

# LEGAL MANAGEMENT

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## Solving the Law Firm Succession Puzzle Through Compensation Systems

Addressing outdated matter origination can give firms the push they need to make a long-term plan.





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“  
Different perspectives than  
your own will likely increase  
the number of futures you  
can imagine and all the  
ways to get there.”

## ALA Is Ready to Get 2022 Started

**I have always considered myself a planner, but some recent reading has introduced me to a whole other level of planning that interests me greatly, both for its simplicity and researched effectiveness.**

It's known as future-minded leadership, and it can have positive effects on those who practice it. Simply put, it is preparing for possible multiple futures, including potential obstacles and challenges you may encounter on the way. Several articles I have read on this topic mention this mindset helps those who practice it to be less stressed and more successful. It forges resilience in the face of uncertainty.

It is more than daydreaming or doomsaying. You don't have to be able to predict the future — it's merely a matter of envisioning the possibilities and the potential paths to them. It allows you to be adaptable and flexible because you have already thought about several future states. You map out the various ways to get there, taking into account some of the potential consequences along the way.

Those of my generation may think of it as one of those *Choose Your Own Adventure* books where you're in charge of how the book proceeds. With future-minded leadership, you are the author creating your own options.

The unknown is often the scariest thing of all. Sometimes it paralyzes us to the point where we take no action at all. But when all the futures and their potential have been considered, you've done away with the fear of the unknowns. Knowing how others will behave or what the world has in store for us is often a mystery, but when you have already thought about "if this, then that," everything is a little less stressful to navigate. It fosters a sense of control. It's contingency planning, and creates a sense of empowerment and agency, something we all need after the endless reactive planning of the last two years. You can prepare yourself mentally and emotionally for challenges.


There has always been emphasis on the value and importance of resilience. I used to assume that meant standing your ground in the cases of uncertainty or adversity. I have now come to realize resilience sometimes takes the form of walking away. It has a relationship to adaptability and recognizing one's own needs.

Learning about future-minded leadership and its relationship to resilience brings to mind a simple analogous situation I recently experienced. I was at the grocery store with a recipe in mind, searching the aisles for the necessary ingredients. Supply chain issues meant they were nowhere to be found. I had to decide if I was going to abandon the recipe altogether and grab some takeout or find a substitute and create something slightly or entirely different. There is no one right answer, but it helps my mental state if I have considered these outcomes before I go to the store, including what choices I will have if things don't go as planned — and the potential ramifications of those choices. By doing so, I have engaged my ability to adapt to changing environments both inside

and outside myself, all the while being perfectly content if I venture outside the original plan.

So give yourself space and time to think, reflect and plan with optimism and pragmatism. As with most things, this is often most effective when you do it not by yourself but with others — whether that's with a coach, co-workers, friends or your professional network. Different perspectives than your own will likely increase the number of futures you can imagine and all the ways to get there.

I have been listening to your stories and reading your discussions in our Online Community, and I see many of you are already practicing this leadership mindset. You are proactively planning, and it is resulting in higher levels of resilience. Now you know it has a name, and you are ahead of the curve!

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The graphic features a large '2022' where each digit is filled with a different scenic view of Kissimmee, Florida. Below the year, the text 'Kissimmee, Florida' is written in a yellow, cursive font. The main title 'ALA's Annual Conference & Expo' is in a large, bold, dark red font. Below the title, the dates 'May 15-18' and the location 'Gaylord Palms Resort & Convention Center' are listed in a blue font. On the right side, a dark red circular callout contains the text 'Register by February 25 and SAVE!' in white and yellow. Below this, an orange button says 'REGISTER NOW!' with the registration code 'B00-690-690DX10'. At the bottom, the ALA logo and the hashtag '#ALAConf22' with the website 'ALAnnualconf.org' are displayed.

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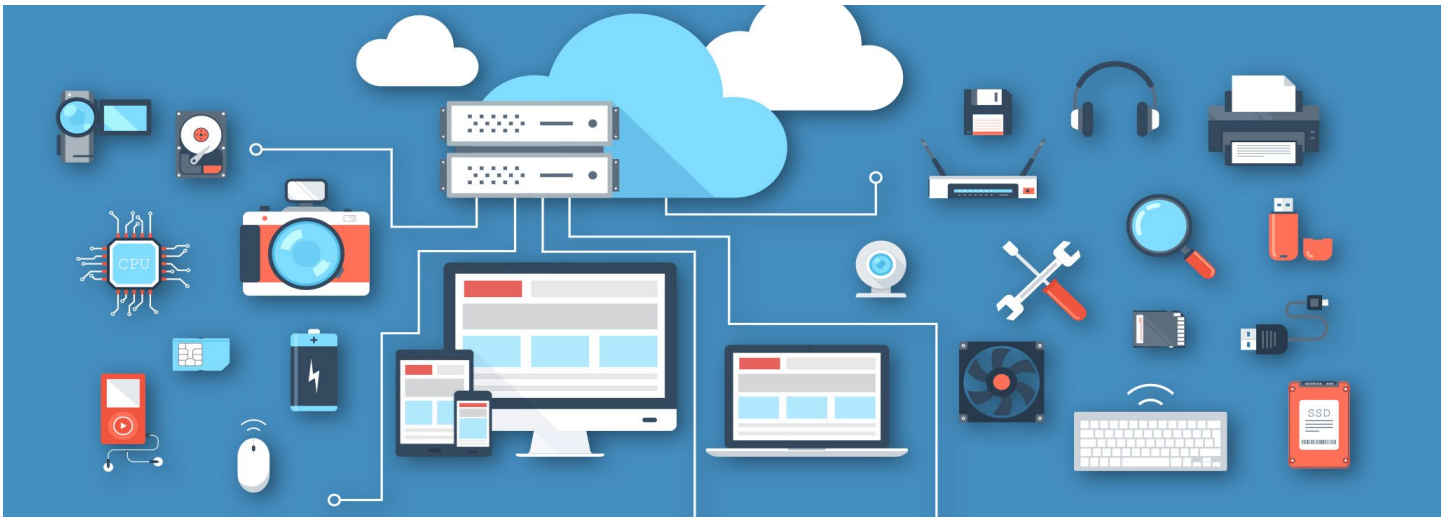
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“Between 2004 and 2019 there was an exponential rise in emoji and emoticon references in U.S. court opinions, a trend that we’ll likely see continue as they become a standard in online communication.”

## E-Discovery in the Modern Workplace: What Law Professionals Need to Know

**As the pandemic gave way to the rise of cloud-based collaboration apps in the workplace, the way we communicate and exchange information is fundamentally changing.**

Communication flows that used to be linear and static, like email and attachments, are increasingly happening dynamically and in real time — think video meetings over Zoom, live document collaboration in Google Workspace, or instant messaging and emoji reactions via Slack, just to name a few (of many) examples.

While these new styles of collaboration and the apps that support them have undoubtedly boosted our productivity and helped us remain connected in our new world of remote work, they have also come at the risk of creating scattered knowledge silos and new hiding places for our information. For legal management professionals in particular, these risks can have costly consequences when it comes to fulfilling e-discovery requests.

### HOW COLLABORATION APPS ARE COMPLICATING E-DISCOVERY

The scope of e-discovery includes any electronically stored information (ESI), including text, audio and video files, instant messages and emoji, social media posts, attachments, links and more — all of which are growing massively in volume within organizations today.

Even before the pandemic, many companies were already grappling with the data tsunami created by the cloud era. Now, it’s only getting worse. According to Okta,

the number of apps deployed within organizations has risen steadily across all industries and company sizes, for a combined growth of 22% over the past four years. Today, the average number of apps per organization is 88, with large companies using as many as 175 apps. As these apps proliferate, they become separate and siloed stores of data. The more data is fragmented, the more time and effort is required for legal departments to find what they are looking for in legal discovery.

Not to mention, most ESI is unstructured data that can't be easily categorized or indexed, making it that much more difficult to find, process and understand. For example, if you're using Microsoft Teams or Slack, there will be public channels, private channels, one-to-one or group messages, each with different retention settings. Messages can also be edited, deleted or embedded within other conversations, which adds even more complexity to the data collection process. Beyond data collection, these usually create challenging data exports as well, often producing difficult-to-decipher content that doesn't fit neatly into the document review process.

