

LEGAL MANAGEMENT

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Law Firms' Evolving Take on Sustainability

Today's firms are giving clients a front-row seat as they work toward their intended environmental goals.





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Leadership — It Never Goes Out of Style

As you may know, one of my guilty pleasures is shoes. No matter how many I have, it seems like new styles and colors always grab my attention. What you might not know is that I have an equal penchant for leadership tips and tactics. I am always on the lookout for some new ones I can use because it seems I can never have enough in my toolbox. I love taking on new roles and responsibilities to get out of my comfort zone, not only to try out these new leadership tactics but also to identify where my gaps may lie.

I recently came across a bevy of tips that really spoke to me. As legal management professionals and executive directors of many things, I think many of us fall into the trap of trying to solve every issue we encounter whether the person sharing the problem wants it solved or not. We get so used to giving advice to everyone that we don't realize the damage we are causing and that we are actually practicing poor leadership. It doesn't do anyone in our orbit a favor.

The book I recently found helpful is *The Advice Trap: Be Humble, Stay Curious & Change the Way You Lead Forever* by Michael Bungay Stanier. One tenet is that advice giving is an overdeveloped muscle while curiosity is an underdeveloped one. The tools discussed in the book focus on how to give less advice and be more curious. Some of the tools are familiar — focus on what you can control and practice active listening. It also acknowledges the consequences when those tools are not used and the damage that can be done.

That part resonated as the true leadership tip to me — many times giving advice leads to anti-leadership environments without the advice giver realizing it because they are solving the wrong problem, proposing a mediocre solution, demotivating the advice-receivers, overwhelming themselves, compromising the effectiveness of the team, and limiting organizational change.

“
But how can you possibly have [empathy, mindfulness and humility] as a leader if you are too busy giving advice and not pausing to be curious and learn?”

It makes complete sense, because we know some of the most important leadership principles are empathy, mindfulness and humility. But how can you possibly have those as a leader if you are too busy giving advice and not pausing to be curious and learn? I have always asked a lot of questions, but with the reminders I read in this book, I plan to start more conversations with, "What is on your mind?" and end them with "And what else?" and "How can I help?"

By the time this article is published, the news that I am moving back to being a legal management professional will be out in the world. It has been an absolute privilege to serve ALA as its Executive Director, and it was a difficult decision to give it up — and certainly came with a dose of guilt. However, I did make a decision that many leaders find themselves making — moving into a position where I can be

my best self by making sure I am taking care of myself and my family while bolstering my happiness along the way.

As leaders in organizations, we more often focus on making sure those who are working with us have the resources they need and are put in the best position to succeed. We sometimes forget to take an inner look and notice when we have moved out of that position ourselves, whether that is physically or mentally. We may be good at a lot of things, but it does not mean we should try to do all those things at the same time — not until cloning and jetpacks anyway! I look forward to seeing you all at ALA events and in the Online Community Groups where I will be collaborating with you to tackle the latest legal management challenges. Catch you on the flip side!

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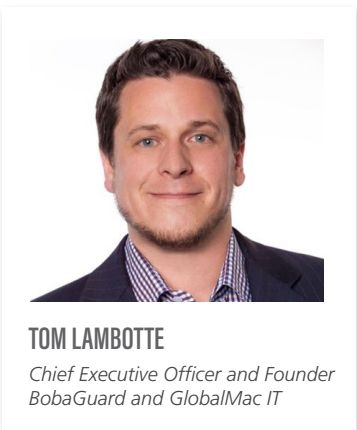
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TOM LAMBOTTE

*Chief Executive Officer and Founder
BobaGuard and GlobalMac IT*

“
In today’s threat environment, every firm (regardless of size) needs bona fide cybersecurity experts to protect their clients, reputation and livelihood.”

Five-Alarm Warning: Modern Data Threats Are Too Hot to Handle

Most legal management professionals require a hat rack to hold the caps of their various roles: accountant, marketer, recruiter, HR director, IT coordinator, drill sergeant, therapist, confidant ... and, of course, fire marshal.

The smaller the firm, the more hats they’re forced to wear — they are asked not only to oversee additional responsibilities but often to handle them personally. This frequently includes assuming IT responsibilities, which can prove to be a fatal business mistake.

While the best administrators deftly juggle jobs and extinguish everyday emergencies, they aren’t equipped to battle the existential blazes posed by today’s ever-changing cybersecurity challenges. Legal management professionals who serve as the go-to IT person simply lack the time, knowledge or technical expertise to battle the sophisticated hackers that specifically target law firms and breached 29% of practices last year alone.

Cybersecurity is a pressing threat — 60% of small businesses fold within six months of being attacked. Data breaches are particularly devastating to law firms, where client privacy, legal reputations and even accreditation can be on the line.

Unfortunately, small to midsize firms are short on appropriate resources to address the problem. Based on my 16 years in this field, I’ve found most office managers run into one of these IT scenarios:

1. **In-house IT:** Some admins have in-house IT staff managing day-to-day operations. Especially for smaller firms with a headcount of 50 or fewer, this is often a single individual. It is common for this person to be overwhelmed with support tickets, new projects and fires of their own that leave little time to tackle new emergencies or stay current on cybersecurity best practices.

2. Managed service provider (aka outsourced IT): Many firms enlist managed service providers (MSPs) to handle their tech needs. Sadly, a significant chunk of them are equally stretched and generally focused on shifting rapidly between support tickets, printer maintenance and internet outages rather than fending off dangerous threats. As a result, many MSPs are still relying on outdated solutions to cybersecurity problems. The best ones have modern cybersecurity stacks — but fully outsourcing your tech and security needs is not in everyone's budget.

3. Hourly IT consultant: The third most common option is an hourly consultant to call on when Google searches prove fruitless. The problem with this option is that the best ones keep their clients for a long time. Why is that an issue? Before long, their schedules are spoken for and filled to the brim on a regular basis.

They solve their clients' tech issues in the moment but rarely have time to research and keep up to date with cybersecurity — that is not their primary role. They aren't paid to be proactive. Rather than putting out fires, they simply sweep up ashes in the aftermath.

4. Random help or paralegal/IT expert: Then there are the desperate admins forced to rely on a partner's tech-savvy family member or that paralegal who moonlights as an influencer to serve as their resident IT authority. What usually happens is whoever is the most tech-knowledgeable in the office ends up being the in-house IT expert.

All these approaches often come up short, but there are not many other options. Simply having the awareness can help you assess your current situation and see where you can complement with additional resources.

In today's threat environment, every firm (regardless of size) needs bona fide cybersecurity experts to protect their clients, reputation and livelihood. The problem is, where are they?

COMPLACENCY IS THE ENEMY

Fortunately, it's now easier than ever to find specialized help and activate safeguards. An impressive class of affordable, dedicated cybersecurity solutions has emerged, capable of defending your data from afar and monitoring your systems remotely without stepping foot on-site.

Not all such services are created equal, however. Before selecting a provider, make sure that it:

- » **Accepts firms of your size:** Many providers offer only enterprise solutions that are scaled and priced to larger businesses. If you're a solo practitioner or a small to midsize firm, find a service that fits your staff. This can prove problematic since most MSPs have strict user and monthly spend minimums.
- » **Integrates with your current IT solution:** Many solutions will require *all* your IT environment to implement the security measures. If this fits your needs, great. If not, seek a solution that can complement your current scenario, whether it is in-house IT, MSP, hourly consultant or even the random tech-savvy family member or paralegal/IT expert.
- » **Understands the legal field:** Most professional security solutions are generically business-oriented — they are going after everyone, and they know next to little about the specific needs of a law firm. Heightened sensitivity of client data, inherent ethical obligations, bar association requirements, and case management software integration make law firm cybersecurity a specialized field.
- » **Provides a turnkey solution:** Hiring an expert should make your job easier, not force you to assemble more pieces. Ensure that your service performs as a coordinator of all security aspects.
- » **Employs a proactive philosophy:** Rather than passively waiting for an incursion, your security should continually monitor dark web channels (only one example) to determine whether credentials have been compromised.
- » **Uses a multilayered approach:** No silver bullet defeats all digital threats — any serious cybersecurity outfit will integrate several tools to provide comprehensive protection (preferably curated from an array of best-in-class providers rather than a single proprietary source).
- » **Prepares for the worst:** No security plan is infallible, and yours needs to realize that. The best solutions include contingency protocols, off-site backups and cyber insurance — just in case.



Don't delay! Malware, ransomware, hackers and phishing scams may represent the greatest external danger to your network, but the most formidable threat resides right in your office: complacency.

I've witnessed too many firms clinging to life after catastrophic incidents while lamenting how they should have done more. With so much on your plate, it's easy to ignore data security and simply hope that trouble won't find you — until it's too late. Waiting one day too long can find your firm among the growing number of hacked practices that have fallen victim to the fire.

Legal managers are among the brightest, most competent and versatile professionals I work with, and sometimes the brightest move is admitting a need for help. When it comes to data protection, it's time to hang up that hat and turn the task over to professionals.

Partnering with dedicated cybersecurity specialists not only protects your data, clients, lawyers and staff and covers your assets while providing peace of mind. It also frees up time to do other caps and focus on what you do best: running and growing the business.

At the very least, every law firm should have an outside cybersecurity professional regularly audit their network. Even if you trust your current approach, there's no harm in verifying that you're fully protected and that your defenses are up to date.

