LEGAL MANAGEMENT

THE MAGAZINE OF THE ASSOCIATION OF LEGAL ADMINISTRATORS







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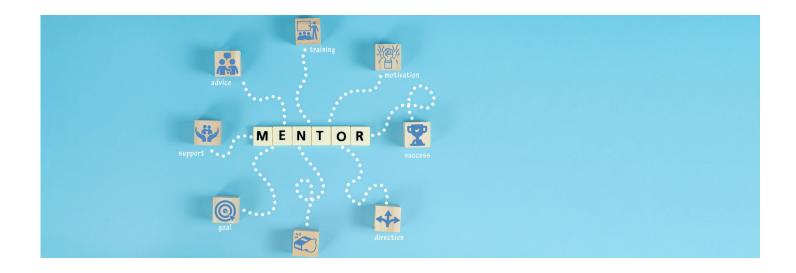
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FEBRUARY 2023





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If you think you are not ready or do not have enough experience to be a mentor, think again. No matter where you stand in your career, you are someone else's possible. No matter where you stand in your career, you are someone else's possible. **

Embrace the Power of Mentorship

"Mentoring should be a fulfilling relationship between somebody with more experience and somebody with less, with the goal of helping both individuals become elevated versions of themselves." – Janice Omadeke

Most of us can think back in our career to that one person that helped guide us to where we are today. For some of us, it was the person who asked you the tough questions to help you make a big decision. For others, it was the person who introduced us to others and helped us to expand our network. For a few, it is the person who consistently held us accountable to goals we set out for ourselves. For me, it was someone who kept asking me why not, and helped me to see the possibilities I could not see for myself.

Thinking back to that same person, what were the characteristics you appreciated about that mentor? For me, they were a good listener and a nonjudgmental sounding board. They gave me constructive, honest and candid feedback whether I asked for it or not. They were eager to introduce me to others and never took credit for my successes. They were willing to dedicate the time for distraction-free conversation. They shared their own mistakes, so I was not just learning from my own slipups. Finally, they expected more of me than I did myself and set the performance bar higher than I thought I could achieve.

Knowing the benefits of having a mentor, I ask you to consider whether you have had that same level of impact on someone else? If you think you are not ready or do not have enough experience to be a mentor, think again. No matter where you stand in your career, you are someone else's possible.



Whether you realize it, someone is looking at you and thinking about how they want to be where you are already. Think you do not have enough time? While many mentoring relationships develop and grow over time, there are some that are just as impactful with a single conversation and follow-up email exchanges.

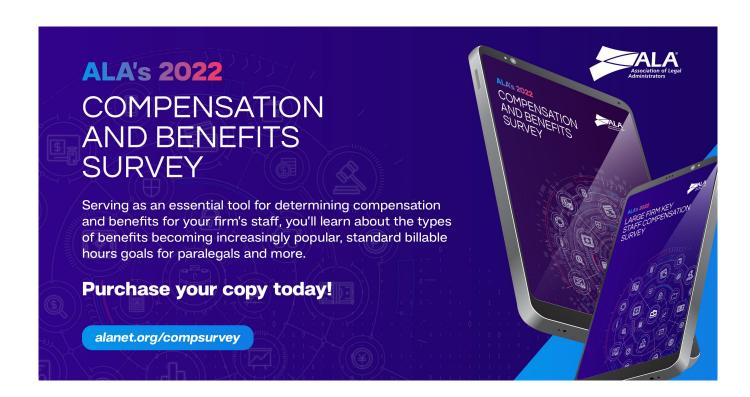
"If you think you are not ready or do not have enough experience to be a mentor, think again. No matter where you stand in your career, you are someone else's possible. No matter where you stand in your career, you are someone else's possible. "While you have experienced the benefits of being a mentee, there are also many benefits of being a mentor. You learn to see things differently and from another perspective and experience filter. Practice your leadership and relationshipbuilding skills. Learn more about your profession and expand your own network. Plus, helping others just feels good.

Many of us have multiple mentors throughout our careers, but there is usually one person who stands out from the rest as having a more direct impact than others. I challenge you to find an opportunity this year to make that impact with someone new. If a full mentorship sounds like too much, I challenge you to find a mentoring moment by having an impactful conversation with someone when the opportunity arises. Find a way to pay forward the benefits you received from your mentors to others.

