be a successful lawyer five years from now, in which one of the following areas would you recommend someone improve?" Their responses:

Focus more on client service	43%
Become more specialized within your practice area	21%
Network more to market your services	21%
Become familiar with emerging technologies in the legal field	9%
Other/don't know	6%

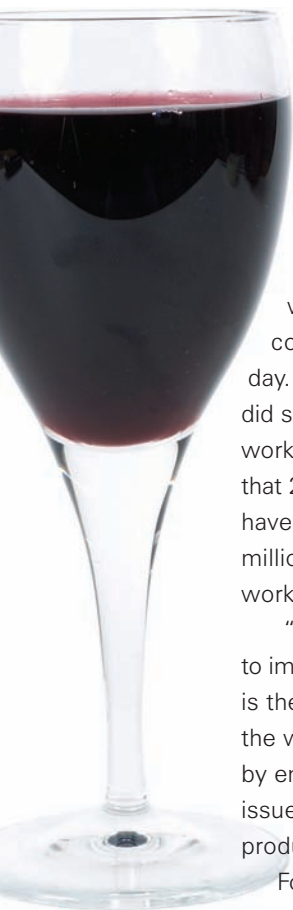
The survey was developed by Robert Half Legal, a staffing service specializing in attorneys, paralegals and other legal professionals. The survey included responses from 200 attorneys in the United States or Canada with at least three years of legal experience.

"Providing excellent service is crucial to client retention, which ultimately impacts a law firm's bottom line," said Charles Volkert, executive director of Robert Half Legal. "Increasingly, clients seek attorneys who can not only offer legal advice, but also business guidance that takes into consideration their organization's current challenges and corporate culture."

Volkert noted that this advisory role has fueled demand for attorneys who possess a combination of legal knowledge and business management experience.

"As the practice of law becomes more interdisciplinary, it will not be unusual for lawyers to complement their juris doctorates with other degrees," he said.

For more information, visit [www.roberthalflegal.com](http://www.roberthalflegal.com). \*



## Best Practices for Law Departments

### International Legal Technology Association Releases Technology White Paper

The International Legal Technology Association (ILTA), a premier peer networking organization in the legal market, recently released a white paper titled, "Law Departments: Technologies and Best Practices."

Recognizing that law departments can have different needs than law firms, ILTA gathered a group of authors who could share their expertise in some of the unique requirements. The member and vendor authors explore the savings and risk reductions of managing e-discovery in-house, what to look for in an e-billing system, how to select and implement a matter management system, what document assembly software can do for law departments and what might make up a legal professional's ultimate toolbox.

In addition, the results of ILTA's law department survey are included in the white paper. The inaugural survey, to which 39 entities responded, sets bench-

marks from which the association will be able to identify and analyze future trends involving law departments.

To download and read "Law Departments: Technologies and Best Practices," visit the ILTA Web site at [www.iltanet.org](http://www.iltanet.org) and select "White Papers and Surveys" from the "Communications" drop-down menu. ✱

## The Urge to Merge

### Merger Activity Still Strong Among U.S. Law Firms

Law firm merger activity remained strong in 2005, with 49 completed mergers and acquisitions involving U.S. law firms, up from 47 in 2004, according to Hildebrandt International's MergerWatch.