Heavy is the head that wears too many crowns — let a dedicated cybersecurity solution shield your practice, douse some flames and make your load a little lighter.

ABOUT THE AUTHOR

Tom Lambotte is a cybersecurity expert who has been in the tech support industry for over a decade. He founded BobaGuard in 2019, which offers turnkey solutions to solo lawyers and small to medium law firms. In addition, he is the Chief Executive Officer and Founder of GlobalMac IT, an established managed service provider specializing in serving lawyers nationwide who use Macs by implementing his Proven Process™.

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MICHAEL HERZOG
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New Design Thinking for Law Firms' Digital Mail and Records Operations

At its core, design thinking is a human-centered process for creative problem-solving that encourages organizations to keep a focus on the key stakeholders the current problem involves. If implemented correctly, design thinking leads to more innovation. Better products, services and internal processes are the intended outcomes.

Design thinking defines the creative process for noncreatives and creatives alike by using a systems approach:

- » Ask the right questions to solve any problem and properly identify the underlying challenges.
- » Visualize and organize information effectively to foster creative collaboration.
- » Involve the necessary stakeholders who the problems affect.

WHY DO LAW FIRMS NEED DESIGN THINKING?

Law firms find themselves facing unique challenges. Work from home, hybrid work situations and return-to-office planning are disrupting operations in ways that were not a consideration before the COVID-19 pandemic.

Firms are eager to find new ways to move away from the typical handling and storage of paper records on-site and off-site. These problems can be solved with a design thinking mindset. Law firms need to start asking the right kind of questions, involve the people directly affected and create innovative solutions that address the following topics:

“Firms are eager to find new ways to move away from the typical handling and storage of paper records on-site and off-site. These problems can be solved with a design thinking mindset.”

Work from Home

- » How can internal office operations or contracted facilities management process the daily mail more efficiently and securely by redesigning the mailroom to become a digital mailroom?

Office Restack, Consolidation and Expansion

- » How can law firms eliminate the paper footprint and the need for physical records rooms?
- » How can law firms eliminate costs and put a stop to the flow of physical records into off-site storage?

Security

- » What are actionable steps law firms can take to reduce the risk of evolving security threats targeting law firms and their sensitive documents?
- » How can the process of mail distribution and records storage become more efficient and secure?

Adapt to Change

- » The COVID-19 pandemic affected all businesses. What solutions can law firms put in place that will have an immediate impact and enduring value to address environmental and systemic threats?

APPLYING DESIGN THINKING TO PAPER-BASED MAIL AND RECORDS

Many legal organizations are still being held back by one thing: paper. The daily mail is mission-critical because it contains confidential client information and it is time sensitive. Solutions that were put into place as the immediate response to the pandemic are not sustainable in the long run *because they were never designed to be*.

Scan-to-email has been a quick fix, but this method has security risks. A best practice digital mailroom operation securely delivers mail directly to the document management system (DMS) where sensitive client information is properly profiled, protected and governed. A best practice digital records room operates in a similar fashion by building a digitization project for scanning large volumes of physical records and storing them in the DMS.

Not only are these problems capable of being solved — they already have been. Some products completely transform a law firm’s paper-centric mail and records into digital operations that support work-from-home and return-to-office strategies.

So let’s approach this design thinking style by hitting the key employees affected by such a change.

1. Strategic Objectives:

- » Keep attorneys and staff productive no matter where they work on any given day.
- » Target the firm’s existing paper footprint to reduce the costs and inefficiencies of paper records.

2. Client Requirements

In design thinking, identifying the key stakeholders is the first step in being able to properly create innovative solutions for them. For digital mailrooms, the key stakeholders who most need a robust solution are attorneys, mailroom operators and records managers.

3. Attorneys: Mail Notifications

For attorneys and legal administrative assistants, the most critical element of digital mail is a timely email notification. This email message confirms when new mail is delivered to them digitally into the document management system.

Notifications give attorneys and staff a far better experience than scan-to-email, while keeping things consistent with how they currently work. The email message is sent to recipients automatically with a secure link to the digital document, a thumbnail image and information about the mail item. The result enables recipients to make decisions about the next steps, and they always have the option to flag any physical mail item they want kept.

The simple and quick alert of incoming mail needs to contain enough information to triage and accurately file the digital document. Delivery of digital mail is faster because it eliminates all worker location constraints that are the result of handling physical mail manually.



4. Mailroom Operators: Simplicity and Reliability

From the mailroom perspective, operators need help with repetitive portions of these time-sensitive tasks. Some software enables quick labeling of each item based on information visible on the envelope. A self-adhesive barcode stamp or label is applied to the first page of the document. Everything else is preconfigured according to routing rules in the software.

Scanning and quality control can be done as separate steps to batch the work with simple checklists. After scanning, the delivery status, image quality and page counts are easily verified. If needed, the operator can easily go back to retrieve and fix a mail item.

5. Records Managers: Integration with the Matter File

For records managers, the requirements are to digitize the original paper documents as early as possible and support filing of a physical document when necessary — even as that becomes increasingly rare. With quality controls in place, the

paper is temporarily staged after scanning and then shredded according to policy. File-naming conventions, time-based rules and exceptions are established according to the firm’s information governance policies.

Taking this human-centered approach ensures everyone affected by the change has their perspective accounted for. It may mean some extra legwork up front, but mapping this out early on can make large transitions like this implement more smoothly.

ABOUT THE AUTHOR

Michael Herzog is a Marketing Director on the Customer Success Team who also manages DocSolid’s marketing programs, website and Sales Team resources. He also coordinates DocSolid’s educational initiatives that help law firms quantify paper records with actionable data.

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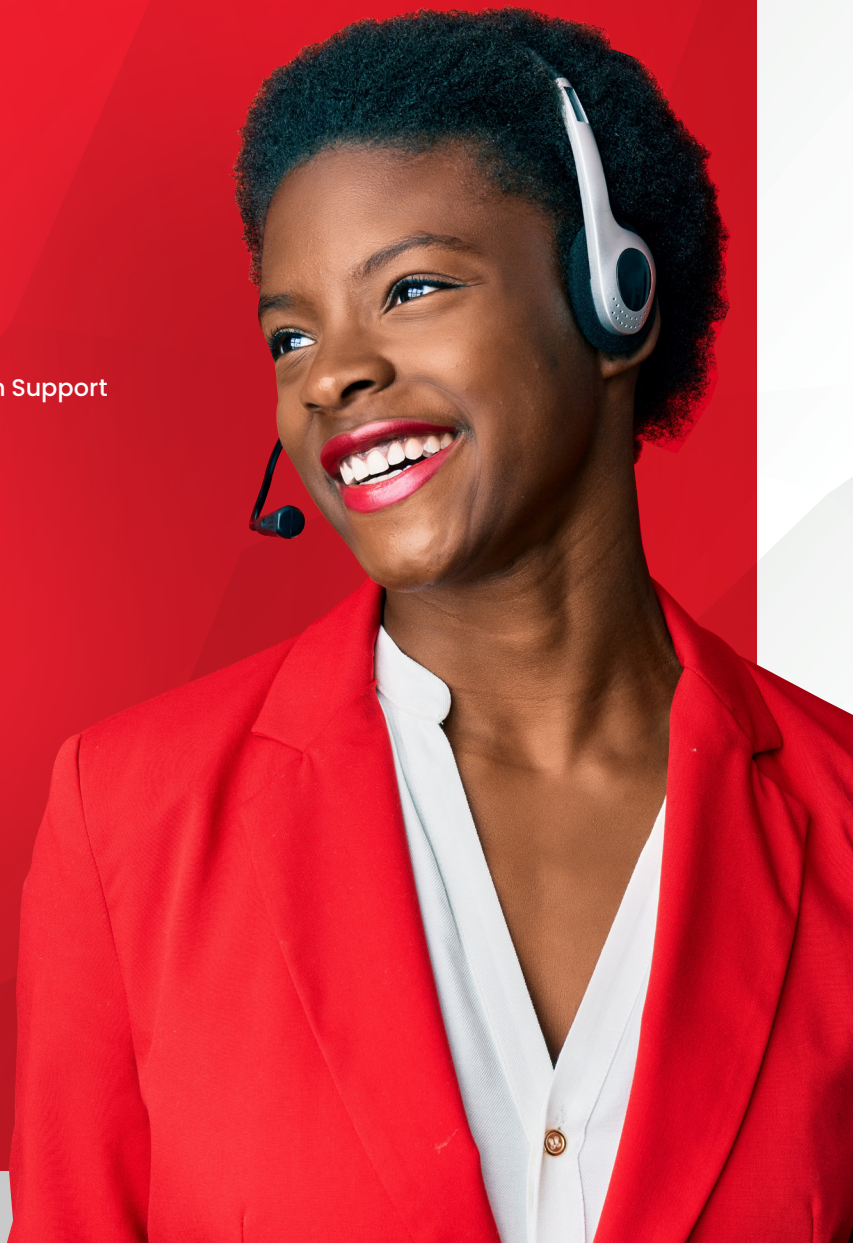
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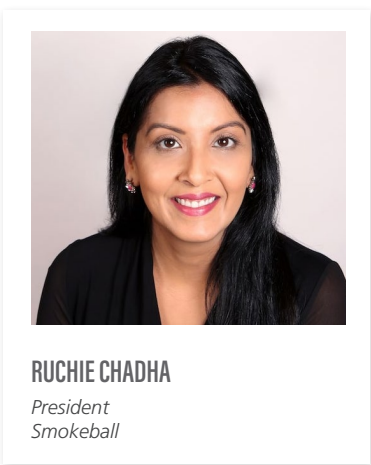


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6 Ways to Boost Time Management Amid the Legal Services Boom

The saying goes, nothing succeeds like success — except when you fail to capitalize on opportunity.