If you are looking for an opportunity to jump right in and help someone, the ALA Membership Ambassador program is always looking for new Ambassadors to welcome new members to ALA. Individuals interested in serving as an ambassador can just email volunteers@alanet.org, and they will quickly be matched with a new member whose ALA journey will start with YOU!



sarah.evenson@btlaw.com









KSHITIIJ KATHURRIA Chief Strategy and Innovation Officer iManage

Often, risks come from blind spots — areas no one realized were problematic until a breach occurred. Conducting a risk assessment involves uncovering problematic areas and fixing them proactively.**

Make Sure Your Firm's Cybersecurity Insurance Policy Stays Active and Enforceable

Cybersecurity breaches have become an all-too-common occurrence at all types of businesses, including law firms. Many firms have cybersecurity insurance, but they don't realize they can lose their policy if they do not maintain compliance with its requirements.

As executive managers of the firm, legal administrators are ideally positioned to ensure the firm stays compliant with its cybersecurity insurance policies so they are active and enforceable. Here are 10 ways to make sure your firm's cybersecurity insurance doesn't lapse.

1. Understand the Firm's Technology Infrastructure

Every law firm's IT infrastructure is unique, so securing the firm sufficiently requires a detailed examination of several areas of protection. Some of the firm's technology may be on-premise, traditional desktop hardware and software, while other applications are self-hosted or in the public cloud. The firm has a network and endpoints (desktops, servers) which need to be secured. Lock down user access to both the network and endpoints as well as key applications. Protect against email attacks with email threat protection, encryption and archiving.

2. Conduct a Risk Assessment

Often, risks come from blind spots — areas no one realized were problematic until a breach occurred. Conducting a risk assessment involves uncovering problematic areas and fixing them proactively. Perhaps the firm has passwords — for users or administrators — that never expire. Or the firm owns risky applications that make them vulnerable to

exploitation. Are those applications essential, or could they be replaced with a more secure alternative? Acknowledging these security risks and eliminating them before they cause a crisis simply makes sense.

3. Devise a Business Continuity and Disaster Recovery Strategy

The odds are in favor of the firm facing at least one cybersecurity breach, if not more. Therefore, devising a business continuity and disaster recovery strategy will provide a roadmap the firm can follow if a breach occurs. Business continuity and disaster recovery plans are also helpful in the wake of natural disasters, power outages, health crises or other emergency situations.

4. Develop an Incident Response Plan

When a cybersecurity incident occurs, in the heat of that moment is not the time to make an incident response plan. Instead, create the plan preemptively in calm circumstances. The plan should clearly state how the firm will respond to a cybersecurity incident, step-by-step, and which departments will be involved — all in compliance with the firm's cybersecurity insurance policy.

Some questions your plan should answer:

- Once the security incident is detected, who investigates it?
- When and how does the problem get escalated to the firm's top management?
- When are law enforcement agencies engaged?
- How will the situation be stopped as soon as possible?
- How will it be communicated to the firm's people, its clients, third-party contacts and the public at large?

5. Train Staff to Build Security Awareness

The firm's staff is its greatest asset but also its largest potential liability because human beings make mistakes. Phishing emails, a typical security breach source, have become incredibly convincing and sophisticated, sometimes even tricking IT professionals to give up passwords and sensitive data. Make sure the firm's employees receive specific training regarding cybersecurity risks like phishing to build awareness of existing threats and reduce the chance of user error leading to a breach.

6. Ensure Use of Modern Malware Defense Tools

Some law firms have their own dedicated IT staff, while others rely on systems integration/IT consulting companies to provide technology services.



Regardless of which approach the firm takes, ensure the firm's IT professionals are on board with deploying sufficient malware defense tools. This can include tools such as Next-Generation Antivirus (NGAV), which guards against many threats including malware, viruses and ransomware; Endpoint Detection and Response (EDR), which protects devices from malware threats; and Managed Detection Response (MDR), a security-as-aservice offering which provides resources to help the firm protect itself from cyber threats.