## THE NEED FOR A NEW BREED OF E-DISCOVERY TECH

Many legacy e-discovery solutions have struggled to keep pace with the migration to cloud computing and are no longer suitable in today's world, where apps are a prominent source of information exchange. This is a problem considering that courts are increasingly requiring litigants to produce a variety of ESI, including from collaboration apps like Slack. Even emoji are showing up as evidence in court more frequently: Between 2004 and 2019 there was an exponential rise in emoji and emoticon references in U.S. court opinions, a trend that we'll likely see continue as they become a standard in online communication.

Instead of (or in addition to) legacy e-discovery solutions, specialist tools are needed to recognize the new hiding places for data in the various apps that have become commonplace in our work lives. This is where legal management professionals need to step in and make recommendations for capabilities that can help legal teams find, manage and protect the vast amounts of unstructured data created by proliferating cloud apps.

The most effective tools will be those that can break down data silos, unifying information from multiple apps within one central repository, to allow for rapid search across several data sources all at once. They should also go well beyond tagging, using technology such as machine learning and artificial intelligence to generate knowledge from data by



understanding the context and content of what's being stored. They should also possess the intelligence to know when to delete duplicate data or convert unstructured files into readable formats.

These are just a few examples of essential capabilities that can better prepare legal teams for inevitable ESI requests. Most importantly, a proactive approach to e-discovery — one that puts tools and processes in place to gather information now, rather than waiting until litigation rises — should be at the center of any strategy.

For many organizations, the pace of change in a remote or hybrid working model is uncharted territory. The cloud-based apps that flooded the workplace weren't designed with e-discovery in mind, and legal teams have an important role to play in evolving their discovery strategy accordingly. Steering a more proactive e-discovery approach starts with recommending the right tools that can keep up with the data deluge, helping save money and time, minimizing litigation risk, and empowering the business for the future.

### ABOUT THE AUTHOR

**Scott McVeigh** is the Industry Principal at Onna. For over 24 years, he has been providing information governance strategies and technology implementations, both as a consultant and in-house roles. His background includes significant project and programmatic work on records management, e-discovery and information privacy for large enterprises and government clients globally.

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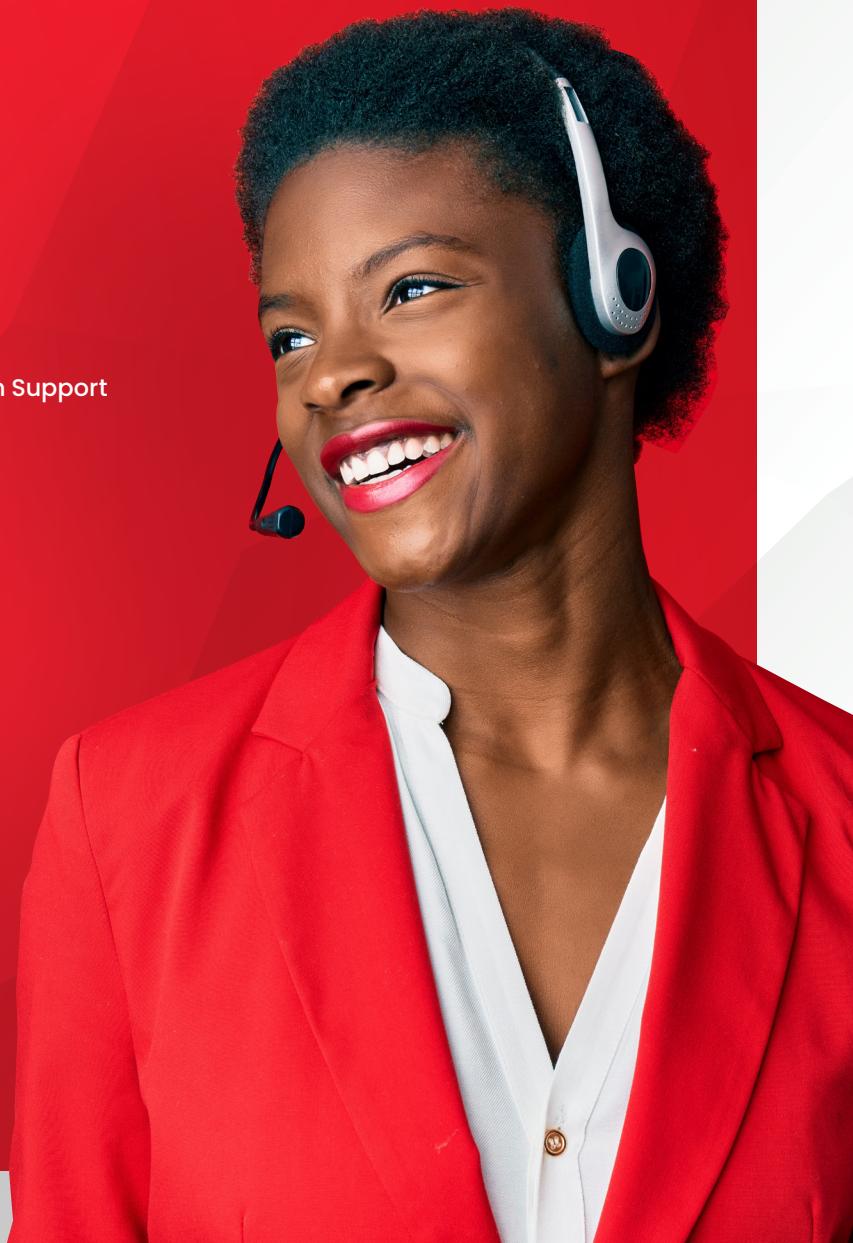
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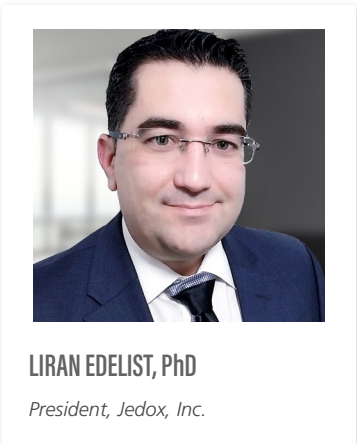
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# What Every Legal Manager Needs to Know About the Digitalization of Planning, Reporting and Forecasting

**As new technologies arise, digitalization has touched virtually every industry imaginable. Manual processes in planning, reporting and forecasting have been replaced by automated ones, and tools such as artificial intelligence and machine learning have become more common approaches than ever before.**

“For real digital transformation to occur, planning processes must be based on collaboration, business logic and data integration.”

Financial departments rely heavily on Excel for capturing and warehousing data, but it's no longer sufficient to keep pace in our fast-moving world. Aside from its time-consuming nature, Excel as a tool cannot provide real-time insights. But automating processes such as revenue and capacity planning, budgeting and forecasting can assist in achieving that end.

While automation has long since been prevalent in the manufacturing and automobile industries, smart data management through automated processes is critical for decision-makers in legal organizations as well. So for those firms still relying on manual tasks for planning and budgeting, it's time for an upgrade.

As you wade through the swamp of technological solutions to find the most suitable fit, know that there are five factors that are key to determining which system will work best for your company. Throwing just any new-fangled solution at a problem is not necessarily going to solve it.

When evaluating options, consider the following:

- » **Ease of use:** How simple is the new solution to implement and apply in your daily workflow?
- » **Self-service:** How important is a broad user base for the solution in question? Not everyone is an IT specialist, nor does everyone need to be. Find a solution that people in every department can use and does not require heavy IT resources to support.
- » **Flexibility:** How crucial is an adaptable solution for your existing one? You don't need to reinvent the wheel. Find a customized system that melds with the one you already have.
- » **Agility:** Are you looking for the ability to adapt quickly to change? Identify a tool that will provide you with real-time insights for fast action when the unexpected happens.
- » **Maturity:** Is your company digital-ready? The digital transformation journey does not have to be rocky, but you do need to ask where you are on that path first.

### THREE LEVELS OF MATURITY FOR DIGITAL TRANSFORMATION

Where you start on your digital transformation journey depends on which maturity level your organization has right now. It determines the setting for modern, continuous capabilities toward process improvement and optimization. In terms of identifying how to best digitalize your planning, reporting and forecasting processes, the first step is to take your company's digital-readiness temperature.

#### LEVEL 1 Manual-Based Planning Process

Does your company rely solely manual input with tools such as Excel? Are you constantly updating multiple spreadsheets, sending them back and forth for cross-checking with several iterations before starting the planning process?