This past year, law firms have seen a decade-high increase in demand and revenue. This surge is expected to continue, especially among smaller practices. According to the 2021 State of Small U.S. Law Firms Report, 54% of small firm leaders anticipate moderate to high demand for services to continue in the next year; 59% expect that growth to continue *over the next three years*.

However, with rising demand comes ballooning legal and administrative workloads, which can drag down efficiency and revenue. In fact, small law firms say administrative burdens are among their top challenges. Nearly 80% of firms have not yet determined how to address the problem of spending too much time on administrative tasks.

Fortunately, technology tools can help firms capitalize on this surging opportunity. Legal practice management software can boost operations and slash time spent on administrative tasks that traditionally hobble efficiency. On average, firms that leverage this software capture up to 30% more of their time spent on cases, substantially increasing revenue and improving overall operations.

Legal practice management software can help you succeed in this moment of legal services opportunity. Here are six reasons why.

“Legal practice management software can boost operations and slash time spent on administrative tasks that traditionally hobble efficiency.”



1. AUTOMATION INCREASES STAFF EFFICIENCY

McKinsey Global Institute finds existing technology can automate 23% of work done by lawyers. But this doesn't mean it replaces them entirely. Instead, automating administrative tasks helps staff focus on interactions that require emotional intelligence and handle the increasing need for their time and services. Automating internal office processes with legal practice management software saves time, elevates efficiency and helps small firms capitalize on rising demand with a more nimble, responsive staff.

2. SEAMLESS DATA INTEGRATION

Legal practice management software seamlessly integrates data, helping administrators understand how their firms allocate time and resources. By storing essential documents, programs and tools in a centralized location, staff can significantly reduce time spent hopping across multiple interfaces. A top-shelf legal practice management solution also unifies court record data and helps manage client intake and title searches.

3. BETTER SUPPORT FOR REMOTE OR HYBRID WORK

As more firms pivot to remote and hybrid work, technology adoption and mobilizing a digital transformation strategy become more critical. Leveraging legal practice management solutions helps firms build a collaborative infrastructure across teams and departments, saving time and improving communication.

Before the pandemic, 76% of law firms used cloud-based computing software to manage day-to-day tasks. By the end of 2021, this figure grew to 88%. The most robust legal practice management solutions are cloud-based and ready for the needs of a remote workforce. They're equipped for day-one integration with existing videoconference tools vital for work-from-home productivity.

4. IMPROVED TIME MONITORING

According to Smokeball research, at least 30% of law firm work is not billed, either deliberately or by mistake. The top legal practice management software offers time tracking as a primary function, allowing small law firms to bill and track time more efficiently and accurately. Billable hours are no longer subject to hunches and guesswork.

Leading legal practice management software also has built-in calendaring to help manage court deadlines, allowing users to view them all in one place. The software also provides greater insight into internal productivity and how efficiently tasks are completed.

5. SIMPLIFIED DOCUMENT MANAGEMENT

Creating, processing and filing documents are huge daily tasks. Automating document creation and billing can streamline these tasks. An ideal legal practice management system includes on-board document drafting that monitors the amount of time spent preparing documents so firms can more accurately track time spent on case-related materials. It should also have a legal form library to simplify the laborious process of manually navigating and completing legal paperwork.

6. UNLOCKING NEW BENEFITS

If demand for legal services do continue to grow in accordance with the FindLaw survey mentioned above, 2022 should be an important year for the legal profession. Implementing time-saving efficiencies will streamline workloads by automating processes previously left to less precise forms of recall.

More and more firms are catching on to the fact that legal practice management solutions empower their employees to stay on top of the increasing demands for their services. Between 2022 and 2024, industry experts predict the global legal practice management software market will see a growth rate of 10% as firms strive to keep up with the legal services boom and technology demands.

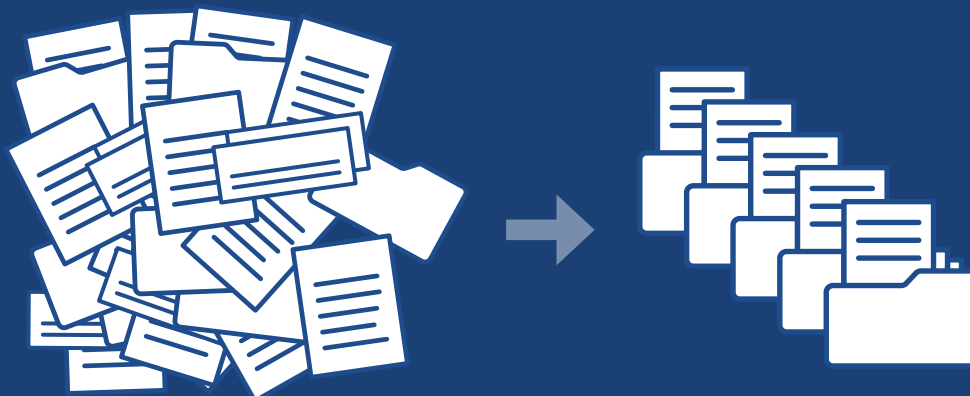
Of course, small firms won't be exempt from these growing legal demands. Given the competitive pressures of today's economy and the impact on smaller law firms struggling to keep pace with their more capitalized counterparts, leveraging legal practice management software is imperative.

Smaller firms will do well to look for legal practice management software that addresses their needs holistically — with proven capability in billing, data security, time tracking, document recovery, compliance, technology diversity and remote access. The right tools can unlock new benefits for your firm with a versatility that meets your needs now and in the future.

ABOUT THE AUTHOR

Ruchie Chadha is President of Smokeball, a company that specializes in cloud-based legal practice management software. Before joining Smokeball, Chadha was a family law attorney in the Chicago area. She now focuses her career on delivering innovative solutions to lawyers so they can better serve their clients and build healthier businesses.

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MARK BREWER
Freelance Writer

How to Ease Time Tracking Struggles

These tips can make sure timekeeping is not only done on time — but done accurately.

Timekeeping has vexed law office administrators and managing partners for years. Given the daily pressure on attorneys to deliver for clients and the minimum monthly billing requirement, timekeeping can be stressful for everyone involved.

Lawyers love to work in the flow, but manual timekeeping takes them out of it. “It’s very challenging for lawyers to do timekeeping in the moment. It’s a habit that it’s really hard to build,” says Sarah Tetlow, Founder and Chief Executive Officer of Firm Focus, a consulting firm that helps attorneys improve productivity.

The result is that many attorneys procrastinate on reporting their time, often waiting until the end of the week or month to recreate activities from calendar entries, emails, phone records and memory. It’s no secret that this is an error-prone process that ultimately results in inaccurate invoices and write-offs of line items that don’t meet client guidelines. That adds up to lost revenue and, in some cases, strained client relationships.

WRITING FICTION

The standard advice for timekeeping is to do it contemporaneously with the work. “If you wait until the end of the day to recreate your time, studies suggest that you shortchange yourself by around 15% to 20%,” says John Remsen Jr., President of The Remsen Group. “If you wait until the end of the week, you’re further shortchanging yourself by as much as 25% to 30%. If you wait much longer than that, you’re starting to write fiction.”

“One reason attorneys procrastinate on timekeeping is that crafting work descriptions takes time. You can speed up the process using shortcut keys to automate the input of language that has already been approved by firm leadership and has been paid by the client.”

“Attorneys who are disciplined with time tracking can ... recapture that lost 5% of time that regularly slips through the cracks — about seven hours per month based on a 140-hour-per-month billing requirement.”

Reconstructing time from memory can also affect work descriptions. If the narrative doesn't meet firm standards or the client's requirements, line items can be rejected, which further erodes revenue. For example, some clients don't like to pay for anything they deem clerical. So descriptions need to focus on the legal value delivered.

What attorneys often miss in the reconstruction process are fractions of hours, what Tetlow calls the “point-ones” and “point-twos,” which, in her experience, account for at least 5% of lost billable time.

If your firm bills by the hour, time is money. “The billable hour remains king,” says Remsen. Still, firms that bill flat fees can also benefit from timekeeping. “If you're working on a flat fee, it's good to shadow-bill the work at your standard hourly rates to see if it's profitable or not. The fewer hours you spend on earning that flat fee, the more profitable you are,” he says. Flat-fee work encourages process efficiency, and shadow billing can reveal whether process improvements are actually flowing to the bottom line.

BEST PRACTICE FOR TIMERS

Ideally, firms would like to capture time accurately without the stress. But one reason attorneys procrastinate on timekeeping is that crafting work descriptions takes time. You can speed up the process by using shortcut keys to automate the input of language that has already been approved by firm leadership and has been paid by the client. Many case management applications have the ability to assign blocks of text to “F” keys (function keys). Tetlow says these foolproof descriptions alleviate the stress and time of crafting an original narrative for each time entry.

If your case management software doesn't support shortcut keys, Tetlow suggests creating a template of foolproof narratives in a Word document. Either way, you save time and ensure that narratives conform to firm and client expectations.