7. Rigorously Adhere to Penetration Testing Schedules

Regular penetration testing allows the firm to discover its vulnerabilities and security holes before bad actors exploit them. Therefore, setting a schedule for penetration testing and adhering to it faithfully is an essential element of cybersecurity maintenance.

8. Encryption Across the Board

Encrypting all emails and documents across the board will go a long way to contributing to the firm's cybersecurity success. Certainly, encryption may have its downsides due to inconvenience, but it is sound business practice to encrypt all communications and documents passing through the firm.

9. Multifactor Authentication

Setting up multifactor authentication is one of the best strategies for firms to prevent unauthorized users from accessing firm email and documents. Users may complain it

LEGAL MANAGEMENT

is annoying for them to verify their logins on a smartphone or other device. However, this momentary irritation is a small price to pay for the tremendous security benefits multi-factor authentication brings to the firm.

10. Establish Privileged Access Management and **Role-hased Access Control**

Cybersecurity insurance companies are increasingly requiring that companies establish privileged access management and role-based access controls. Firms may like the idea of everyone having access to everything, but this is often not a wise approach. By restricting access to certain information based on roles and access rights, the firm upholds its internal security requirements including attorney/client privilege and government compliance regulations.

By following the 10 steps above, legal administrators can help their firms ward off cybersecurity risks and ensure their cybersecurity insurance policies are active and enforceable.



NEED A BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN? WE'VE GOT A WHITE PAPER FOR THAT

Step 3 above notes the importance of planning for unplanned incidents, such as a cyberattack. If your firm doesn't have a plan in place, "Business Resiliency: 7 Steps to Successful Incident Management, Business Continuity and Disaster Recovery Planning" can help you formally put together an action plan for such an event. Download your copy at alanet.org/whitepapers.

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SHIRA AHARONI Chief People Officer Aderant

By moving to a skillshased resource allocation system, law firms can match associates to partners and matters based on their current skills and development needs."

Address Bias When Determining Resource Allocation and Performance Management

Unconscious or implicit biases can affect our behavior and decisions in the workplace without us even realizing it. It's natural to have biases — and we all have them. But there are major consequences if we remain unaware of them and let them affect our decision-making in life and in the workplace.

Unfair treatment is one of the leading factors associated with employee burnout, according to a Gallup study. Burnout doesn't only affect the well-being of employees; it's also been linked to higher turnover, lower productivity and lost earnings for the company.

For law firms to mitigate some of these unconscious biases, it starts with acknowledging that they exist. Then, they must decide to intentionally address them through strategies and technology platforms that can help mitigate and eliminate the potential perception of unfairness by the firm's associates. Two key areas where this applies are resource allocation and performance management. For both, let's explore how biases can occur and how they can be reduced or eliminated.

RESOURCE ALLOCATION

Traditionally, partners choose associates to work with, bringing them in on matters and assigning tasks. This puts a premium on being a partner's first choice.

The risks of bias here:

Similarity or affinity bias: Partners can easily form relationships with associates they are similar to. As an example, most law firm partners in the United States are still mostly White men; this can potentially lead to women and people of color not being considered as the first choice.

- **Familiarity bias:** Once they've formed key relationships, partners are likely to keep turning to the associates they've already worked with. Too much reliance on one associate can lead to these associates being spread too thin and to a firm's dependency on the same associates to do the work. This can even create a business risk for the firm by relying on the same associate every time.
- **Proximity or distance bias:** In an urgent situation, a partner may pull in the first associate they see, rather than looking for the best one available who may be working remotely and not physically located with where the partner is. This can also put hybrid or remote associates at a disadvantage.

The Solution: By moving to a skills-based resource allocation system, law firms can match associates to partners and matters based on their current skills and development needs. Resource allocation software can help assess who is the best available associate for each assignment. Additionally, it monitors associate workloads to ensure that they are getting a balanced amount of work and chances to work on diverse matters with various partners.

PERFORMANCE MANAGEMENT

When partners only evaluate associates at set points of the year, there is a big gap between evaluations, which can affect both the accuracy and fairness of assessments.

The risks of bias here:

- Recency bias: When a partner works with many associates on many matters, it's going to be difficult to sit down at the end of the year and remember all the details. Without reminders or accountability, the performance that's easiest to remember may end up unfairly affecting the overall assessment.
- **Gender bias:** Studies have shown that women are more likely to receive vague performance reviews that lack constructive feedback and focus on their

communication skills rather than technical skills. There's also an imbalance in subjective behavioral feedback: 76% of women's reviews are likely to include negative personality feedback (compared to only 2% of men's reviews).