#### LEVEL 2 A Hybrid of Manual and Digital Processes for Tactical Improvement Through Automation

Do you have some form of automation to update your data but still rely on manual processes that could be automated if you had the right tools? Could you optimize those processes to free up time if you knew how to replace them with digital solutions?

#### LEVEL 3 A Strategic Enhancement of Planning Processes Through Full-Blown Digital Transformation

Have you replaced time-consuming manual, repeatable tasks with automated processes? Do you have consistent access to all the data and key performance indicators (KPIs) you need in order to gain insights? Are team members across the organization able to work with these processes too?

While many manual processes are antiquated, technical improvements through digitalization itself do not add sufficient business value. For real digital transformation to occur, planning processes must be based on collaboration, business logic and data integration. The good news is there are already existing solutions to ease organizations through transformation. Let's look at a successful example from the legal profession.

### THE CASE OF THE DISTRICT OF COLUMBIA BAR

With a membership of more than 100,000 members in all 50 states and more than 80 countries, the D.C. Bar is the second-largest unified bar in the United States. In order to optimize their reporting, planning and data analytics processes, they needed to update their aging technology.

The finance team struggled with inflexible, awkward and user-unfriendly reporting software. The inability to access data at the right level of detail from the accounting system, as well as the inability to consolidate data into various groupings, made robust reporting virtually impossible. They needed a solution that could replicate all the structures within their organization and allow users to drill down to see the transaction-level data. The software also needed to be able to access data from both the general ledger and their association management software.

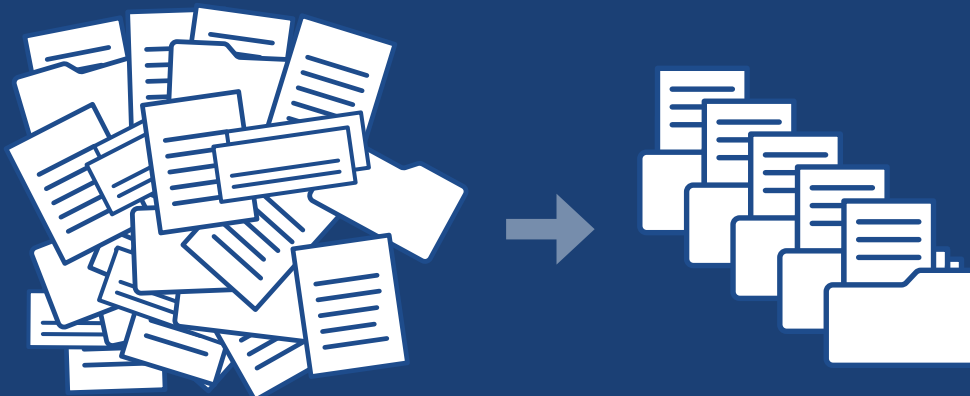
After researching the marketplace, the D.C. Bar chose a reporting and budgeting system that was flexible, easy to implement and easy to use. Implementation of the new reporting and budgeting system only took a few months, and 45 users were able to immediately start using it thereafter. The new solution ticked off all the boxes we mentioned above, marking a major improvement in their budgeting and reporting processes. In the end, it not only saved the organization time but also provided a more accurate view of their overall performance.

In today's world, data itself is not gold until you have the right solution to manage and interpret its value. Wherever you are on your digital transformation journey, the time is now to move forward. It is never too late to do so.

#### ABOUT THE AUTHOR

**Liran Edelist, PhD**, is President of Jedox, Inc., where he leads Jedox's mission in North America to build upon its leadership position in the growing enterprise performance management (EPM) market. Edelist has over 20 years of firsthand experience with financial and strategic planning technologies, in both public and private sectors.

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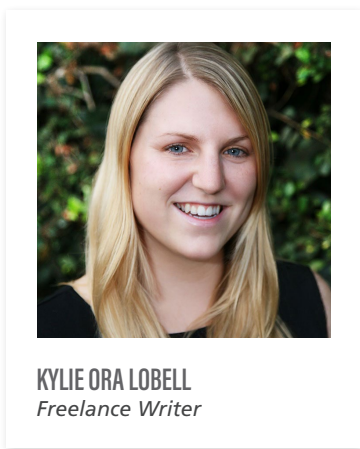
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# 5 Ways Law Firms Can Prep for a Recession

*Economic dips are inevitable, but these tips can help your legal organization stay ahead.*

**In the wake of the Great Recession of 2008, many law firms across the United States felt the effects of the downturn. While some firms survived by strategizing their way out of it, others collapsed altogether.**

“This too will pass, as we have seen time and time again. Making rash decisions in the moment won’t serve you or your business in the future.”

For instance, Heller Ehrman, which was founded in 1890, had 15 offices around the world and employed 730 lawyers, while Thelen — a firm that opened in 1924 — had more than 600 lawyers in the United States and Shanghai. Both firms went under suddenly in 2008.

Fortunately, in the years since that recession, law firms have figured out ways to protect themselves against tests to the economy, like the challenges they faced throughout the pandemic.

To ensure that your law firm not only stays afloat but thrives during tough economic times, you’ll need to have a solid plan in place. Here are some of the ways you can prepare for a recession in the future.

## 1. DIVERSIFY YOUR FIRM’S OFFERINGS

According to the experts, one of the upsides for law firms is they tend to weather recessions well compared to other industries.

“Many law firms are relatively recession-proof unless they specialize in business and corporate law, so most small and medium-sized firms don’t feel as much of an impact as other industries do,” says David Aylor, Founder and Chief Executive Officer (CEO) of David Aylor Law Offices.



But when a recession does hit, you can always refocus your specialty areas to respond to the changing times.

“Though many specialties may be less useful, other legal needs will arise through a suffering economy,” says Minesh J. Patel, Founder of The Patel Firm. “Corporate law, for example, may see less movement in mergers and acquisitions but more need in the areas of litigation and bankruptcy. Lawyers are needed, especially throughout tough economic times, to protect those most vulnerable to losses.”

You can run into trouble, however, if your firm works in one or two areas of the law, and those areas take big hits in a downturn. Your law firm is likely to suffer as well. That’s where diversifying helps.

Aylor says it’s important to specialize in more than one area for this very reason. “If you do have a specialized firm that will be more susceptible to the overall loss of business, consider diversifying your training and experience now so you can make a quick pivot should a recession come along.”

## 2. INVEST IN THE RIGHT TECHNOLOGY

By being forward-thinking and investing in the latest technology, your firm can save money and be more efficient. According to Tariq Akbar, CEO of LegalEase Solutions, law firms can look into using a model based on Software as a Service (SaaS) instead of relying on legacy technology.

“Alternative legal service providers can work with law firms on a transactional basis and hence the limited need to manage overhead,” says Akbar. “You need to be able to get lean on demand. That’s really the key to survival.

And if your firm hasn’t already done so, move to the cloud, which would allow you to “reduce services, storage and usage in a way that coincides with ebbs and flows in work,” says Brad Paubel, Chief Information Officer at Lexicon. “This helps avoid paying fixed costs for times when business is slower.”

## 3. COME UP WITH PAYMENT PLANS

When there’s a recession, people lose income and inevitably have trouble paying their bills. By providing payment plans, you could more easily retain your clients, says Sarah Ruttan Bates, Lexicon’s Director of Legal Operations and Training. “Partial payment or payment over time is better than no payment at all.”

Another way to work with clients is by offering alternative fee arrangements, since they may be reluctant to pay by the

hour, says John Joy, Managing Attorney at FTI Law. You’ll just need to have solid data to accurately estimate the cost of the arrangement.

“This is not something that can be created or collected overnight, and [it] requires partners to track what their associates are working on and how much it is costing the client on a weekly basis,” says Joy. “Keeping this data in an accessible form where it can be analyzed is also critical, as client pitches can come up quickly and you need to be able to respond swiftly with a competitive pitch.”

## 4. REDUCE OVERHEAD COSTS

It’s critical to estimate your overhead costs and cut back in areas where you’re spending too much money. Given the move toward remote and hybrid work options, this could include reducing expenditures on something simple, such as your physical office space. Another option would be to hire remote contractors instead of having full-time staff and attorneys on your team to decrease payroll costs.

“A smaller office space usually means a smaller monthly rental payment,” says Joseph Robert, Chief Financial Officer of Contract Counselors. “Work can be accomplished remotely, therefore more office space is not needed.”

## 5. THINK LONG-TERM

It can be tempting to take impulsive and immediate action when the economy starts going south to protect your firm. However, this is not the right response.