Most law offices have moved beyond pen and paper for time tracking and now use timers included in many case management systems, or they use external timer apps that integrate with their software. “The absolute best practice for timers is, when you start something, click the timer, put in the

matter number and add a memory-jogger for the description. In that moment, you don't need the full description,” says Tetlow.

For example, typing “MSJ research” reminds you that you're doing research for a summary judgment motion. Then, when it comes time to submit the timesheet, you can finish the narrative with shortcut keys or your template of foolproof language.

The downside of timers is the manual labor of opening the timekeeping software, clicking the timer on, entering the matter number and memory-jogger, and remembering to turn the timer off. There's still a human in the loop, and errors still happen.

AUTOMATE WITH PASSIVE TIME TRACKING

If you've been waiting for technology to make timekeeping easier, more accurate and stress-free, it's here today. Many firm management systems — such as Coyote Analytics, MyCase and Smokeball — include passive or “intuitive” time tracking capabilities.

Passive time tracking tracks your work as you do it, which improves accuracy by capturing nearly 100% of billable time. In general, passive time tracking works in the background to automatically associate time worked with the correct matter. Invoices are automatically created and available for editing before sending off to the client.



Capturing time passively can also improve productivity by revealing common inefficiencies in firm processes. For example, attorneys can see where they're losing time on unrelated and nonbillable tasks that slow down the flow of work.

Several law office time and billing applications include passive time tracking, including Sage Timeslips and Time by Ping Inc., which uses artificial intelligence to help associate work with clients and matters. Another similar app, called Faster Time, integrates with Clio. These are just a few examples.

Each of these timekeeping apps have different features and functionality, and some are more automated than others. Many offer mobile apps that track time spent on calls and email while on the road. Most integrate with Microsoft 365 and others include broader integrations with Google Workspace and Adobe products.

ROI THAT'S OMG

Improving accuracy in time tracking can add up to big gains in revenue. Attorneys who are disciplined with time tracking can recover the point-ones and point-twos and recapture that lost 5% of time that regularly slips through the cracks — about seven hours per month based on a 140-hour-per-month billing requirement.

For those who reconstruct time at the end of the week or month, passive time tracking can recapture the lost 15% to 30% of otherwise unreported and unbilled time — up to 40 hours per month.

In addition, firms should experience fewer write-offs.

Tracking time is not a favorite task for anyone, but it's a vital aspect of legal life. Fortunately, with the help of technology — and/or the building of consistent habits — timekeeping struggles and stresses can be minimized, opening up more opportunities to better serve clients.



TIME MANAGEMENT ON YOUR MIND?

Time is your most valuable resource, and as a busy legal professional, distractions and interruptions impede your ability to have a productive day. Join Sarah Tetlow, Founder and Chief Executive Officer of Firm Focus, at our 2022 Annual Conference & Expo — May 15–18 in Kissimmee, Florida — as she helps you get a handle on the seemingly small distractions that add up to steal your work time. Her session is called Stop Welcoming Distractions! Productivity Strategies to Help Set Boundaries and Manage Expectations. To register, visit ALAnnualconf.org.

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ERIN BRERETON
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“The most significant work, which really affects the measuring and reduction of a law firm’s [carbon] footprint, is at the office level. You can basically look at how you commute, how you travel and the office reduction.”

Law Firms’ Evolving Take on Sustainability

Today’s firms are giving clients a front-row seat as they work toward their intended environmental goals.

Sustainability has become a key consideration in more than half of consumers’ product purchasing decisions — and it’s also increasingly factoring into legal services’ marketability.

Eighty-seven percent of legal industry members now receive requests for proposals (RFPs) asking for information about their environmental practices, initiatives and results, according to the latest Law Firm Sustainability Network survey. Fifty-three percent said their current or new clients feel environmental sustainability is very important, a notable rise from 24% in 2018.

“A lot of these global, really big clients have to report on their sustainability initiatives, and they have to talk about their supply chain and vendors,” says Law Firm Sustainability Network (LFSN) Executive Director Gayatri Joshi. “Law firms are a part of that; we are one of their vendors.”

FREQUENT SUSTAINABILITY THEMES

Carbon footprint-related practices are currently one of the top sustainability concentration areas — and the leading investment legal industry members told LFSN they’d make if resources and budget weren’t a consideration.

Gauging annual carbon usage became a goal in 2019 for Davis Wright Tremaine, a more than 550-attorney firm with eight U.S. locations, says Partner Tom Burke, who serves as the firm’s Sustainability Committee Chair.

“Many of our clients have asked us to document and respond to surveys [about] our carbon usage and the reduction of greenhouse gases,” Burke says. “The most significant

“One of the things that can really make a difference in a carbon emission footprint of a firm is to make sure you’re traveling [only] when you need to. You don’t necessarily take the one-day trip a long way away.”

work, which really affects the measuring and reduction of a law firm’s footprint, is at the office level. You can basically look at how you commute, how you travel and the office reduction.”

Law firms may need to plan ahead to obtain some of the necessary metrics to position them to improve their sustainability over time, such as energy usage readings for each floor in new office space.

“All of that data you can track and measure for in the years that you’re in that building,” Burke says. “Often, landlords are very reluctant to give information; they’re not used to being asked. So you have to start early enough in the leasing negotiation period and say, ‘Yes, we need that information.’”

Office updates can also help firms conserve resources. In addition to moving to more sustainable types of packaging, Raleigh, North Carolina-based Wyrick Robbins installed automatic sink sensors in its bathrooms, which quickly shut the water off after use.

“While there’s a small associated capital expense, it wasn’t large,” says Partner Larry Robbins. “I’m confident we’re probably at 50% of the water usage now as we were maybe five or six years ago.”

THE PANDEMIC’S EFFECT ON FIRMS’ EMPHASIS

In the wake of the COVID-19 pandemic, business travel has become another popular sustainability target area for law firms.

“Because of the pandemic, they have been able to see how they can create different ways to reduce business travel,” Joshi says. “Whether it’s virtual conferencing or choosing different kinds of airlines or flights, they see that this is going to be a big way to impact emissions.”

Being more intentional about flights is a fundamental focus for Davis Wright Tremaine this year, according to Burke. “Particularly after the pandemic, everybody’s thinking about seeing clients and doing the sorts of travel they did before,” he says. “One of the things that can really make a difference in a carbon emission footprint of a firm is to make

sure you’re traveling [only] when you need to. You don’t necessarily take the one-day trip a long way away.”

When employees needed to be based off-site during the pandemic, some firms realized a more permanent remote work environment could contribute to their Scope 3 reduction efforts — targeting what the protocol developed by the World Resources Institute and the World Business Council for Sustainable Development defines as indirect greenhouse gas emissions produced by an organization’s value chain.

“I’ve been speaking to a couple of law firms that are looking to make remote hybrid part of how they do business specifically because they’re looking at it as a way to help them in terms of their environmental impact reductions,” Joshi says. “Even though part of it, of course, is they think it’s a better way to do business and it helps their employees, there’s a very major focus on looking at it from an environmental perspective.”

The pandemic-era shutdown opened a number of industry members’ eyes to new sustainability-related possibilities, according to Warren Koshofer, a Partner at Michelman & Robinson, LLP.

“You were working remotely, and you weren’t printing everything out at your home — you’d be burning out small printers,” Koshofer says. “You weren’t commuting. You really learned how to work differently and work more in an environmentally friendly way. It actually helped with the entire initiative.”



SUPERVISING ENVIRONMENTAL ENDEAVORS

Law firms have approached sustainability and environmental, social and governance (ESG) program management in different ways. Davis Wright Tremaine, for instance, has a firm-wide committee comprised of attorneys and staff that meets every other month.

Five subcommittees within the group work on specific initiatives, such as assessing common commute practices and the feasibility of offering incentives like electronic car charging stations and bike racks.

“There are a lot of logistics [in those efforts],” Burke says. “Which is why it’s great to have a committee of the size that we do, where people can just say, ‘OK, I’ve got that; I’ll push on that one.’”

Some firms have added a management-level sustainability or ESG role to provide comprehensive oversight. With an increased need for law firms to share information about their environmental achievements in a thoughtful and proactive way, Joshi anticipates the demand for dedicated sustainability professionals within firms will escalate.

“Having one person who can have that sky-level view of how all these things come together, and help put forth and implement a plan, we will definitely see more of, especially as more clients are expecting firms to report their commitments,” she says.

Other law firms have opted to obtain external guidance when establishing their initiatives — including Wyrick Robbins, which began working two years ago with Green Places, a sustainability-based service provider that helps businesses calculate their carbon footprint and execute eco-strategies.

Following an extensive assessment of the firm’s practices, from employees’ daily commutes to food waste processes and electronic equipment disposal, Green Places worked with Wyrick Robbins to create a sustainability and carbon reduction plan, Robbins says.

“Formally implementing a program is perhaps the most difficult part,” he says. “It can be overwhelming. There’s just so many things that you might consider doing. Having an opportunity to have someone guide you and give you the actual steps for a plan made a lot of sense for us.”

Seven-office firm Michelman & Robinson is one of the 18 law firms that work with Lawyers for a Sustainable Economy, an initiative launched in part by Stanford Law School in 2018

“Law students are going to choose those particular law firms that [are] pursuing reducing their environmental impact and working toward making a better future for them. There’s also the employees’ [perspective]. A lot of folks want to feel they’re in a place that matches their values.”

that pairs participating firms with sustainability-focused entrepreneurs and nonprofits that need pro bono legal services.