The Solution: By layering in continuous performance feedback, law firms can increase accountability and accuracy in their performance management. Partners provide feedback for each associate's contribution to a matter. That way, when it comes time for annual evaluations, they can easily refresh their memory. With performance management software, firms can create a talent performance profile of associate feedback from multiple partners, making it easier to notice or assess unfair feedback.

RECOGNIZE THE PROBLEM TO FIX IT

Acknowledging that bias exists and focusing on its elimination can help everyone get ahead. Identifying, reducing and ideally eliminating bias in these processes will improve law firms' business outcomes. It will help mitigate risks, create a balanced and equitable environment, and increase engagement and productivity.

ABOUT THE AUTHOR _

Shira Aharoni is the Chief People Officer at Aderant. She is a passionate people advocate, with extensive experience leading people teams and talent strategy. Prior to joining Aderant, Aharoni held HR leadership roles in the software and technology space in global, leading companies in the private and public sectors across product, technology, sales and professional services divisions. Her mission is to create an inclusive work environment where everyone feels they belong and can grow and develop their skills while driving business growth.



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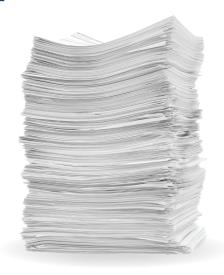
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NEVILLE POKROYPartner
Mastermind Solutions, Inc.

By moving to a skills-based resource allocation system, law firms can match associates to partners and matters based on their current skills and development needs.**

Punch Above Your Weight: The Do's and Don'ts of Small and Midsize Firm Marketing

Many small and midsize firms feel inadequate when competing against the big guys with big money behind them. So how can a smaller firm compete effectively?

It's actually quite simple as long as you follow a number of proven strategies that are easy to implement and cost effective to self-finance.

Here are the 10 most important **MUST DO** factors that have led to success.

1. You are running a business and a law firm.

Firms with professional management that are focused on the business of law are best placed to understand and leverage this approach. Sometimes this is left to you, the legal administrator. You might not be trained specifically in business, yet are expected to utilize a foreign skillset to implement. If this has fallen on your shoulders, look to get professional development to finesse your business skills — and reduce your stress levels.

2. Be smarter than the big firms (and your immediate competitors).

Think strategically — you don't need to overspend to be successful. Find things that are meaningful to clients that your competition has overlooked. It requires some self-examination and self-reflection on the firm's behalf but will be worth it.

3. Create differentiated positioning and clearly define a target audience(s).

Both referral sources and end clients are prerequisites for growth. Potential clients need to understand how they will be treated and why they should use your firm, rather than a competing firm.

Referral sources will be expecting to know that as well — after all, they need to have confidence in making the referral. By showcasing that difference, you are giving your firm and your lawyers a way to compete like never before.

4. Relevance is key.

This is the most important thing one needs to communicate to clients and referral sources. If the positioning is not relevant to the audience, why would they care to hire the firm?

5. Focus and expand your market.

Remain laser focused on the desired target audience(s) with the marketing investment. It should always have long-term benefits. This brand-building and positioning approach has led to sustainable growth without excessive marketing budgets when combined with some of the factors that follow.

6. The combination of brand and lawyers are raw materials for legal business.

Your lawyers, their expertise and their reputations are vital for growth. Legal administrators should be encouraging lawyers to become part of the business solution as the combination is crucial.

7. Content is king.

Showcasing lawyer expertise through content builds the firm's and the individual lawyer's reputation — something that resonates over time. That content can be shared through writing or speaking. If lawyers cannot be easily found on an internet search, they are not perceived as being a leader in that topic. You can encourage them to take this task seriously and to build their reputations in this manner.

8. Magnify content reach.

It can be increased significantly if one uses the capabilities of digital tools such as LinkedIn, Lexology or Mondaq. These give legal content significant boost and respectability.