**“Not investing in [technology] will have a detrimental impact for law firms, not just because of a recession but also from business continuity risks.”**

Gary Mitchell, Founder and CEO of OnTrac Coach, says that in a recession, many law firms conduct massive and immediate layoffs, freeze spending, reduce salaries and cut partner compensation. “This is not in their best interest, however. Because when firms come out of these downturns or recessions, as they always do, they often find themselves scrambling to rehire talent. It’s very shortsighted.”

Instead, Mitchell urged law firms to look at a recession with a long-term perspective. Ask yourself: How can you survive this without layoffs or cuts to compensation or salaries? How

much money can you save in the long run by keeping your people on? And how will that improve loyalty among lawyers, staff and clients?

“This too will pass, as we have seen time and time again. Making rash decisions in the moment won’t serve you or your business in the future,” Mitchell says. “Think longer term [and] bigger picture. Don’t panic.”

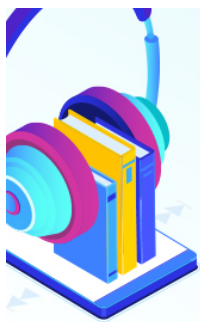
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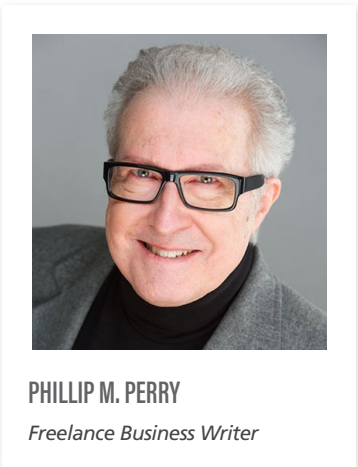


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# SOLVING THE LAW FIRM SUCCESSION PUZZLE THROUGH COMPENSATION SYSTEMS

*Addressing outdated matter origination can give firms the push they need to make a long-term plan.*

**Your lead rainmaker is out the door. After many years of service, the veteran lawyer is looking forward to a happy retirement. But what about her longtime clients? They have a darker view of the future. Unhappy with the way they've been ignored by their trusted adviser's colleagues, they've also decided to jump ship to rival law firms.**

“Effective succession planning and retirement can be a challenge at firms where origination has become a primary driver of compensation. In many cases partners will keep delaying their retirement dates to cling to their credit as long as possible.”

That scenario, or one like it, may strike a chord. For a variety of reasons, retirement activity is on the rise. Boomers, for one thing, are aging. And thanks to push times in the legal industry, attorneys' pockets are bulging with cash to fund extra years of post-career activities. Finally, the pandemic that changed everything has increased the appeal of abandoning possibly toxic workplaces by those most at risk of contracting serious illness.

These forces are coming together to create a crisis at law firms that were avoiding the often-delicate task of lining up replacements to handle a departing partner's profitable matters.

“Very often a law firm's leaders and shareholders don't fully appreciate the impact of poor succession planning,” says Timothy B. Corcoran, Principal of Corcoran Consulting Group. “If we were to add up all of the revenue and profit from the senior partners nearing retirement at the typical law firm, it would come to a pretty sizable portion of business. So developing a partner compensation system that facilitates effective succession planning should be a top priority.”



## “Clients have choices. They will look to other firms if they see their primary relationship partner getting close to retirement and no trusted individual taking over their matters.”

Succession planning needs to occur whatever the age range of a firm’s attorneys. “There are firms I’m working with right now with no succession planning and where the average partner age is over 60 years,” says Russ Haskin, Senior Director of Business Consulting at Wilson Allen. “Many of these partners want to retire, and that causes a crisis.” At the same time, he adds, a succession plan should also address younger attorneys when the situation demands. “There’s a common misunderstanding that succession only comes after the age of 60. But you never know what might happen to, say, a 38-year-old who has a \$10 million book of business.”

### MAKING PLANS

Many law firm succession plans share a common sticking point: client origination credit. A tool for rewarding rainmaking activity is important for a firm’s success. But origination can also tempt partners to hang onto their credit long after they have stopped working on client matters. Absent the ability to share in the benefits of the origination system, younger attorneys will often opt to pursue their own clients rather than assist those of a departing attorney.

“Effective succession planning and retirement can be a challenge at firms where origination has become a primary driver of compensation,” says Corcoran. “In many cases partners will keep delaying their retirement dates to cling to their credit as long as possible. Sometimes they will even offer to stick around for a while on a part-time basis, working with key clients to ensure they do not leave for another firm. At the same time, of course, the attorneys continue to collect their origination credit.” When compensation plans limit opportunities for collaboration, partners may also be tempted to dabble in areas beyond their expertise to avoid sharing credit with others.

Such a system can harm everyone concerned. The firm risks the loss of profitable clients. Younger attorneys are denied the opportunity to establish productive relationships with veteran clients and miss the rewards that would come from attracting new matters. And clients are shortchanged when their needs are not fully understood by attorneys with whom they have not established significant relationships.

“Clients have choices,” says Lisa Smith, head of the Washington, D.C., office of Fairfax Associates. “They will look to other firms if they see their primary relationship partner getting close to retirement and no trusted individual taking over their matters.”

The problem is worse if the client’s interactions have been primarily with one attorney, she adds. “Even if many people have worked on a client’s matters, they haven’t necessarily been seen other than as names on bills.”

### DIVERSE REWARDS

Most consultants agree that client origination credit is a necessary motivational tool. “Maybe 10% or 15% of all partners have the ability to repeatedly develop high-quality clients,” says Blane Prescott, Managing Shareholder at MesaFive. “Many can do it one time and others are good at retaining clients once they have been gained. But true rainmaking ability is pretty rare. That’s why the market pays so much for it.”

The question is not so much “Should we eliminate client origination credit?” but rather “How can we modify the compensation system to benefit partners in ways that more accurately reflect the variety of their contributions?” An effective system rewards attorneys for hunting in packs, collaborating and delegating. Such practices can give a firm greater stability with clients and demonstrate the depth of its bench.

Even so, experiments in sharing credit among all participants in a client’s matters often fail. “Team-based plans tend to discourage the highest performers,” says Prescott. “If they feel they are not getting the recognition they deserve, they leave for other jobs.”

Part of the solution may be to share credit between the originating partner and the next partner taking over the account for the short period of time during a transition. For this to work,



though, the outgoing partner needs to be confident that their compensation will not be negatively impacted if they transition some of their credit. That can be achieved by a system of multiple criteria for which partners get compensated.

“As long as a compensation system is not formulaic, there’s plenty of flexibility to reward people,” says Smith. A senior partner’s compensation can hinge on performance in parameters such as retaining firm revenue by training and developing people, team building and mentoring, and helping maintain client relationships by passing work along to younger partners.

The transition from an exclusively origination-based compensation system to a blended one can be done gradually. “Many firms set out a three-year phase-down program calling for partners approaching retirement to reduce their origination over time without negatively affecting their compensation,” says Smith. “That requires establishing clear key performance indicators for what they should be delivering.”

With such a system in place, the law firm might even begin treating client origination credit as a one-time event, which sunsets and is never inherited. Many industry observers champion this approach, combined with a shift toward rewarding partners for bringing in new *work* rather than new *clients*.

“Matter origination can persist for a long time and can be earned by multiple people, including the original partner who brought in the work or someone down the line,” says Corcoran. “This gives the firm more flexibility in the allocation of credit for generating and keeping work.”

## START EARLY

Whatever the modification to a firm’s compensation system, an early start is essential.

“Many firms approach succession only when a key individual hoarding a massive book of business is coming up on retirement,” says Haskin. “They end up panicking and doing a rushed succession that doesn’t make anyone feel good.” Haskin encourages firms to get ahead of the process, approaching succession with a large-scale view that sets expectations across the whole firm. “The originators should know what will happen when it comes time for them to move on, and the next level generation should see an avenue forward.”

Moving slowly can also assuage fears on the part of senior partners who feel threatened by change. “Sometimes there’s a concern that touching the compensation plan will create political turmoil,” says Corcoran. “It doesn’t have to be

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“Many firms set out a three-year phase-down program calling for partners approaching retirement to reduce their origination over time without negatively affecting their compensation. That requires establishing clear key performance indicators for what they should be delivering.”

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that way. A firm can make modest tweaks to reward certain behaviors without hurting anyone. And it doesn’t have to be a matter of robbing Peter to pay Paul. If the firm rewards behaviors that increase profitability, the increased funds will be there to pay the rewards. The pie gets bigger, and the exercise becomes self-funding.”