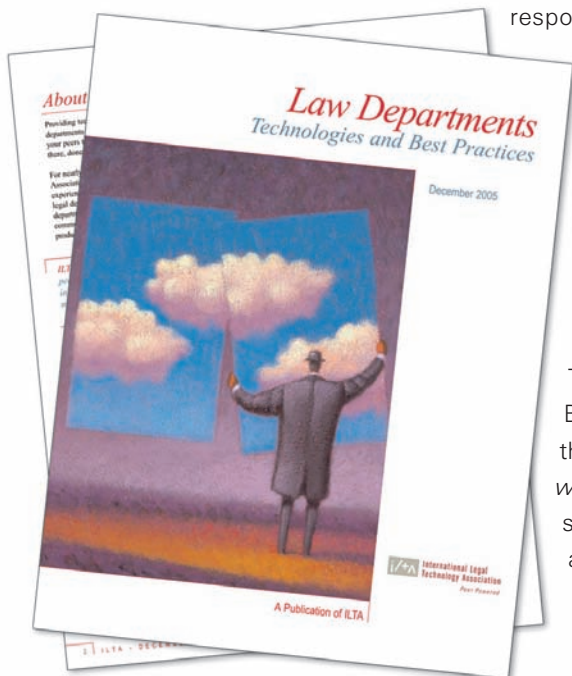
The key trend revealed since 2004 was an increase in the average merger size. The average size of a smaller firm increased from 30 in 2004 to 67 attorneys in 2005. The largest merger in 2005 was the combination of DLA, Piper Rudnick and Gray Cary Ware & Freidenrich, creating a global firm of approximately 3,000 attorneys. The second-largest merger of 2005 involved Pillsbury Winthrop and Shaw Pittman, creating a firm of approximately 900 attorneys. Several U.S. firms were also involved in cross-border mergers in 2005.

Domestically, New York and California remained the strongest inbound markets. In New York City, eight mergers occurred. The largest New York merger involved Ropes & Gray and IP firm Fish & Neave. All six California mergers involved out-of-state firms entering or expanding in the market, and all but one took place in Northern California.

Following the trend of previous years, most mergers were effective in the first quarter of the year – many with January 1 effective dates – and mergers decreased in each subsequent quarter. Twenty mergers occurred in the first quarter of 2005, 16 in the second quarter, 8 in the third quarter and 5 in the fourth quarter.

Hildebrandt International's MergerWatch collects data from published reports, press releases and direct reports from law firms. It includes all mergers where the acquired firm has five or more lawyers.

For more information, visit [www.hildebrandt.com](http://www.hildebrandt.com). ✱



## Primary Colors

### In the World of Brand Identities, Many Law Firms Are True Blue

A recent study reveals that more than half of the United States' 200 highest-grossing law firms have the blues, while fewer than 20 percent are seeing red. Marketing communications firm PARTNERS+simons found that 56 percent of firms in the AM Law 200 use shades of blue as primary colors in their brand identities.

Why do so many U.S. firms prefer blue?

"Part of the answer might be that blue is the most popular color in the country and is known to be a 'low-arousal' color, one that communicates calm," said Tom Simons, founder of PARTNERS+simons.

"It is also associated with royalty and authority."

In contrast, few law firms favor adrenaline-lifting red. Only 17 percent of AM Law 200 firms use a shade of red in their identities. Red hues have actually been shown to raise blood pressure, according to Simons. Red suggests excitement, action and aggression and is considered a "high-arousal" color.

One color with limited branding use so far

is brown – but that could be changing.

"Interestingly, only a few of the Am Law 200 use the earthiness of brown in their identities – just two percent," said Mark Young of PARTNERS+simons' Professional and Legal Services Practice. "A law firm that suggests this 'down-to-earth approach' has the ability to further differentiate itself from the vast majority of the top firms in the country."

For a copy of the PARTNERS+simons eBook on the use of color in legal marketing or to speak with Simons or Young, contact Lisa Lazarczyk at Warner Communications at (781) 646-0667. ✱

## Body of Knowledge

### Recent White Papers Address Marketing Strategies, Competitive Intelligence

LexisNexis recently released an executive white paper on LexisNexis Market Intelligence, its online research and business intelligence product for marketing and client development professionals. Market Intelligence gives law firms the information they need to make quick, smart decisions about targeting and cross-selling opportunities to increase revenue and monitor ROI through client share.

"As law firms grow more sophisticated in their client development efforts, marketers require better decision-support tools that help fine-tune market analysis, segmentation and execution," said Mason White, a market planner for LexisNexis. "This white paper provides in-depth information detailing how Market Intelligence can help streamline client development efforts and enhance revenue generation."

The white paper focuses on core strategic client development functions in which Market Intelligence can assist, including identifying and profiling target industries and prospective clients and analyzing client share over time.