9. Provide individual lawyer coaching on personal business development.

Getting lawyers to buy in to the fact that they are all business developers is often an important part of your job. Not every lawyer has the same skill set, particularly as it relates to business development. Helping individual lawyers develop their personal skill set in this regard — and making them feel comfortable doing so — is an important task.



10. Market across all levels of the firm.

This is the final aspect that ensures that the firm (brand), its areas of law and the lawyers themselves are aligned. By working at all levels of the firm, the marketing initiative can be facilitated by legal administrators to maximize success.

Like with anything in life, the must-do factors need to be offset by the **DON'T DO** factors. Here are a few that legal administrators should be aware of:

- **Don't try to compete with your budget.** Without smart marketing, you'll never have enough to compete head-tohead with bigger competitors. Instead, outflank them.
- **Don't simply copy your competition.** The right marketing will differentiate you from them as long as what you do is relevant. Know what they do, but never follow them blindly. Become a leader in your market.
- >> Don't see social media or digital marketing as the savior of your business. This has been a false promise that so many firms have bought into. It can fail dismally. If you use these tools as simply a part of your strategy, you are more likely to have them contribute positively. Thinking you can use them all on their own can come back to haunt you.

Applying creative and strategic thinking to improve performance will allow your firm to punch above its weight — and its budget. Leadership is the key; if you don't have the buy-in from the top, success will be limited. These steps will help you lead the firm to commit to a higher level of business performance.

ABOUT THE AUTHOR -

Neville Pokroy is a Partner at Mastermind Solutions, Inc., a business and marketing consultancy that specializes in helping smaller organizations. He's worked with a midsize law firm in Canada to help them become a market leader. For over 15 years, Pokroy has project managed the firm's marketing strategy and implementation and has been the architect of their steady growth and success over that time period.



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Lawyer BookBuilder

"

In many firms where a large portion of ongoing work comes from existing clients, lawyers need to build moats around those clients. They need solid defensive strategies that block the efforts of other firms who are trying to steal them away."

5 Essentials for Your Business Development Toolkit

Here's how small to midsize firms can buffer the economy's impact.

So ... Many ... Hats!

How chief operating officers, administrators and executive directors in small and midsize firms handle the magic act of running a law firm is nothing short of miraculous. You're expected to be a master of major firm management roles, and challenging markets can make those responsibilities even tougher.

To help you navigate your way through, we've got some rabbits you can pull out of your "Director of Business Development" hat that can upgrade your lawyers' skills and increase the amount of business development activity they engage in.

Some quick advice up front: Don't try to do everything at once. Pick initiatives that can deliver fast, visible wins. Then use those victories as social proof to generate buy-in to get more of your lawyers to take the next steps in development.

One more thing before we dive into these techniques: Don't go it alone. Train and encourage lawyers who lead groups and offices to engage in these behaviors as well. As you know, law firm leaders are rarely taught how to manage the marketing, selling and client service activities of their lawyers. In fact, in a survey I ran of over 2,200 lawyers and leaders, on a scale of 1 (strongly disagree with the statement) to 5 (strongly agree with the statement), the statement: "The firm does a good job of training leaders to lead business development efforts" came in at 2.95. This tells me there's a lot of room to improve. Train more leaders to carry more of the load, and you'll get superior results.

Here are five key areas where you can serve as the wizard behind the curtain to get your lawyers to engage in more — and better — client development activity.

1. DELIVER OUTSTANDING SERVICE

In many firms where a large portion of ongoing work comes from existing clients, lawyers need to secure those clients. They need solid defensive strategies that block the efforts of other firms that are trying to steal them away. One approach could be to constantly offer lower fees, but that becomes a race to the bottom.

A better approach is to offer extraordinary levels of service. Service that makes clients believe they won't be treated better elsewhere. Service that makes them feel like they are the most important client to the firm. Service that creates fierce loyalty to the firm.

"Too few firms invest in delivering client service that actually is meaningful to the clients. Being responsive, having relevant experience and doing high-quality work is not client service, it's base-level service; it's table stakes," says Nat Slavin, a Partner and Founder of Wicker Park Group. "We've interviewed thousands of clients during the last 15 years and the firms that deliver the highest level of service garner the highest level of client loyalty. When that happens clients send more work, better work and they are far less susceptible to the random pitches they get from competing firms."