Slow, but not *too* slow. The firm also needs to avoid procrastination and start early with modest steps.

“Proving that another reward system can be more profitable than the traditional one before making the required changes is never going to work,” says Corcoran. “We’ve got to flip it around by saying, ‘Let’s change the reward system to encourage and drive the behaviors we want, and that will lead to better economic outcomes.’”

He acknowledges some attorneys will decide to step off the stage as they see the world changing. “But others will say, ‘I’d love to adapt. These are the kinds of things I would have loved to have been doing all along. Finally, here is a system of rewards necessary for the firm’s success.’”

## CLIENT INPUT

An effective succession plan will not only attempt to balance the needs of the firm and the departing partner but also include input from those loyal individuals whose patronage has kept the firm going.

“Usually, clients aren’t even included in succession planning,” Haskin says. “Everyone sort of forgets about their vital voice in the topic.”


The firm should encourage them to communicate their concerns about the future of their involvement when a trusted adviser departs. “Clients will feel a lot better about staying with a firm when they are confident that the firm is prepared to take on their matters.”

The COVID-19 pandemic, changing demographics and increasing competition from alternative legal service providers have come together to cast a harsh light on the otherwise invisible seams in the traditional procedures of compensation and succession. Now is the time for law firms to modernize those procedures for a new era.

“Much of how a typical law firm operates is based on a system of choices made long ago and perpetuated for decades,” says Corcoran. “But those choices are optional. Law firms are starting to realize their systems are rewarding the behaviors of yesterday when they should reward the behaviors of today.”

#### ABOUT THE AUTHOR





**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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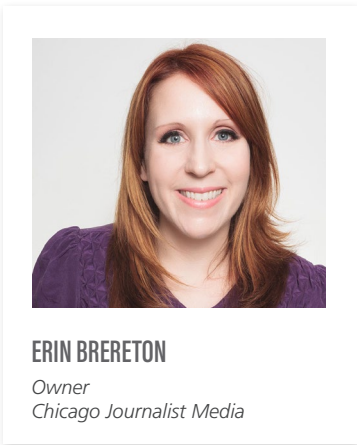
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## 3 Insights We've Learned After a Decade of Alternative Fee Arrangements

*AFAs have become a more common pricing method in the legal industry, but what have law firms learned — and what's changed about their use?*

**Before the Great Recession, some law firms may have agreed to a type of contingency pricing or, from time to time, offered a client a fixed fee.**

“Without that data — without doing some of the unsexy stuff to put that matter taxonomy in place, which has really been challenging for law firms — it becomes really tough to price these things well.”

After the 2007–2009 economic decline, alternative fee arrangements (AFAs) became a much more common occurrence as legal departments — facing internal pressure to reduce expenses — urged firms to lower their costs, according to Michael Rynowecer, President of the legal research and advisory services company BTI Consulting Group.

“They provided tremendous savings,” Rynowecer says. “Clients reported law firms were generally more focused and disciplined in developing a strategy, because in most cases, these were fixed fees, so they wanted to make sure they got to the endpoint as fast as they could. And clients said, ‘In addition to the savings, I now have budget certainty.’”

Between 2010 and 2011, half of legal departments saw their AFA volume escalate by almost 30% on average, according to LexisNexis research; 62% of law firms reported the amount of AFA matters they were handling had increased.

A number of firms, at first, may not have known how to make AFA matters profitable. However, in the more than a decade since, industry members have found several



factors — including the following three — will help eliminate some of the uncertainty that can arise when legal service billing isn't directly based on time tracking.

## 1. DATA IS KEY

Law firms have learned over the years that to best price legal matters, they need to be able to estimate the related time required, staffing demands and other aspects. That means they also need to keep accurate records of what past work was involved, according to Chris Ryan, Vice President of Client Development at HBR Consulting, which advises law firms and departments on operations.

“Without that data — without doing some of the unsexy stuff to put that matter taxonomy in place, which has really been challenging for law firms — it becomes really tough to price these things well,” Ryan says.

Not all firms have embraced a data-driven approach to AFAs. The ones who have sought out ways to clean up and utilize that information, though, have reaped the benefits, Ryan says.

“Too many firms just back-of-the-napkin that stuff, or apply whatever historical team and people are working on things, without getting in front of it in a more thoughtful and perhaps strategic way,” he says. “Law firms investing in the technology and people have seen the benefits both from a client relationship and a financial standpoint.”

## 2. DEDICATED RESOURCES CAN HELP SUPPORT TODAY'S MORE SOPHISTICATED PRICING PROCESS

As of March 2020, 73% percent of firms with 250 lawyers or more employed pricing officer, director, coordinator or other pricing support roles, according to Altman Weil's Law Firms in Transition survey; 35% percent of firms with fewer than 250 lawyers had done so.

A fall 2021 survey found 75% of North American firms with 100 or more attorneys had hired a pricing expert in the past year and a half, while 23% said they were planning to recruit a pricing professional in the next two years.

Numerous firms, according to Ryan, see the benefit of having business professionals working with partners to develop proposals, figure out how to coordinate annual rate increases, and make sure any discounts and rates are properly applied in the firm's financial systems.

“It may be they're literally the director of pricing, or there's a small team of them,” he says. “[At] some firms, their remit is

across a few different things — they're in the finance team, and pricing is one of a few main responsibilities.”

International labor and employment law firm Ogletree Deakins added a director of pricing position several years ago, according to Chief Client Services Officer Jim McGrew. The firm also has a pricing committee that reviews all proposed AFAs, which can range from flat fee arrangements to blended rates, where the firm will charge a partner and an associate fee.

Typically, a client will express an interest in an AFA to the attorney it's working with, either through a request for proposal (RFP) or informal conversation. The attorney, McGrew says, may then work with the pricing director to develop a potential arrangement. After it's approved by the pricing committee, the firm formally makes the AFA offer.

“It has become a much more engaging conversation between the law firm and the client,” McGrew says. “Sometimes — for example, if a client wants you to do a flat fee for a large amount of work — you might need some data to try to help you understand how best to price it. So it becomes a more open flow of information on what [makes] the most sense.”

Project management is also becoming more of a focus for law firms, according to Rynowecer. This is helping to increase their confidence in their pricing abilities. More than half (58%) of the firms that participated in a Citi Private Bank survey said they planned project manager-related growth in 2022.

“You're seeing the large and midsize firms adding it; you're seeing the smaller firms maybe contracting it out or doing it themselves,” Rynowecer says. “Either way, it's definitely coming into the mainstream, and that's been helpful, especially when you have a fixed price — making sure you're doing what you need to do within a level of effort that makes sense.”

## 3. ONGOING REPORTING KEEPS ALL PARTIES IN THE LOOP

Law firms, according to Ryan, have been investing in tech tools such as dashboards that provide visualization and reporting capabilities, which can help them share data internally to identify any ways the trajectory of a matter should change. This may potentially also offer additional benefits, such as helping the firm track its progress toward diversity employment goals.

Some are also using technology, Ryan says, to communicate matter progress and financial information to clients — a request a *Harvard Business Review* survey found roughly two-thirds of law firms reported a client had made.

“Some have built homegrown tools to display that information; some have purchased technology by vendors to display that on,” Ryan says. “Anytime law firms can be proactive and share the time and investments they’ve put toward innovation — and share how some of these tools will benefit the matter and the client — that means a lot to clients.”

## FUTURE ALTERNATIVE FEE USE

Although AFAs have grown in use over the years — and likely will continue to — they don’t appear to be close to completely replacing the traditional law firm pricing model. For instance, AFAs are more prevalent at larger law firms, yet more than 3 out of 10 large firms only use AFAs for 10% or less of their work, according to Bloomberg Law’s 2020 Legal Operations Survey.

“The vast majority is still by billable hour,” Ryan says. “If you looked in the last 10-plus years, that [AFA] trajectory has gone up — maybe not as significantly as we anticipated. The majority of corporate legal departments have an AFA program. I’d say less than 10% are starting the process of requiring an AFA for a certain type of work.”

Alternative fee arrangements aren’t the right fit for all clients: Some may only want a portion of the work a firm does to not be hourly; others may not want any kind of AFA at all.

Over the years law firms have found that a number of clients do like having the option of an AFA, according to Rynowecer.




Due to some of the benefits this pricing approach can provide, law firms may, too. AFAs’ positive marketing factor has influenced 35% of law firms to use the pricing structure, according to Bloomberg Law’s 2021 Legal Operations Survey; 33% of firms feel AFAs can provide them with cost and revenue certainty.