To date, Michelman & Robinson has helped a number of agricultural tech, sustainable material providers and other entities — largely startups, Koshofer says — with tasks such as nondisclosure and compensation agreements.

The firm has also undertaken several internal environmentally oriented initiatives — ranging from purchasing energy-efficient kitchen appliances and setting timers to turn lighting off in unoccupied offices to having copy machines automatically revert to an energy-saving mode when not in use.

Digitizing files, Koshofer says, has allowed the firm to eliminate thousands of boxes of paper.

“We’ve done basically everything and anything that’s feasibly possible toward conservation and sustainability,” he says. “We’ve utilized server and storage virtualization in our data center to reduce the number of physical servers; that reduces overall electrical usage. The digitizing of files is something most law firms are doing or certainly should be — having all those redundant paper files is just wasteful at this point.”

ADVANCING INDUSTRY ACTIVITY

In addition to reducing operational costs and providing the level of transparency clients want, law firms’ sustainability efforts may have other indirect effects — such as helping with recruiting and retention.

Numerous LFSN members, Joshi says, have told her that prospective hires have increasingly expressed an interest in their firm’s environmental approach in the past several years.

“They are hearing law students asking them, ‘So tell me about your practices — do you recycle?’” she says. “They want to know about all things sustainable and ESG. Law students are

going to choose those particular law firms that [are] pursuing reducing their environmental impact and working toward making a better future for them. There's also the employees' [perspective]. A lot of folks want to feel they're in a place that matches their values."

Wyrick Robbins' employees were a major impetus for sponsoring sustainability programs, Robbins says.

"They're paying attention, and they want to know their employer and the people they see on a day-to-day basis are concerned about the environment and working toward sustainability," he says. "We're absolutely confident our employee base is positively impacted by this — and that they want and demand it."

Regardless of the reason a firm spearheads a sustainability initiative — or which specific areas it decides to focus on first — to ensure all resource conservation and other efforts will be as effective as possible, establishing well-defined targets and a way to evaluate progress is crucial.

Some entities use the LFSN's American Legal Industry Sustainability Standards (ALISS) online self-assessment tool, designed to help law firms gauge their sustainability activities' impact via a score that represents the percentage of total points a firm can possibly achieve.

Other potential measurement and reporting frameworks include the United Nations' Sustainable Development Goals, which offers 17 strategies to combat climate change and other issues, and the Science Based Targets initiative, which provides guidance to help companies achieve net-zero emissions before 2050.




"You have to track, benchmark and set goals," Joshi says. "It's so much easier to communicate those successes and wins and to get people excited about it — and to just show the impact and actually do the good work."

Davis Wright Tremaine, for instance, conducts an annual survey involving its carbon footprint — something Burke says the firm established to not only allow it to respond to information requests from clients but also determine a baseline and help the firm internally measure its progress.

"You can say, 'Oh yeah, we're sustainable, and we're doing all the right things,'" Burke says. "That's all talk unless you're actually able to look at where you were every year. We're measuring what we're doing, we've got goals for reducing it, and we're committed to sharing that information with others to get them [on] the same path. It's a moral obligation to do what we can to sustain our planet — and the choices that law firms make can have a huge long-term impact on future generations."

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Erin Breton is a freelance writer, editor and content strategist who has written about the legal industry, business, technology and other topics for 20 years.

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PHILLIP M. PERRY

Freelance Business Writer

“The scarcity of suitable candidates opens up enviable opportunities for ALA members, many of whom already have the experience in dealing with the vagaries of law firms.”

Business-Based Firm Management Brings Fresh Perspective

Legal organizations make the move toward professional management to leverage the expertise of their attorneys.

When John E. Yoshimura joined McDermott Will & Emery as Chief Operating Officer (COO) seven years ago, he lacked experience in the legal field. Even so, he quickly identified common ground with his previous professional activities.

“From most perspectives, there was no problem adjusting to the legal environment,” he recalls. “Because I had held a similar position as COO for A.T. Kearney, a billion-dollar management consulting firm, I was accustomed to dealing with highly compensated professionals in a service environment. Many issues were very similar.”

Yoshimura’s experience reflects a larger reality across the legal landscape: More law firms than ever are starting to realize they need professional management to leverage the legal expertise of their attorneys. Larger firms that have become accustomed to the value of professional managers are expanding their duties into areas such as pricing, client value, diversity and project management. Smaller firms that have long relied on management by senior partners are starting to hire professional chief executive officers (CEO) and COOs for the first time. And firms of all sizes are starting to realize that expertise from outside the legal environment can bring fresh ideas to the development of efficient and profitable operations.

BUSINESS FIRST

Whatever the firm size, the motivation is the same — an imperative to put organizations on a solid business footing. Pressure to do so is coming from the marketplace. “There

“Firms of all sizes are starting to realize that expertise from outside the legal environment can bring fresh ideas to the development of efficient and profitable operations.”

has always been a bubbling interest in professional law firm management,” says Jared D. Correia, a former practicing attorney who is now CEO of Red Cave Law Firm Consulting. “But now that competing firms are getting more innovative and marketing more effectively, the interest is much greater.”

Contributing to the trend, too, is a global pandemic that has forced lawyers to think about their operations in a different way. “In the past, lawyers were running old-school analog businesses, doing everything in person,” says Correia. “Now that they aren’t able to connect with their clients and their staff in the old way, they are having to rethink everything. They are starting to understand that they need to be better business owners.”

The move to professionalize business operations carries an important benefit: the liberation of attorneys from the need to take time away from their primary duties to devote to activities outside their native expertise.

“Firms have realized that they can’t continue to operate with a split focus in the people who are supposed be building the business forward,” says Bill Josten, Enterprise Content Manager at Thomson Reuters Institute. “We are seeing a pretty strong trend away from having a library partner, a marketing partner, a finance partner and so on. Lawyers who take on such responsibilities run into inevitable tension. Is their first priority their managerial duties or performing as a partner?”

The reality, says Josten, is that the attorney’s first priority will always be what they are paid to do — and that is to participate as members of the legal team. “When the partner side wins, the management side is on the outs.”

Another advantage to professional management is the ability to make business decisions untarnished by personal considerations. Under the old split-role system, a business manager who was also a longtime partner in the firm would often shy away from difficult but necessary conversations (such as a termination or a de-equitization) with attorneys regarded as a friend. Yoshimura puts it this way: “An objective third party can look at things from a business perspective and engage in a discussion that is clearer and less emotional.”

CHALLENGES AROUND

All this is not to say that the legal world lacks idiosyncratic challenges for the recruited business manager. “From a business perspective, there is the inability to work with clients that have legal conflicting situations,” says Yoshimura. “That is relatively unique, since in most industries you can typically work for direct competitors without major issues.”

“The second big difference is that in most other professional service industries, partners have a much higher sense of company ownership,” says Yoshimura. “I don’t mean from a financial perspective, but from a feeling of responsibility for spending a lot of time improving the firm, developing the people and contributing in ways other than doing client work. Many law firm partners view their firm as a work platform and as a source of resources for their success.”

Both of those unique characteristics can throw roadblocks in the way of proposed initiatives intended to expand business operations or strengthen internal operations. So can the need to obtain consensus on key decisions. “At any other business, when a good idea bubbles up, you can say, ‘That’s a good idea. Let’s do it,’” says Josten. “But at a law firm you have to say, ‘That’s a good idea. Let’s put it to a partnership vote.’”

The need for decision-by-committee creates inherent tensions for any professional manager trying to push new ideas. Matters are not helped by the typical lawyer’s conservative managerial mindset — one that can resist initiatives that involve risk. Failed initiatives can also bring unpleasant repercussions. “Research shows that lawyers are less resilient,” says Josten. “Things don’t necessarily roll off their backs all that readily. Mistakes tend to rattle them.”



“In the past, lawyers were running old-school analog businesses, doing everything in person. Now that they aren’t able to connect with their clients and their staff in the old way, they are having to rethink everything.”

All these characteristics make an incoming leader’s job more challenging. “Many managers don’t want to work in a law firm environment because older partners tend to be set in their ways and resistant to change,” says Correia. Demographics, though, are changing in the manager’s favor. “A lot of older law firm partners are leaving because of the pandemic. Younger attorneys are much more open to new ideas and also to outsourcing, which is tremendously helpful.”

SCARCE CANDIDATES

In their efforts to up their management game, law firms face a problem not unlike that of other industries: a scarcity of talent with the desired expertise.

“Law firms want highly experienced people, so they’ll aim to bring in a [certified public accountant] to be a [chief financial officer] or an MBA to be a COO,” says Josten. “But then they also want prior experience in legal, and that means there is a very shallow talent pool available.” Many people who have done this managerial work have been in their roles for a really long

time and are now in their late 60s or 70s. A lot of them retired when the pandemic hit and there aren’t a lot of replacements waiting in the wings.

The scarcity of suitable candidates opens up enviable opportunities for ALA members, many of whom already have the experience in dealing with the vagaries of law firms. These skills will be in growing demand as the industry emerges from the pandemic economy to take on new work. With a view toward improving their salaries and job titles, talented administrators may want to participate in the same “Great Resignation” popular in other industries, where personnel at all levels are playing a profitable game of musical chairs.

The solution is to toss a wider net. “Law firms are getting pretty aggressive about hiring more managerial personnel who are not lawyers,” says Correia. This can be a good thing, he feels, as it can bring fresh air into an environment that is too often stultified. “In my opinion, legal experience should not necessarily be a prerequisite for a law firm that wants to operate more like a business. My preference would almost be to look outside the industry.”