How to encourage higher levels of service:

- Request client feedback to learn how they define great service, where things need to improve and how you can up your game.
- >>> Provide internal training and run brainstorming sessions where your lawyers discuss what extraordinary levels of service look like.
- Recognize and reward those lawyers (and staff) who deliver superior levels of service.
- >>> Pick a few high-value client service activities (e.g., offer presentations, preventive advice, social activities, make introductions, etc.) and gamify it within the firm.
- Measure the heck out of these activities.

2. INCREASE CROSS-SELLING

In so many firms, cross-selling is the low-hanging fruit, but most lawyers don't know how to properly pick it.

First, let's redefine this activity, since we know most lawyers don't want to be seen as pushy salespeople, and most clients don't want to be sold to. Instead, let's reframe this as being of service to the client by renaming this approach "cross-serving" instead of cross-selling.

This simple change of nomenclature can unleash a floodgate of new activity. Rather than feeling forced to "sell" a new practice area, firm lawyers can more comfortably introduce clients to other firm lawyers who will "elegantly audition" by offering a free service such as conducting internal presentations or reviewing policies and procedures. This approach produces wins all around. Relationship lawyers look good to their clients by offering something of value, new lawyers get to meet those clients and those clients receive support they appreciate.

"Cross-selling isn't a matter of 'adding' services, but 'multiplying' value," says Corey Castillo, EdD, Chief Operating Officer with Lagerlof, LLP. "Effectively integrating multiple practice areas doesn't just create a higher-value client experience externally; it also creates a culture-building experience internally."

How to encourage more cross-serving:

- Encourage internal connections so firm lawyers get to know each other's practices and each other personally.
- Schedule more internal meetings to discuss crossopportunities.
- >>> Schedule more meetings with clients to discuss crossopportunities.
- >>> Stay top-of-mind with firm lawyers to remind them of the range of practices in the firm and communicate with clients to teach/remind them of areas they may not be using.
- Measure the heck out of these activities.

3. GET FIRM LAWYERS TO MEET MORE POTENTIAL **CLIENTS**

The math is simple — the more your lawyers contact potential clients, the more work will come in. Often the barrier is the lawyer's mindset, which holds them back based on internal stories like, "I don't know how to do it"; "I don't have the time"; "All the good clients are taken"; or "They're way too busy to want to hear from me." With some focused training, you can make these excuses disappear. Then, once their heads are in the right place, ask them to develop a prospect list. Encourage them to be very specific — names, titles, companies, geographies, email addresses and phone numbers — and then ask them to brainstorm ways they can approach those prospects.

Now, this is where your efforts are put to the test and they take the lessons of how they can reach out and apply them to their lists. Some examples include simply checking in with

"Stay top-of-mind with firm lawyers to remind them of the range of practices in the firm and communicate with clients to teach/remind them of areas they may not be using."

people who have fallen off the radar, interviewing them for an article or talk, offering internal presentations, commenting on news relating to that client, or perhaps inviting them to join a group.

After they have their targets and their plan, you get to switch hats and embrace your cheerleader and watcher personas. By praising and encouraging their efforts and tracking their activity, you will keep these desired behaviors top-of-mind and demonstrate the importance of these activities as a strategic imperative.

How to encourage more meetings with potential clients:

- Give your lawyers the skills and tools they need to overcome their internal saboteurs and become comfortable enough to reach out to potential clients.
- Ask them to get out there and make contact.
- Measure the heck out of these activities.

4. DEVELOP MORE AND BETTER REFERRAL SOURCES

I find as a group, intellectual property lawyers are often pretty good at understanding the value of cultivating referrals from other sources like foreign associates and other noncompetitive firms. Many other lawyers, however, don't spend enough time thinking about — and acting on — how to develop a more robust referral pipeline. There are many sources that can be tapped — if only they spent the time identifying who they are — and developing approach plans to build solid relationships.

How to encourage more referrals:

- >>> Put your lawyers through an exercise where they identify existing and potential referral sources.
- Have them brainstorm ways they can elegantly reach out to these sources.
- Have them make commitments to reach out.
- Measure the heck out of these activities.