That’s contingent, of course, on law firms thoroughly understanding what the work will require and how to efficiently perform it. That’s why Rynowecer says budgeting, monitoring and managing can mean the difference between a successful AFA and ending up with overworked attorneys and lower-than-expected revenue.

“About 30% of law firm partners will tell you they have higher profits under the alternative fee model,” Rynowecer says. “The ones that are really good at it generally have some kind of system they have developed over the years. The big thing is they know how to plan and — equally, if not more importantly — they know how to measure costs on a very near real-time basis. They’re very good at controlling the time that gets charged to their matters.”

### ABOUT THE AUTHOR

**Erin Brereton** 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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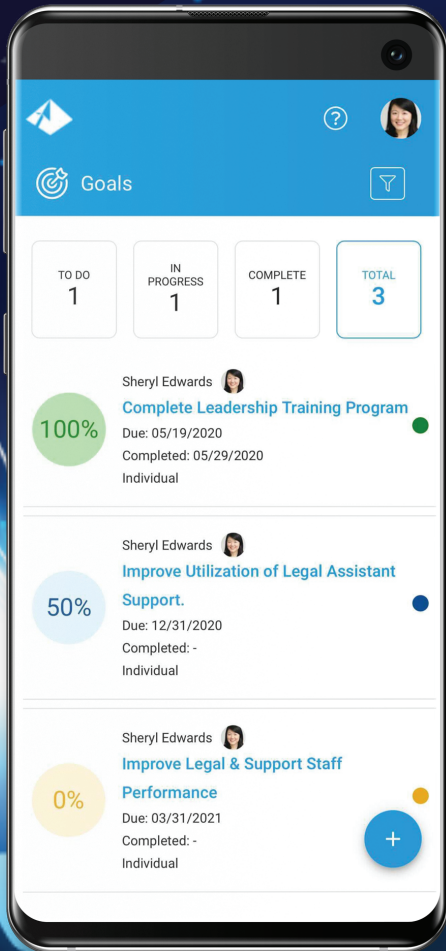
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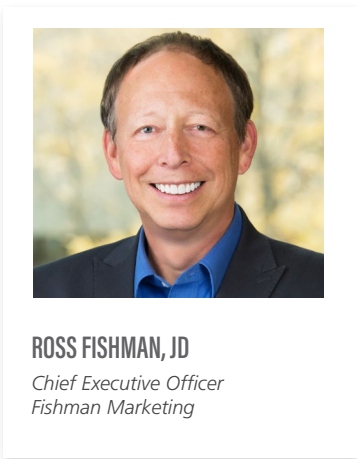
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 respect your most  
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## Drafting a Nonbinary and Other LGBTQ Lawyer's Biography

**I was interested to read that a partner at an Am Law 100 law firm recently came out as nonbinary — that is, this individual identifies neither as male nor female and (likely) uses they/them pronouns, rather than he/him or she/her.**

This decision generated many articles across the legal media, suggesting to me that the firm issued a press release or otherwise directed its public relations professionals to spread the word.

That felt like a positive development.

A large and prestigious firm was 1) advancing an important issue of inclusivity and 2) recognizing the benefit to marketing and recruiting in supporting LGBTQ professionals.

As both a legal marketer who's edited literally thousands of website biographies and a father who's been repeatedly educated on LGBTQ-related issues by his enlightened children, I immediately wondered how the firm addressed the pronouns of this individual, who we will call Connor, in their firm bio. So when I first saw the bio, I was mildly disappointed to see that the bio simply avoided using any pronouns. Instead, it just repeats Connor's name each time a sentence referred to them — seven consecutive "Connors" in seven sentences without a single they, them or their. (It's important to note that the bio has since been updated and uses pronouns.)

*I get it.* I have many liberal, over-50 friends — executive committee members at prominent firms — who aren't yet quite comfortable or up to speed on the issue of gender fluidity. Others are concerned about the reactions they'll get from clients and prospects.

According to a new study by The Williams Institute on Sexual Orientation and Gender Identity Law and Public Policy at the UCLA School of Law, there are 1.2 million



nonbinary people living in the United States. As society gradually learns more about the spectrum of human gender and sexuality, professional firms are working — perhaps struggling — to adapt to the new reality. Still largely controlled by folks who grew up before out gay people were prominent in the public sphere, this is a lot of change in a short amount of time. I see it as an issue of culture and education — i.e., are you the type of person who is *willing* to be open-minded on this issue? And, if you are, has someone *taught* you about it?

Obviously, you can educate yourself if you're so inclined; there's a lot of good material online regarding gender and sexuality.

### THE NONBINARY PROFESSIONAL'S "PRONOUN ISSUE"

In professional profiles, the unstated rule is a 3:1 ratio between the person's name and pronouns. That is, the text seems to flow most comfortably if you open with the person's first name, then use pronouns the next two times, then repeat the person's name, followed by two more pronouns.

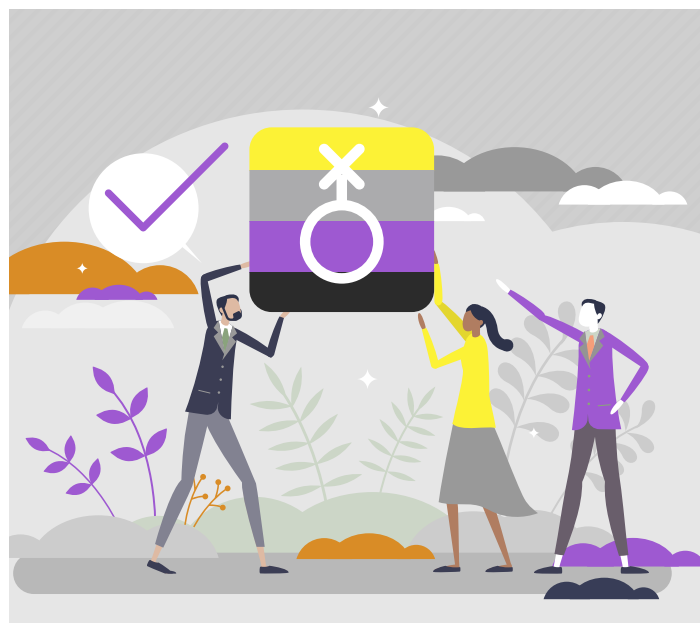
As a workaround, the biography's author opted to avoid pronouns entirely and simply repeated the lawyer's first name at every personal reference — seven consecutive times. To the average reader, failing to include personal pronouns feels suspicious, like someone's hiding something. Further, it's a missed opportunity to casually normalize the use of they pronouns and educate more members of the legal, business and marketing community.

Many marketers haven't yet had the occasion to address these issues. So I'm going to try to lay out some basic principles as I understand them.

### DRAFTING A NONBINARY PROFESSIONAL'S BIO CAN SEEM TRICKY

You must be careful not to inadvertently create any confusion for the reader regarding who or what the pronouns refer to. Consider this blurb: "Brittany is a lawyer who represents companies. They ..." At that point, it may be briefly unclear to the reader whether "they" is referring to nonbinary Brittany or the companies. This means that the bio must be structured to avoid any accidental confusion. That's just the careful editing that every professional's profile deserves.

There's a simple editing work-around. First, set the stage at the very beginning by including "(they/them)" at the top, alongside the person's photo, name and contact info. In addition, introduce the person in the first sentence using the



gender-neutral "Mx." honorific (pronounced "mix") if they're amenable to it. It's similar to "Mr." for men or "Ms." for women (e.g., "Mx. Smith is...").

But that's just the start — less educated readers may still not understand what that means. It can feel awkward or intimidating for people as they begin to get comfortable with "they" as a singular pronoun, so consider it an opportunity to positively influence your audience.

### ADD SOME EDUCATION IN NONBINARY BIOS

Open by using the pronoun in a context where there is no chance of confusion over *singular* versus *plural*. For example: "Connor is a trial lawyer specializing in international arbitration; they have particular expertise in banking cases. (Note that I intentionally avoided using the plural "arbitration cases" here, which could have led to a momentary misunderstanding.)

This addresses the issue at the very top and informs the reader to be aware that any upcoming they, them or their might relate specifically to Connor, not exclusively to groups or plural nouns.