To download a complimentary copy of the white paper, visit [www.lexisnexis.com/miwhitepaper](http://www.lexisnexis.com/miwhitepaper).

In addition, another recent white paper from LexisNexis, Martindale-Hubbell and the Legal Marketing Association concludes that law firms use so-called "competitive intelligence" (CI) inconsistently and generally do not view it as an integral part of the process of making business decisions.

The paper also raises the question of whether lawyers know what CI is. After providing a concise definition of CI, the authors conclude that firms are not familiar with the terminology and, therefore, do not have the processes in place that can make it effective.

For the legal industry, adopting CI is an evolutionary process spanning at least two decades. While many law firms are already seeing CI's benefit, this paper suggests a firm's top management must wholly support the effort in order for CI to succeed.

To download a copy of this white paper, visit [www.lexisnexis.com/cisurvey/](http://www.lexisnexis.com/cisurvey/). ✱

# 56

Percentage of the 200 highest-grossing U.S. law firms using shades of blue as primary colors in their brand identities.



## Sick of Stress . . . Literally

Many Employees Believe On-the-Job Stress Will Make Them Sick This Cold/Flu Season

About 78 percent of workers say stress depletes their defenses, increasing their chances of becoming ill this cold and flu season, according to a survey by ComPsych Corporation, a worldwide provider of employee assistance programs and behavioral health, work-life, wellness and crisis intervention services.

Employees were asked, "Will stress make you more likely to get sick this cold/flu season?" Their responses:

Yes, when I'm stressed, my defenses are down.	78%
No, stress does not impact my defenses against illness.	12%
I don't know.	10%

"With the drive for efficiency and the back-to-business rush after the holidays, we are seeing consistently high stress levels in employees that could lead to more sick days this cold season," said Dr. Richard A. Chaifetz, Chairman and CEO of ComPsych.

"Employers are seeing the link between stress, illness and absences and are addressing these issues with wellness and employee assistance programs that center on stress management and preventive care. In educating employees on maintaining a reasonable diet, sleep schedule, work-life balance and exercise routine through these programs, organizations are investing in the health as well as attendance rates of their workforces."

The survey, conducted in late November and December 2005, received responses from employees of more than 1,000 ComPsych client companies nationwide. For more information, visit [www.compsych.com](http://www.compsych.com). \*



## No Time to Talk

Survey Reveals Few Executives Use Telephone or Meet in Person

Today's executives like to see the power of "quiet leadership." That's because they are spending less and less time conversing with colleagues by phone and in person, a new survey shows.

Only 13 percent of managers polled use the telephone as their primary means of communication, down from 48 percent five years ago; and just 14 percent rely on face-to-face meetings, compared with 24 percent five years ago. Instead, e-mail has become the most common form of dialogue at work, according to 71 percent of respondents.

The survey by OfficeTeam, which specializes in the placement of administrative professionals, was conducted by an independent research firm and includes responses from 150 senior U.S. executives.

Executives were asked, "Which method of communication do you use most often at work?" and "Which method of communication did you use most often at work five years ago?" Their responses:

	Now	Five Years Ago
E-mail	71%	27%
In-person/face-to-face communication	14%	24%
Telephone	13%	48%
Don't know	2%	1%

"E-mail offers the advantages of speed and efficiency," said Diane Domeyer, executive director of OfficeTeam. "But the message should match the medium. Phone conversations allow individuals to share ideas and feedback with the benefit of vocal inflections, which reduces the potential for confusion or miscommunication. Meeting in person adds yet another dimension as participants can respond to facial expressions and body language."

For more information on determining the right medium for various types of business communication, visit the 2006 Press Releases section at [www.officeteam.com](http://www.officeteam.com). \*



## On a Lighter Note

### New e-Newsletter for Legal Professionals Focuses on Humor, Work/Life Balance

The Billable Hour Company recently announced the launch of its monthly e-newsletter, *The Timesheet*, featuring articles on work/life balance by noted author Cheryl Stephens and pieces by attorney and legal humorist James M. Rose, author of *The Supreme Court Jester*.