5. MAKE YOUR LAWYERS FAMOUS

There are so many potential clients out there who have no idea you have lawyers who can help them. Your job is to give your lawyers ideas, tools and the motivation to make some

noise so they can get heard above the din of other lawyers who are also trying to make names for themselves.

This applies for new potential clients as well as for existing clients. Going back to cross-serving for a moment: In the industry survey I mentioned earlier of over 2,200 lawyers and leaders, the statement "Our group effectively communicates our services to targeted firm clients who are not currently using us" got a score of 2.82 out of 5. Clearly, we're leaving a lot on the table by not letting our existing clients know about other capabilities we possess.

How to get your lawyers known by the right people:

- >>> Have your lawyers identify high-priority niched areas they want to be known for.
- Share different tools and approaches for getting their names out to populations who have a need for those services.
- >>> Identify specific "amplifiers" entities that can get their messages out to wide audiences, like publications, social media channels, speaking venues, conferences, etc.
- >> Have them make commitments to reach out.
- Measure the heck out of these activities.



BONUS NO 6. TIP: BE A WATCHER

As discussed in No. 3, the role of the watcher is critically important in a law firm. Lawyers will generally default to the urgent (their client matters) but not the important, which is client development. It's therefore up to you as a leader to keep ringing the bell around the activities listed in this article; otherwise, they will regress to their prior habits.

I'm sure you've noticed by now that "measure the heck out of these activities" shows up in each of the five areas. That's because the old adage, "what gets measured gets managed, and what gets managed gets done" applies as well to law firms as it does to other businesses.

Find some simple measures to start with and make them very visible. Manage to them. Refer to them often. Praise and reward those who meet and exceed goals. Once you and other firm leaders set a tone that reinforces the importance of these activities, your lawyers will start to behave in alignment with those expectations.

PLANNING FOR LONG-TERM SUCCESS

The actions suggested in this article are always important to implement, but even more so when facing difficult economic conditions. By instilling disciplines that get your lawyers to solidly execute the fundamentals, you increase your odds of navigating through the tough times, and you'll also be set up to thrive on the other side.

- ABOUT THE AUTHOR

David H. Freeman, JD, is a member of the National Law Journal Hall of Fame for being voted the top law firm business development coach and consultant in the United States for several consecutive years. He is a two-time bestselling author who has written and co-authored 14 books on law firm leadership and business development and has trained and coached over 10,000 lawyers and leaders in hundreds of firms worldwide. Additionally, he is the creator of Lawyer BookBuilder®, an online, self-study program that shows lawyers how to transform themselves into major rainmakers.



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MATT SPENCER Co-Founder, Chief Executive Officer and Chairman

Suited

But what exactly does GPA predict? Does a law student's first-year GPA have any bearing on how well they perform as an attorney — the ultimate objective of going to law school?**

The LSAT and Its Lack of Relevance to Lawyering

In November 2022, the American Bar Association voted to eliminate the Law School Admission Test (LSAT) requirement for law schools, effective 2025.

As with many debates, there are competing views. Those in favor of keeping the LSAT requirement predict that law schools may be less willing to take chances on students who don't have high undergraduate grade point averages (GPAs) due to extenuating circumstances. Students who work, care for children and other family members, or experience loss during their schooling may be left out of the process without another metric signaling their high potential — ultimately harming the industry's diversity.

Those against the requirement cite the adverse impact caused by the exam, saying it has a direct impact on the lack of diversity in the industry. The average score for Black test takers is 142 out of 180, compared to 153 for White and Asian students (most law schools require a score of 150, with that number rising to 170 for the top 14).

THE LSAT IS PREDICTIVE, BUT NOT RELEVANT

Both perspectives can be true, as it's easy to imagine a world in which a low LSAT score hurts underrepresented students and a high LSAT score helps others. However, many in the LSAT-defender camp tout the exam as the "single best predictor for law school success" and therefore an objective way to level the playing field for students from different backgrounds.

To its credit, the LSAT is meant to predict how well a student will perform during their first year in law school. And perhaps more than any other available metric, the LSAT is best at doing this. In fact, according to its creators, the LSAT has a predictive validity of 60%. In psychometrics, predictive validity is the extent to which a test score accurately

predicts future outcomes — meaning 60% of the time, a student's score correlates to how they perform during their first year of law school, with performance being measured by GPA.