Further, it could have been helpful to provide some additional context. For example, Connor's biography ends: "Connor maintains an active appellate and pro bono practice." A quick look at their LinkedIn profile shows that most of these pro bono efforts are in support of LGBTQ groups and organizations. Specifically naming these groups would provide additional relevant information.

## ALWAYS BE PROUD OF WHO YOU ARE

There's not much downside to describing an individual thoroughly in his/her/their biography. Fishman Marketing has been branding individuals and law firms for 25 years. My strict rule is that both firms and individuals should clearly decide who they are and what they offer and then proclaim that attribute loudly and proudly.

If you do, those who are seeking that trait will be drawn to you, as a client or employee. Similarly, those who eschew it will avoid you. Frankly, you want them to — you won't have a good long-term relationship with those who don't respect your most fundamental values.

Be clear about who you are and the benefits of what you offer, and like-minded people will be drawn to you. If you're tough or creative or friendly; or a particular nationality, race, or gender; or a large or small firm, let everyone know. Those who don't want that aren't likely to be a successful relationship anyway. There's plenty of work to go around — don't try to be something you're not. Just seek to attract those who value you.

These are conversations that need to be had, I sincerely applaud Connor and the firm for taking this positive step and helping create a more diverse and inclusive profession.

### ABOUT THE AUTHOR

**Ross Fishman, JD**, specializes in branding, websites and marketing training for law firms. A former litigator, marketing director and marketing partner, he has helped hundreds of firms dominate their markets. Fishman was the first inductee into the Legal Marketing Association's "Hall of Fame." He's written two books on branding and associate marketing both available on Amazon.

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learned over the  
years that initial quick  
reactions to new  
technology are usually  
overreactions.”

## Surprise! There's a Windows 11

**Call us naive, but we really believed Microsoft experts back in 2015 when they told us that Windows 10, the new version of Microsoft's flagship product, was the "last version" of Windows and that, henceforth, Microsoft would just continually update Windows 10 until the end of time or the end of Microsoft (whichever came first).**

So we, like so many others, were surprised when Microsoft announced in mid-2021 that there would be a new version of Windows coming out later in the year. With this announcement also came the news that Windows 10, which many of our colleagues had begrudgingly adopted after Microsoft's support for their beloved Windows 7 terminated in 2020, would similarly be discarded on the ash heap of unsupported software in 2025.

For a moment, it was all too much. We had made it through pandemic lockdowns, travel restrictions, conference cancellations and endless Zoom meetings. We were finally feeling as if we were approaching normality. Then Microsoft goes and pulls the rug out from under our comfortable computing platform. Would we have another steep learning curve for a brand new operating system? Would we have to buy all new hardware for the office and home? Why is Microsoft treating us like lab rats? The questions came fast and furious.

Fortunately, we have learned over the years that initial quick reactions to new technology are usually overreactions. Our initial reticence to embrace Microsoft's new Windows 11 gave way to acceptance when we woke up one morning and discovered that one of our desktops had auto-upgraded to Windows 11 overnight. (We think we must have been forewarned that this was happening; we just don't remember.)

After the initial shock of discovering a brand new operating system controlling our home desktop computer, we were greatly relieved to note that Windows 11 was not so radically different from Windows 10. We will live and work again!

## WE HAVE A FEW BEEFS

But this relief lasted only for a minute as we frantically searched for the trusted “Start” button that had been in the same location on the Windows taskbar for as long as we can remember. We clicked on the extreme left of the taskbar and nothing happened — no Start menu! Instead, Microsoft engineers have defaulted the task bar icons, including the trusted Start menu button, to appear centered in the middle of the task bar. We quickly learned that we could change a setting to make it default to the left as it had been since the beginning of the millennium, and we were happy again.

All kidding aside, the biggest beef with Windows 11 from some pundits is the enhanced hardware requirements needed to run the new operating system. As it turns out, the combination of CPU, RAM, storage and security protocols required for Windows 11 means that most PCs manufactured before 2018 will not make the cut. Quite honestly, this policy does not bother us too much as we rarely have any computing device that we use on a regular basis that is over three or four years old. Furthermore, pre-2018 computers will be almost prehistoric in terms of usefulness by the time Windows 10 is put out to pasture in 2025. In the end, we decided to have no problem with the hardware requirements for Windows 11.

The biggest visual change we have noticed so far is the reconstituted Start menu when you click the Windows logo button. The Windows 11 Start menu is much sleeker and businesslike. Gone are the live tiles we initially hated in Windows 10 but had grown to love (and indeed customized) for our own Start menus. Sadly, many of the apps we had pinned to our Windows 10 Start menu were no longer pinned after the upgrade. In fact, they had to be re-pinned. Despite this annoyance, we are beginning to appreciate the more orderly appearance.

Another thing that still bugs us is the fact that taskbar icons are automatically grouped by application and cannot be ungrouped. For example, if you have four Excel spreadsheets open on your desktop and you want to bring up one of the spreadsheets to work on, you must first click the Excel group icon on the taskbar to present the list of open spreadsheets. Only then can you click the one you want to work on. In all previous versions of Windows that we can remember, you could ungroup those icons so that four open spreadsheets presented you with four separate icons on the taskbar. Microsoft overlords: If you are listening, fix this ASAP.

## NOW FOR THE GOOD

One of our favorite new features in Windows 11 is the new ability to create custom layouts with multiple windows open on our desktop. The ability to “snap” windows into certain areas of the screen was present in Windows 10, but to do so was a little clumsy, so we rarely used it. With Windows 11, you can very easily create various configurations for your open screens simply by hovering the cursor over a window’s maximize/minimize button. It’s hard to describe but very easy to use! We have been using it abundantly to reclaim wasted real estate on our desktop.

Another feature we noticed right away was the inclusion of a Microsoft Teams icon on the taskbar. The use of Teams exploded over the past two years with the increase in remote work and remote meetings. Microsoft has now subtly included a Teams link automatically with the Windows 11 installation. Will this persuade people to discard Zoom for Teams? We don’t know, but maybe.



Another new icon on the taskbar lets you easily create multiple desktop instances on your PC. Again, the ability to create multiple desktops running at the same time is not new. Microsoft has just made it very easy to do. With so many people working remotely, one great use case for multiple desktops is to have one desktop dedicated to “work” and another dedicated to home use. We also have a third desktop dedicated to “play,” but we won’t elaborate on that one.

After recovering from our initial shock that Microsoft misled us back in 2015 with all the “last version of Windows” talk, we have begun to get familiar with (and even like) many of the new things in Windows 11. Now, where is that Start menu again?

### ABOUT THE AUTHORS

**William Ramsey**, Partner at Neal & Harwell, and **Phil Hampton**, Consulting President of LogicForce, are best known for *The Bill and Phil Show*.

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**DEAN LEUNG**

Chief Customer Success Officer  
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“ [Gen Z’s] choice of workplace is an extension of their values and beliefs — to that end, they want to work for firms whose values align with their own.”

## “I Like Your Organization. Now, About Your Carbon Footprint ...”

The COVID-19 pandemic initially threw some sand in the gears of legal work, but once everyone figured out how to work remotely, the wheels of business were largely able to keep turning as they had before — and in some cases, start spinning even faster. In response, law firms have had to keep up with staffing their departments over the past two years as the labor market has tightened.

This same time period has coincided with the entry into the workforce of the oldest members of Generation Z, the cohort generally described as those born from 1997 onward. Gen Z, as they’re referred to, is the most diverse generation yet — and they’re passionate about the world they live in. Their choice of workplace is an extension of their values and beliefs — to that end, they want to work for firms whose values align with their own. What do legal administrators need to understand about this next wave of potential employees?

### NOT AFRAID TO ASK SOME QUESTIONS

Some issues that might be top of mind for a potential Gen Z employee as they’re mulling which legal shop they want to work for: What is a firm doing from a diversity, equity and inclusion (DEI) standpoint? What is it doing from an environmental standpoint?

The most successful organizations will be those that take these matters seriously and thoughtfully rather than implementing a superficial checkbox approach. In part, this means showing a consistent, ongoing commitment toward “walking the walk” rather than participating in one-off events and then putting the issues aside for the remainder of the year.

Does the company bring in a DEI speaker once a year and then consider their efforts on this front satisfactorily addressed? Do they give employees a few hours off on Earth

Day to pick up trash from the local park and then not examine whether their office space uses disposable single-use plastic cups in the break room? Do things for a reason, not for a season.