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Phillip M. Perry is an award-winning business journalist with over 20 years of experience under his belt. A three-time recipient of the American Bar Association’s Edge Award for editorial achievement, Perry freelances out of his New York City office. His byline has appeared over 3,000 times in the nation’s business press.

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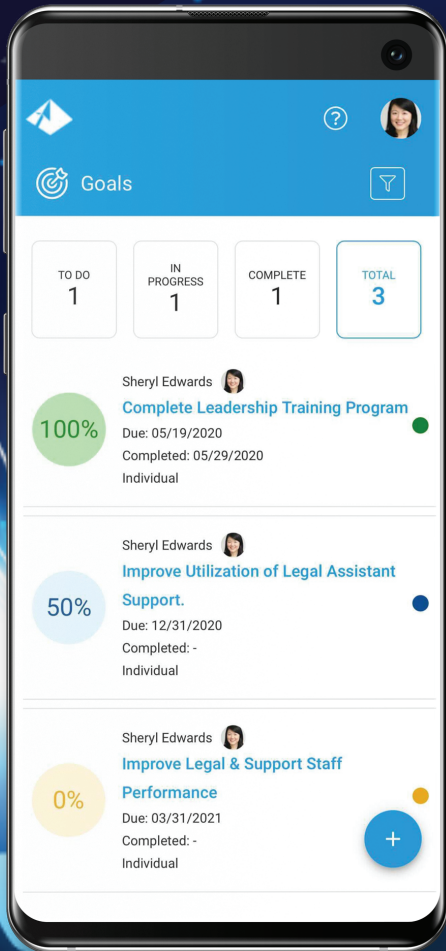
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“We especially like using our Bose Frames when taking a walk to our favorite restaurant at lunch so we can listen to a podcast or catch up on our voicemails — all hands-free while still being able to hear sounds from the physical environment around us!”

No Shade Here: Bose Frames Bluetooth Audio Sunglasses Deliver

If you have heard us speak this year, you know that we are all about immersive technology. The key to immersive technology is the removal of barriers to use technology in our daily lives. The fewer devices we have to physically hold in our hands and the fewer buttons we have to push, the better, in our view.

So it was no surprise that we were attracted to our latest gadget, the Bose Frames Bluetooth audio sunglasses. These specially equipped sunglasses allow us to listen to audio content from our phone, take calls and even dictate commands completely hands-free and without any headphones or ear buds. Talk about freedom!

First of all, the Bose Frames look like regular sunglasses to the casual observer. They remind us of the traditional Ray-Ban Wayfarer look with the classic black styling. If you look more closely at them, you will notice that the arms of the sunglasses that rest on your ears are a little thicker than normal because they house the electronics that make the frames work. Each arm contains small speakers along with a microphone that allows the wearer to both hear and speak hands-free. While these electronics add a little bit of heft to the sunglass frame, they do not feel excessively heavy. We have worn our pair casually while driving and also while walking or running outside and have not felt that the frames were too heavy.

The Bose Frames connect to your smartphone via Bluetooth. Once connected, you can listen to any content from your phone via the speakers located in the frame arms. The music or other audio content from your phone is delivered to your ears using something that Bose calls their Bose Open Ear Audio™ technology. The sound is surprisingly good for not being a device that fits over your ear like a headphone or in your ear canal like an ear bud.

LOOKIN' COOL WHILE YOU LISTEN

We especially like using our Bose Frames when taking a walk to our favorite restaurant at lunch so we can listen to a podcast or catch up on our voicemails — all hands-free while still being able to hear sounds from the physical environment around us! Complete ambient noise cancellation is great if you are sitting on a noisy plane but is not optimal if you are navigating downtown traffic on foot. So we joyfully wear our smart sunglasses while walking to court or to the office, and no one on the street really knows that we are listening to music, voicemails, podcasts or whatever. Even if we pass somebody in a close encounter on the street, the person next to us cannot hear the audio from the Bose Frames. The only clue they might have that we are either using a smart device or we're crazy is when they see us talking to no one in particular or dancing like nobody is watching.

Yes, the mic on the Bose Frames is good enough to carry on a phone conversation much like you would on speakerphone. We did notice on that one occasion, when we were taking a call while walking outside on a particularly windy day, the other party could hear a lot of wind noise over the mic. Of course, this happens also when using either Bill's Air Pods or Phil's Galaxy Buds.

The Bose Frames come in several different styles from the classic look to more stylish and sporty models. The lenses on the frames can be changed for different colors and gradients. On its website, Bose also indicates that it can provide frames with prescription lenses via special order.

Bose touts the battery life on the Frames to be up to 5.5 hours. We have not challenged that limit yet, as we typically don't wear them more than an hour at a time. The sunglasses come with a proprietary charging cable. We wish the charging cable was something more standard like a USB-C cable, but that is a minor irritation.

All in all, we are very pleased with our new "immersive" tech gadget. Contrasted with the garish Bluetooth earpieces that executives used to wear conspicuously around the office ostensibly to indicate how busy they were, we love the incognito nature of the Bose Frames that lets us use our tech while appearing to be completely unencumbered to those around us.



You know what's better than Bill and Phil in digital print? Bill and Phil live in-person, of course! Join them for their session, *The Bill & Phil Show: Are You Ready for the Metaverse?* at the 2022 Annual Conference & Expo, May 15–18 in Kissimmee, Florida. For full details and to register, visit ALAannualconf.org.

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6 Legal Workflows Worth Automating

The pressure is on legal organizations to be more digital and automated than ever. But that’s not exactly easy to do in a legal industry still operating in a world of paper documents, legacy systems and siloed data. Needless to say, the move to hybrid or remote offices brought on by the pandemic has accelerated a transition to an “anywhere-operations” model.

Efficiencies and cost savings are two of the biggest benefits to automating manual, time-intensive activities. However, for law firms that take a more data-centric approach, the advantages come in the ability to automatically classify and extract relevant data and put it to use within existing case management systems and processes — helping to improve cycle and response times and enhancing strategic decision-making.

WHERE TO START? ASSESS WORKFLOW BOTTLENECKS

Implementing a permanent anywhere-operations model does not happen overnight. Firms will have to create a digital transformation strategy customized to their operational needs. Part of that strategy should involve assessing current technologies, policies, processes and workflows.

Below are six legal workflows worth automating:

1. Physical Mailroom

If all paper pushes through the mailroom, shouldn’t process automation start there? With the mailroom as the entry point to the firm, the faster these essential documents are captured and turned into usable, readily available data, the faster you can drive better, transformative processes.

Law firms can realize a number of benefits across the office from automating their mail workflows. Having the ability to process both inbound and outbound mail in a matter of seconds and quickly upload the information to a case management system enhances productivity immensely. With a digital mail solution, firms gain real-time insight into how many pieces of mail are being processed, the different document types, the number of pages and where a document may be in the workflow process. This type of automation creates a detailed audit trail for every single piece of inbound mail.

2. Form and Signature Management

Every law firm has certain forms that need to go out to clients for signatures. While some documents still require a hard-copy signature, many do not. Surprisingly, many organizations still use the painstaking process of filling out the form, printing it, sending it to the client for signature, waiting for it to come back, scanning it and then manually entering any updated form data. The most sophisticated document management solutions pull data out of case management systems to automatically populate e-forms, allowing legal staff to then send them out and have them completed, signed and returned digitally.

Combining e-forms with digital signatures automates the process of communicating with clients, as well as populating, collecting and integrating form data, while increasing the chances of getting documents back in a timely fashion — in many instances the same day.

3. Cost Recovery

Cost recovery is an important revenue-generating process for law firms. As an example, firms typically charge clients approximately 25 cents for every page they copy and/or print. However, when those documents are captured digitally, they've lost that revenue. A digital mail solution can provide them with digital cost recovery, for both their inbound and outbound mail streams.

For outbound mail, there are digital mail solutions with the ability to provide a flat data file that can automatically be ingested into the firm's cost-recovery accounting system — automatically creating an expense object in the case management system. Firms can keep track of how many pieces or pages they sent and how much that costs at 25 cents per piece. For inbound mail, the process is the same.

4. Processing Invoices

There are many types of invoices that attorneys receive. For example, they get invoices from expert witnesses and from

medical offices, charging them for records releases, etc. In order for an invoice to get processed, it typically goes through several different people at a law firm. The first person opens the mail and routes it to the appropriate paralegal or case manager, who records the invoice in the case management system for approval. Once that happens, the invoice goes to accounting to be paid, then out the door and into the mail stream.

Again, a digital mail solution has the ability to process inbound invoices in a matter of seconds, then quickly upload the information to the case management and accounting systems for approval. Sending payment is made easy with the click of a mouse. All the work to print, package, meter and ship payments is automated.

5. Check Deposits

In a digital mail environment, one of the questions from law firms is always: "What happens with the checks we receive through the mail?" The newest versions of digital mail solutions will have the ability to automatically scan checks, extract the necessary information, route that to the case manager for approval, and then deposit them in the appropriate bank account based on direction from the accounting department.



6. Expert Testimony

Expert witnesses are used in nearly every complicated legal case, from financial litigation to car-crash lawsuits to medical negligence. It's customary for law firms to have a preferred list of expert witnesses they trust and use regularly. These experts are responsible for reviewing myriad documents, sometimes 50 to 100 pages worth. Customarily, the law firm will print out all pertinent documentation from the various sources and place them in a file folder for physical pickup. The experts then take the files back to their offices to read and write a one- or two-page abstract to send back to the law firm.