"We want to help lawyers strike a balance between the rigors of practice and the demands of their personal lives," said Lisa Solomon, a partner in The Billable Hour Company.

The newsletter strives to give readers practical tools to achieving balance in their lives.

"Without work/life balance, lawyers can easily get 'burned out,' even if they otherwise enjoy their work," said Stephens, who works with lawyers throughout North America to develop their law practices and enhance their professional and interpersonal skills. "There are so many things lawyers can do to help achieve that balance. I look forward to sharing my work/life balance tips with readers of *The Timesheet*."

Lawyers, law students and legal professionals who would like to receive *The Timesheet* via e-mail or RSS can subscribe by visiting [www.TheBillableHour.com](http://www.TheBillableHour.com). ✱

## Hot for Handhelds

### Small-Screen Videos Assist Firms With Recruitment, Practice Development

Legal Insight Media Inc., an interactive marketing services company for law firms, recently announced that its TrueView<sup>SM</sup> Web videos, used by premier law firms for recruitment and practice development, can now be installed on Palm<sup>®</sup> Treo<sup>™</sup> handheld devices.

Through first-person testimonials and images of partners and associates, a TrueView can bring to life the culture, programs and practices that set a law firm apart. Now, lawyers who use Treos and other handheld devices can easily showcase their firms' personalities in any environment or situation. TrueViews can also be installed on handhelds from HP, Dell, Audiovox, Samsung and Siemens.

"We're enabling lawyers to bring their firms with them, wherever they go," said Peter Marx, president of Legal Insight Media. "Over lunch, in a meeting or on the street, a lawyer can now share a compelling testimonial that shows a law student or prospective client what it would feel like to work at or with the firm."

Roberta Montafia was the first to introduce this dynamic new marketing tool to her firm – Day, Berry & Howard. The firm created two TrueViews: one on Women Working Together, the firm's women's initiative, and the other on the firm's commitment to diversity.



"Originally we created the TrueViews for our Web site, and we incorporated them into PowerPoint presentations, RFP responses and electronic invitations to clients and prospects," she said. "Having TrueViews available on Treos opens a whole new world for our partners when they interact with clients and the community face-to-face outside of the office."

For more information, visit [www.legalinsight.com](http://www.legalinsight.com). ✱

## Burnout Busters

### Learn Innovative Ways to Cope When Work Gets Overwhelming

Are you one urgent e-mail away from a meltdown? You're not alone. Consultant Mike Staver recommends some simple, real-world techniques for staving off burnout.

#### Start your day with powerful high-energy music.

Research shows that people who use high-energy music to start their days have increased productivity by as much as 200 percent. Your morning musical infusion will create a sense of positive energy and enthusiasm that will help you tackle challenges with minimal frustration.

#### Set aside blocks of time to complete various tasks.

During those blocks of time, do not allow yourself to be interrupted for other things. (For example, the hour from 2 to 3 p.m. might be set aside for reading and responding to e-mails.) Sure, you've heard about this technique, but have you really tried it? "This will increase your efficiency and reduce the anxiety caused by trying to do 20 things at once," Staver says.

**Practice saying "No."** "When you are already booked or have all the commitments you can handle, say no to anyone who asks you to take on even more work or social obligations," Staver says. "Spreading yourself too thin can lead to dangerous stress and anxiety."

**Take a vacation.** Even if you have to plan weeks or months ahead, make the effort to give yourself a break. Too many people believe that if they take breaks, their jobs will leave them behind. The opposite is true: If you don't make time to relax away from work, you will become bitter and unproductive even when you are there.

For more burnout-busting tips, visit [www.thestavergroup.com](http://www.thestavergroup.com). ✱



## Good for Business

### Newly Formed Merrill Legal Solutions Touts Technology-Based Services

In response to the changing needs of the legal marketplace, Merrill Corporation has formed Merrill Legal Solutions (MLS) to strengthen its position as a global provider of technology-enabled business solutions to the world's largest law firms and corporate legal departments. As a single-source solution provider, MLS offers clients a cost-effective approach to procuring a comprehensive and integrated suite of on-site or on-demand products and services.