## CULTURE MATTERS MORE THAN YOU THINK

Gen Z might also have some questions about the workplace culture. Is there a commitment to work-life balance and the overall well-being of the employee? Even more than a firm's stance on DEI issues or environmental impact, the day-in, day-out culture is where an organization's values are expressed most clearly.

It might be seen as difficult to establish and maintain a strong culture in the midst of a pandemic when employees more often than not aren't physically located in the same place at the same time — but this just means organizations need to be very intentional about fostering culture.

This can take the form of everything from regular Zoom happy hours to a mandatory "Day of Wellness" — a companywide holiday that allows everyone to unplug and take care of themselves. These actions speak volumes about what kind of culture the organization values.

## TECHNOLOGY MATTERS, TOO

Tools and technology are not immaterial matters to Gen Z, as they're the most digital-native generation yet. The iPhone was launched in 2007, so they've effectively never known a world where they didn't access to information at their fingertips anytime, anywhere. Additionally, from their earliest years, they've been immersed in the smooth and intuitive user interfaces provided by Facebook, Amazon, Netflix and other consumer tech services.

How would a member of Gen Z rate a law firm or corporate legal department that only provided ancient, clunky desktop tools and no ability to easily access key files outside the office? Not very highly. They would likely say to themselves, "I'm not sure this organization values the same things I value or is even remotely interested in creating the kind of workplace that would attract me. I think I'll see if another organization is a better fit."

Ultimately, the direction a firm takes with the tools and technology it provides to employees expresses its values and indirectly contributes to overall culture — for better or worse.



## WORTH THE INVESTMENT

Least legal administrators think young employees are the only ones asking about these sorts of things, rest assured potential clients are starting to ask as well. Increasingly, they are requesting information about the demographic makeup of senior leadership or the size of a company's carbon footprint in their requests for proposals (RFPs) to help them decide which companies they want to do business with.

And just like potential employees, clients also care about what tools and technology a firm is using — not just because it signals how much a culture of innovation exists within the organization but also because of some very real concerns around whether the firm can effectively address privacy, security and governance. Clients also want to know that firms are working efficiently. Law firm clients certainly have a keen interest in knowing that billable hours are being optimized, and technology can have a key role in driving that efficiency.

In focusing on what's important to Gen Z — from values to technology — firms may wind up also addressing some of the top areas of interest of clients. For any legal organization with an eye on continued success in the years to come, this is just smart business all around.

### ABOUT THE AUTHOR

**Dean Leung** is Chief Customer Success Officer at iManage, the company dedicated to Making Knowledge Work. Leung's primary focus is driving initiatives that further improve the customer experience and ROI by ensuring investments in the right technology.

 [imanage.com](https://www.imanage.com)

# Anniversaries, Awards and Appointments

## Members on the Move »



**Misty Borg-Mistere, MCC, LDC**, an independent member, is now Director of Business Development and Marketing at Merchant & Gould, PC, in Minneapolis, Minnesota.



**Dana Burleigh**, a member of the Metropolitan Detroit Chapter, is now Human Resources Manager at Butzel Long, PC, in Troy, Michigan.



**Jonathan Delk**, an independent member, is now Executive Director at Johnston Van Arsdale Martin in Glenwood Springs, Colorado.



**Shawna R. Holmes**, a member of the Palm Beach County Chapter, is now Practice Manager at Cozen O'Connor in Boca Raton, Florida.



**Suzanne L. Florez, CLM**, a member of the Chicago Chapter, is now Director of Administration at Nyhan Bambrick Kinzie & Lowry, PC, in Chicago, Illinois.



**Tania José**, a member of the Capital Chapter, is now DC Office Administrator and Firm HR Manager at Klein Hornig LLP in Washington, D.C.



**Natalie Mazzuca, CLM**, a member of the Chicago Chapter, is now Executive Director at Dinse Knapp & McAndrew, PC, in Burlington, Vermont.



**Karen H. Paulsen**, an independent member, is now Administrative Director at Hanley Flight & Zimmerman, LLC, in Chicago, Illinois.

## Sending Our Condolences

ALA member Susan D. Sutton passed away earlier this month at the age of 55. Susan was the Financial Director at Patterson Thuente IP in Minneapolis, Minnesota, where she was just weeks away from reaching 30 years of service. With ALA, she chaired the Intellectual Property Conference Committee in 2018. Susan was also a member of the Minnesota Chapter of ALA. Contributions in her memory can be made to the University of Minnesota Foundation, earmarked for kidney transplantation. Our thoughts are with her family, friends and colleagues.



ALA is saddened to report that retired member Ira James "Jim" Cowan passed away in December at the age of 78. He belonged to ALA from 1980 to 2008 and was awarded the Outstanding Association Volunteer Award in 1997. Jim was originally an educator before moving into the legal administration field. He served as the Executive Director for the Cleveland, Ohio, law firms of Burke, Haber & Berick; Benesch, Friedlander, Coplan & Aronoff LLP; and Ulmer & Berne LLP. Contributions in Jim's memory can be made to The Gathering Place or Friends of the Boundary Waters Wilderness. Our sympathies are with those who knew him.

# What's Happening at Headquarters

## Fresh Topics, New Formats and Perennial Favorites at #ALAConf22

It's time to make your plans to attend ALA's 2022 Annual Conference & Expo in Kissimmee, Florida! The full agenda will be available soon, but in the meantime you can preview it.

You can also:

- ✓ Get to know the accomplished speakers.
- ✓ Book your hotel stay in Kissimmee, Florida.
- ✓ Register by February 25 and save up to \$400

Visit [alanet.org/annual-conference](https://alanet.org/annual-conference) for complete details.



## Essentials of Chapter Leadership: Registration Open

ALA's Essentials of Chapter Leadership is a virtual training event that focuses on the fundamentals of chapter management. It does not replace the Chapter Leadership Institute, which will continue to provide cutting-edge sessions on leadership, engagement and more.

Taking place between March 30 and April 1, the event will offer two sessions a day that provide incoming (and prospective) chapter leaders with basic instruction on chapter management as well as information on the importance of adhering to essential financial and legal responsibilities. You can also check out the schedule overview.

Interested in attending? Tell your chapter! Registration will be handled on a chapter basis, granting access to all members of a participating chapter. Individuals must then sign up to receive login credentials by March 24.

Did you know? Funding assistance is available for chapters in need: Funding assistance is available for chapters that need it. The ALA Board of Directors will consider funding applications based on financial need. The deadline to request funding is February 25. Decisions will be communicated by March 7. For complete details, visit [alanet.org/lecl](https://alanet.org/lecl).



## Contribute to an Upcoming ALA White Paper

ALA needs your help to gather data for our next white paper! It will identify seven specific business continuity areas that, if neglected or bypassed, can directly contribute to the firm falling short on its business continuity planning initiatives and jeopardize its ability to continue ongoing operations.

We are partnering with Business Automation Consultants, LLC, and Madeline Parisi & Associates LLC on this project, and their researchers are interested in gaining a better understanding of how organizations currently plan, prepare and manage risk associated with an incident. (An incident is anything that disrupts business, from small and local to large and global.) That's where you come in!

Please respond to this survey to help provide context for the white paper: <https://bit.ly/3JjVOFy>.

Your participation in this study is completely voluntary and confidential; responses will not be tracked by individual or firm. All responses will be compiled and analyzed as a group. Summaries of the research responses, including graphs and charts, will be included in the white paper — which will be made available at no cost to ALA members. The data we collect will be used only for this research. Your time and contributions are greatly appreciated!

Be sure to check out our previously published white papers at [alanet.org/whitepapers](http://alanet.org/whitepapers) — all are free to review.



## Complimentary for ALA Members: The Successful Firm Project

For a second year, ALA is working with The Successful Firm Project to provide a virtual space for you and your team to learn, share and improve practice development. ALA members and their entire firms can take advantage of a complimentary subscription. It's a great supplement to your other member benefits.

This professional network of law firm leaders, subject matter coaches and solution providers is collaborating on what makes firms successful. Participants are looking for creative ways to improve the business health of their firms today and in the future. The Successful Firm Project will provide a point of access for law firm leaders to connect and collaborate by sharing new ideas and best practices.

Here's what on deck for The Successful Firm Project:

- » **February 22:** A huddle featuring ALA Past President James L. Cornell III that will discuss how successful firms develop talent
- » **March 8:** A Playbook event, How Successful Firms Approach Cybersecurity, featuring a panel of experts on improving data security across the enterprise

See a detailed calendar at [successfulfirm.com](http://successfulfirm.com), and don't miss digital resources available throughout the website.