A document management system can create a digital workflow that allows law firms to provide designated experts with 24/7, secure access to all the necessary information. It's a workflow task that routes relevant documents to the necessary experts and tracks their responses. The system allows attorneys to know exactly how many documents have been delivered and where the experts are in the process. Once an abstract or response is received, it can be uploaded right into the case management system — and the task can then be closed.

ADDRESS FUTURE CLIENT AND STAFF DEMANDS WITH AUTOMATION NOW

There's no denying that the COVID-19 pandemic has accelerated the adoption of digital technology capabilities, not only among law firms but also within their operational ecosystems (i.e., courts, clients, experts, etc.). Firms that embrace digital automation now are simultaneously preparing to effectively address future client and worker demands while setting themselves up for future growth in a marketplace that will increasingly rely on remote operations.

Law firms have a significant opportunity to build on their current technological motivations to build longer-term business models that allow for anywhere operations.

ABOUT THE AUTHOR

David Winkler is Executive Vice President and Chief Product Officer at Docufree, a provider of enterprise information management (EIM) and digital business process services.

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Discover Your Online Community

ALA's new Online Community Platform offers a user-friendly social media interface with tons of special features:



Video meetings



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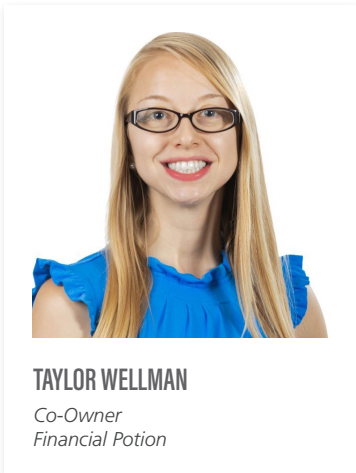
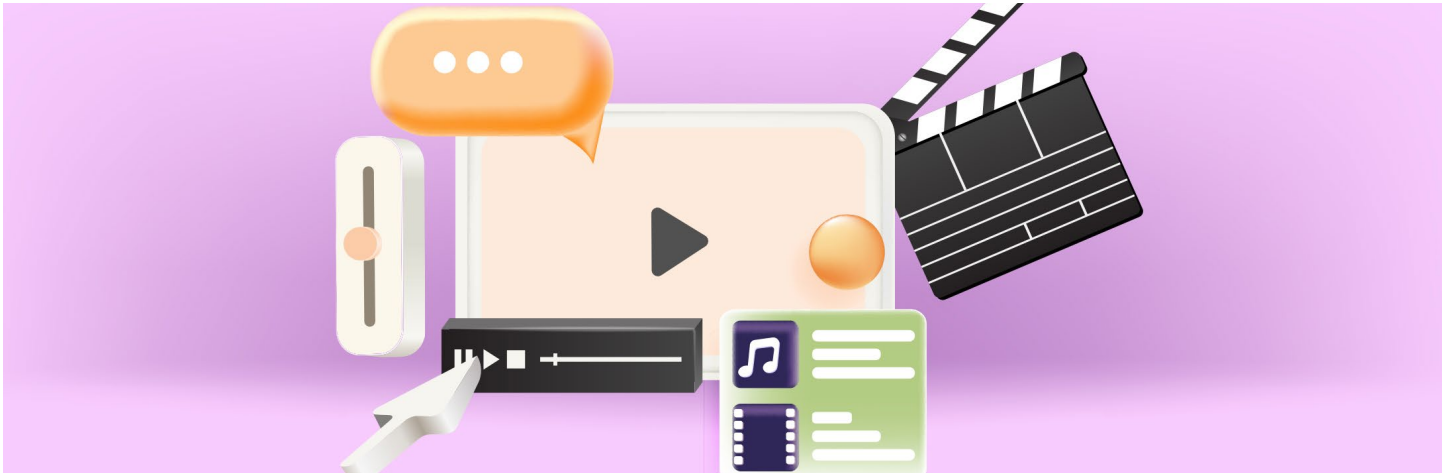
Polling



Trackable content tags



community.alanet.org



TAYLOR WELLMAN
Co-Owner
Financial Potion

Digital Marketing Trends and the Power of Video

Video is a great way to communicate online, in emails and even through text messages. According to Yans Media, people retain about 95% of the information given in a video compared to only 10% when read.

The more complicated the topic and the more competitive the industry, the more you need to leverage video to help your audience understand and retain your information. Online platforms and social media algorithms favor a video post because that is what their audience wants to see. You don't need to be on all platforms, but there are several that will benefit legal professionals more than others.

YOUTUBE

YouTube is always the first place you should upload a video. It's the second most used search engine and is owned by Google, the most used search engine worldwide. The main benefit to YouTube is that you are able to optimize your videos for the search engine keywords that will help you be found online. You can optimize the title, tags and descriptions with keywords that are indexed by Google.

It's also a great place to present and inform because you can offer a variety of videos, from longer videos lasting an hour to their new feature, #Shorts. This is a new service that highlights and promotes videos less than a minute in runtime. One interesting fact about these types of vertical videos is that they have approximately a 90% completion rate — meaning that they almost always get watched until the end. This is easier to accomplish with the shorter format. Plus, the shorter length makes it easier to record and upload multiple videos.

YouTube has largely modeled this format on TikTok, a platform where going viral is almost always the goal and getting followers is actually easier than it sounds.

“
The more complicated the topic and the more competitive the industry, the more you need to leverage video to help your audience understand and retain your information.”

TIKTOK

If YouTube is the more generalized website to find videos of all sorts, then TikTok is like a small town where everyone quickly learns your name. TikTok's growth through the pandemic showed that this platform isn't just for high schoolers but for everyone.

According to Hootsuite, TikTok was the No. 1 downloaded app in 2020, hitting two billion global downloads in August 2020. It's not just people posting cute dog tricks or their dance moves. Ocean Spray, the almost century-old beverage company, got 15 billion media impressions through TikTok in only one month. Although users primarily search and follow funny and entertaining content, this demonstrates there is still a lot of benefits to legal professionals being on this platform.

LINKEDIN

The other platform legal professionals need to focus on is LinkedIn. It boasts 810 million active users with 63% of those users accessing their account weekly and 22% daily.

And videos get noticed, generating more than 300 million impressions and earning an average of three times more engagement than text posts. That's what the algorithms want to see — engagement. The more people engage with your posts, the higher they are going to rank on someone else's feed, which is the opening page when you first open a social media platform.

STILL NEED CONVINCING?

If you've already been doing these things but struggle with knowing what markets to target and how to quantify the effect on your business, you should look into psychographics, or classifying people based on psychological attributes. These go beyond primary classifications like age or location and seek to understand what your consumers want, what drives their behavior and what makes up their values and their motivations.

This type of information can be wildly useful when it comes to targeting specific consumers or groups to advertise to. While using qualitative methodology is nothing new per se, using it to break down the average consumer is a more recent trend in business. It essentially allows businesses to micro-target customers on an individual level — somewhat like Facebook or Instagram advertising but an even deeper dive, looking at the present and the future.



One pro tip that remains the same for every video — be they long or short, advertising or educating, one platform or another — is to make sure to use captions in every video. First, you want to make your content accessible to everyone, and second, about 80% of viewers on social platforms watch videos on silent. It's important to immediately capture their attention, cause them to click and turn up the volume. Captions can look like standard CCs with a black background and white Arial font, or they can conform to your brand's colors and fonts. Either way, just be sure to preview them to make sure they are readable when placed over the video.

Simply put, video is the easiest way to engage with potential clients by connecting to where they spend their time — on their smartphones. Get found easier and be remembered through quality video marketing.

ABOUT THE AUTHORS

Taylor Wellman has been working in the field of video marketing since 2009. Through her company, Financial Potion, she helps business owners communicate in a more authentic and engaging way with custom video marketing solutions in the form of production, editing, social media distribution and training. Located in Arizona, Financial Potion provides full-service video marketing solutions that can help business owners share their message in a more effective way.

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SUSAN THOMPSON

Chief Resources Officer
The Hadley Institute

“The outcome of this holistic performance management program is that employees are prepared for their evaluations and appreciate the safe environment to have productive conversations about their performance.”

People Science: The Missing Link in Performance Management

While I was the Head of Human Resources at Covington & Burling LLP, the management committee hosted a dinner for the administrative leadership team. Many of my global colleagues had never met these senior leaders, and you could feel their anxiety.

I sat next to the chairman and managing partner, who stood up to remove his jacket. When he sat down, he leaned over to me and said, “As the host of the dinner, I took off my jacket so everyone would feel more comfortable.” *That* is thoughtful leadership that, over time, inspires people to commit to and engage in an organization.

Why can’t organizations consistently develop leaders and managers like this who motivate, engage and develop their employees? Why do so many evaluations and performance management programs — which drive manager behavior — fail to produce results? I think it’s because something is missing in these programs, which I call People Science.

While working on my master’s in clinical psychology, I had an epiphany about human resources. People bring their problems to work — anxiety, depression, ADHD, explosive anger and more than a few personality disorders. How can organizations meet employees where they are — their whole selves — and help them engage, change and grow?

Every organization has a unique vision and culture, as well as a culture they aspire to. Why not pull the best from traditional business and HR practices and strengthen them with behavioral psychology to develop a targeted way to drive positive behaviors and engagement?