Merrill created MLS by integrating its Document Management Services business unit with WordWave Inc., a company it acquired in January 2006. MLS combines the technology-enabled litigation support capabilities of Document Management Services with WordWave's court reporting and trial services.

"Our clients are looking to us to help them achieve efficiency and productivity for their litigation practices," said Perry Solomon, President of Merrill Legal Solutions. "By converging litigation life-cycle support services with technology, we've created a one-stop shop that law firms can use from the time a

complaint is received until the case is resolved."

MLS strengthens Merrill's commitment to providing lawyers and law firms with innovative solutions for enhancing productivity and efficiency. The acquisition of WordWave and formation of MLS are parts of Merrill's ongoing expansion effort and overall diversification strategy.

"With the creation of MLS, we've expanded our product line to encompass the litigation life cycle from complaint to resolution," said Al McNee, President of Sales for Merrill Legal Solutions.

Building upon Merrill's existing offerings, Merrill Legal Solutions provides on-site/on-demand document management services, litigation technology services, court reporting services, on-site office services and adjacencies such as financial printing, document translations and engraving.

For more information, visit [www.merrilldiscovery.com](http://www.merrilldiscovery.com). ✱

## Fear of the Unknown

### Survey Reveals Why Some Businesses Eschew Technological Innovation

Affordability, fear of disruption to business operations and apprehension about integrating new technology with old are the top reasons small business owners hesitate to embrace technological innovation, according to a recent Yankee Group survey.

“While small businesses are certainly poised for growth in the marketplace, they are constantly balancing the fear of change with the need to adapt to customer needs,” said Steve Hilton, director of small and medium business strategies at Yankee Group. “Often, technology is a key component to improving productivity, but managers worry the increase in productivity will not offset the cost of the upgrade, both in expense and potential impact on their business.”

The biggest challenge for more than 50 percent of business managers with 20 to 99 employees is the integration of different applications and systems that currently stand alone. More than 40 percent are concerned their technology needs are not being met as a result of having insufficient IT staffs.

Expert technology solution providers are poised to fill the gap, according to the nonprofit Information Technology Solution Providers Alliance (ITSPA).

“The study demonstrates in spades the valuable role solution providers can play in helping small businesses realize the full potential of technology,” said Russell Morgan, President of ITSPA.

Small businesses with 20 to 99 employees spend about \$70,000 per year on IT, according to Yankee Group. Hardware is the biggest expense, followed by infrastructure and software, with 38 percent and 18 percent of the budget, respectively.

Based on those levels of investment, ITSPA urges business managers to seek outside IT help to maximize their efficiency and productivity. For more information, visit [www.itspa.net](http://www.itspa.net). \*



## Write the Right Way

### Web Site Helps Firms Craft Compelling Web Copy

Writing Assistance, a national writing firm that specializes in technical writing, copy writing and training development, recently launched a Web site – [www.web-content-writers.com](http://www.web-content-writers.com) – focused solely on helping companies find people with strong Web writing competencies.

Writing compelling Web content has become an important aspect of the writing outsourcing industry because search engines are demanding rich, fresh content from Web sites. Search engines base most of their rankings on the relevance and uniqueness of a Web site’s content. For law firms, often their names alone can place them as the No. 1 hit on a search engine, but if a potential client doesn’t have a specific firm in mind, he or she may search more directly for a type of practice. To be distinguishable, a firm can achieve better results through improving its Web content.

“Content is now the most important force in driving traffic to a Web site,” said Scott Hartmann, President of Writing Assistance. “A few years ago, a Web site relied on design and graphics to grab users’ attention, but knowing how to write content that will be found by search engines is now the best method for attracting an audience.”

In order to create end-user interest, Writing Assistance’s professional Web writers follow a set of best practices, including:

- Motivating response through compelling action words
- Encouraging easy reading via short informative paragraphs
- Grabbing interest with benefit-driven headlines and subheads

These and other best practices can not only help a law firm’s Web site rank higher through search engines, but they also create a more interactive and valuable audience for the firm.

For more information, visit [www.writingassist.com](http://www.writingassist.com). \*