How do I know this works? Because I’ve been working on this program for my organization. I have many years of experience working in law firms, so I know it can work for you, too! Let me take you through our journey at Hadley, which is a global nonprofit organization.

INTEGRATING PEOPLE SCIENCE

Our president laid out a clear vision for our future, and it required us to move to a customer-centric, innovative, performance-oriented organization. We also leveraged an impartial consultant to update our compensation structure, ensuring it was equitable and competitive.

Then we turned to People Science — we injected it into our employee performance management system. First, we met with our leaders to identify the top three performance categories most important to our organization: work performance, a continuous improvement mindset and ownership. Each of these categories have well-defined behaviors that can be scored. (We quantified how employees contribute to our culture and performance.)

Recognizing that most employees and managers dread performance reviews, we supported our interactive performance scorecard with positive communication, training and guides. Most importantly, we injected positive psychology into the process.

Additionally, we developed an employee guide that detailed how we measure performance in each category. We created questions for employees to ask their managers for constructive feedback. We provided questions that the managers would ask in performance discussions to give the employees time to prepare and self-reflect. In this guide, we encouraged employees to develop an action plan with their managers based on the behavioral psychology model of explore, learn, grow, change and thrive.

We also established a longer and more detailed guide for managers to help coach and provide a safe environment for discussions and feedback. We provided techniques commonly used in the behavioral sciences to motivate employee change and engagement. We also created coaching workshops for all managers and supervisors.

The last step in this process was to build a pay-for-performance compensation program based on the transparent metrics identified by the leadership team across the entire organization. We analyzed both internal and external compensation data to determine pay ranges based on performance. Research shows that positive reinforcement tied to rewards is a very powerful development tool.

HUMAN BEHAVIOR: QUANTIFIABLE AND PREDICTABLE

The outcome of this holistic performance management program is that employees are prepared for their evaluations and appreciate the safe environment to have productive



conversations about their performance. The leaders appreciate the coaching and feedback techniques in the guides and training sessions that will strengthen their leadership skills. Most importantly, we used this program to reward our top performers with salary increases, which has increased engagement and, hopefully, retention.

Change is hard, but much of human behavior is quantifiable and predictable. Psychology concepts can be applied to employee engagement, performance management and coaching to help employees thrive in both their professional and personal lives. People Science can help develop strong leaders, managers and employees. After all, it is powered by science.

AMP UP YOUR HR STRATEGY WITH PEOPLE SCIENCE

Why do most performance management programs — which drive behavior — fail to produce results? How can we meet employees where they are, acknowledge their whole selves, and help them take advantage of their talents to thrive?

Susan Thompson will answer these as she delves further into People Science at her session on May 17 at our 2022 Annual Conference & Expo in Kissimmee, Florida. Register today at ALAannualconf.org.

ABOUT THE AUTHORS

Susan Thompson is the Chief Human Resources Officer for The Hadley Institute. She was also the former head of human resources for two Am Law 100 law firms.

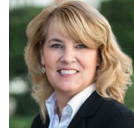
 susan.thompson@hadley.edu

Anniversaries, Awards and Appointments

Members on the Move »



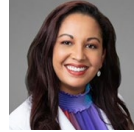
Sandra Cigalotti (not pictured), a member of the South Florida Chapter, is now Legal Administrator at Keller Landsberg, PA, in Fort Lauderdale, Florida.



Amy R. Crawford-Hale, a member of the Suncoast Chapter, is now Regional Office Administrator at Dinsmore & Shohl LLP in Indianapolis, Indiana.



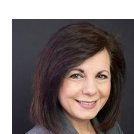
Asgie Hernandez, a member of the Orange County Chapter, is now Office Administrator at O'Melveny & Myers, LLP, in Austin, Texas.



Erin M. Hulme, CLM, a member of the Houston Chapter, is now Business Director at Greenberg Traurig, LLP, in Houston, Texas.



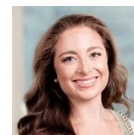
Terri S. Johnson, a member of the Suncoast Chapter, is now Firm Administrator at Paskert Divers Thompson in Tampa, Florida.



Catherine M. Mingoello, a member of the Nutmeg Chapter, is now Administrative Services Manager at Withers Bergman, LLP, in New Haven, Connecticut.



Quency D. Perkins, a member of the Houston Chapter, is now Human Resources Manager at Diamond McCarthy LLP in Houston, Texas.



Brianna Rose, a member of the New York City Chapter, is now New York Office Administrator at O'Melveny & Myers, LLP, in New York, New York.



Lawanna M. Voci, a member of the Suncoast Chapter, is now Chief Operations Officer at Nelson Koster in Tampa, Florida.



Former ALA President Nancy J. Siegel Passes Away

ALA is saddened to report that Past President Nancy J. Siegel passed away in February at the age of 76. After first joining ALA in 1979, she eventually went on to lead the Association from 1990 to 1991. According to our records, Nancy appears to have retired in 2008. But she certainly didn't disengage from ALA. Nancy remained a mentor to many in the Golden Gate Chapter and was an occasional donor to the Foundation of the Association of Legal Administrators.

She was recently featured alongside the other ALA Presidents in the 2021 print edition of *Legal Management*; its yearbook-style design celebrated the Association's 50th Anniversary. Here's part of Nancy's quoted remarks: "Juggling a leadership role in ALA with the demanding job of legal administrator was challenging at times, but always worth the effort. Great learning opportunities, extraordinary colleagues and lifelong friendships." Our sympathies are with those who knew her.

What's Happening at Headquarters



ALA Executive Director Resigns

ALA has announced that April L. Campbell, JD, has resigned as its Executive Director. She will be returning to the private legal industry. The Board of Directors accepted her resignation, and her last day with ALA will be April 22. The Board is currently discussing options to appoint new leadership.

“We appreciate April for her leadership during the pandemic and the implementation of tactics to ensure the success of ALA’s strategic direction. We wish April well in her future endeavors and look forward to continuing to benefit from April’s participation in ALA as a lifetime member and Past President,” said ALA President Michael T. Bumgarner, CLM, CPA, CGMA.

Campbell was the first woman to serve in the role of Executive Director, having led the organization in January 2020 as Interim Executive Director. She was later appointed full-time Executive Director in August 2020.

Legal Management Wants to Hear from You!

We all know it’s important to take care of ourselves, but making time for it isn’t always easy. That’s why ALA wants to hear from you! What are ways you fit wellness and self-care into your day? We want to share your tips with other members. We may feature your response in the upcoming annual print issue of *Legal Management*, which hits mailboxes in July.

To participate, here’s what we need: In 75 words or less, tell us how you fit in time for your health and self-care. Do you meditate? Take your dog for walks? Reread your favorite books to clear your head? Play video games? If possible, please include a picture of you doing the activity. Think action shots, not headshots — we’d love to see you walking your dog, for example!

Here’s an example: “When I need to de-stress, I pull out a coloring book. It’s a great way to get me off my phone and to focus on creating art. I find it very calming.”

Send responses to publications@alanet.org by April 22.

Submissions may be edited for clarity.



CLI Call for Presentations

The 2022 Chapter Leadership Institute (CLI) will be held July 15–16 in Las Vegas, Nevada. Registration will open soon for this event, which offers valuable information for chapter officers and volunteer leaders in the form of both training and networking.

The conference needs your expertise to help develop the best thought-provoking and engaging ideas for sessions pertinent to not only chapter leadership but leadership in general. Find more details about what we’re looking for and submit your prospective CLI presentation to surveymonkey.com/r/rX7PVRCK. Proposals are due April 26.



Donate to the Silent Auction

The Foundation of the Association of Legal Administrators is once again organizing a virtual silent auction to raise funds for its initiatives. All ALA members and business partners, not just 2022 Annual Conference & Expo attendees, will be able to participate in the bidding online between May 6 and May 18.

Individuals, companies and chapters are invited to donate an item to the silent auction. Past donations have included gift baskets, artwork, high-end purses and jewelry, vacation packages, gift certificates to hotels and restaurants, and signed sports memorabilia. The Foundation is also delighted to include items focused on leadership and personal development resources and courses (such as webinar series, publications, chapter memberships, etc.)

If you'd like to submit an item, please complete the donation form by April 29: alanet.org/foundation. Because the auction is virtual, contributors will be asked to hold onto their items until the conclusion, at which point the organizers will provide the buyer's information. Review the FAQs on the Foundation's webpage for more info.

Register for the Mental Health First Aid Certification Course

ALA is once again offering the Mental Health First Aid Certification Program. With four course dates in June and July, this interactive educational program will help you identify someone experiencing a mental illness or substance abuse crisis and will offer guidance on how to provide appropriate support.

Participants first complete two hours of self-paced online learning, and then attend a live, 6.5-hour virtual session with an instructor on the registered course date. Upon completion of the full program and a subsequent examination, participants will receive a Mental Health First Aid Certification.

Studies have shown this curriculum reduces stigma around mental illness, increases knowledge about mental health and raises participants' confidence in using the five-step ALGEE action plan:

- Assess for risk of suicide or harm.
- Listen nonjudgmentally.
- Give reassurance and information.
- Encourage appropriate professional help.
- Encourage self-help and other support strategies.

The last time ALA offered this education, the sessions filled up fast — each date is limited to just 30 participants. So prepare to sign up quickly at alanet.org/mhfa!