But what exactly does GPA predict? Does a law student's firstyear GPA have any bearing on how well they perform as an attorney — the ultimate objective of going to law school?

We don't find this to be the case. When looking at on-thejob performance, our internal data — based on thousands of reports from actual attorneys at some of the top law firms — tells us that GPA on average has a 2.2% predictive validity. Meaning that GPA, the thing that the LSAT is meant to predict, explains very little. When we look directly at the LSAT, we see an even smaller correlation of 0.9% on average.

SO, WHAT PREDICTS ATTORNEY SUCCESS?

Many attorneys acknowledge that traditional metrics like the LSAT and law school GPA do not correlate to what it's like to successfully analyze or practice the law. These measurements often leave underrepresented candidates behind. According to some researchers, the "cultural specificity" of the measured intelligence in these tests makes them biased toward the environments in which they were developed — namely homogenous and White institutions. Not to mention these competencies have a significant amount of relevance to performance in the actual job. However, without them, attorneys are forced to rely on even more biased or circumstantial data points such as law school rank, referrals or prior work experience.

When we talk about high performers in the field, we often reference certain traits that make them notable: their grit, analytical thinking, compassion, their ability to persuade, among others. If these are the types of competencies that make attorneys successful, why don't law schools or law firms attempt to measure them when making their determinations of qualified candidates?

It is entirely possible to define and empirically measure these sorts of traits and competencies. By understanding what factors are most important for success, assessing those traits throughout the hiring (or admission) process, and knowing how to weigh each factor appropriately, more accurate and equitable decisions can be made.

One approach? Psychometric and cognitive competencies, as they result in less bias and more accurate results. Scientific research shows that these assessments, developed according to modern professional standards, can accurately predict which job applicants are most likely to become successful performers.



Understanding someone's personality and values often takes time, and the ability to assess these traits in advance often leads to better matches between person and place. In fact, we have found these metrics to predict future success seven times more accurately than traditional measures like GPA, LSAT scores and law school rank combined.

Examining these deep-level traits provide a much more accurate and equalizing approach to making selection decisions. Competencies associated with problem-solving, collaboration, effort, commitment, responsibility, ambition, independence and task-focus are some of the most predictive of high future performance. For decades, resumes and standardized test scores have served as the universal metrics on which candidates were evaluated for both law schools and subsequently for jobs at law firms. Technology, however, has given us an opportunity to rethink the standards by which we evaluate candidates to create a more effective and equitable process.

ABOUT THE AUTHOR -

Matt Spencer is the Co-founder, Chief Executive Officer and Chairman of the Board of Suited, an Al-powered, assessment-driven recruiting network designed to help candidates from all backgrounds access opportunities in the professional services industries.



wellsuited.com/law-firms





BILL & PHIL William Ramsey, Partner,

Phil Hampton, Consulting President, LogicForce

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The fact that hardware developers are seeking to minimize the bulk and obtrusiveness of VR/ AR headsets is a positive development for a businessfriendly metaverse."

The Coolest Gadgets We Saw at CES 2023

The long drought is over. For over a decade, we have consistently made our way over to Las Vegas the first week of January each year to attend the world's largest consumer electronics expo, CES. Due to the pandemic, however, we have not been able to attend the show in person for the past three years.

Finally, as the calendar flipped to 2023, we packed our bags and headed out to Vegas to witness what we like to call the "Super Bowl for Techies/Nerds." We can report that CES is back in all its glory. The crowds were back this year and so were the exhibitors (for the most part).

There are so many other gadgets, both useful and outrageous, that we saw during our 48 hours in Vegas. We saw inspiring tech, mind-blowing tech, useful tech and (what shall we call it?) tech that we don't know how they even thought it up.

In recent years, the health and wellness tech sector has just exploded and this year was no different. There are gadgets to monitor just about everything from your biorhythms and sleep cycles to how well you brush your teeth. But we've written lots about those in recent years. We'll focus instead on some innovations in other areas.

Here are some of the coolest tech trends and gadgets we saw at CES 2023.

VR AND AR HEADSETS

We spent all of 2022 asking, "Are you ready for the metaverse?" Apparently, the answer is "yes" from a whole host of companies racing to produce the best hardware to optimize our metaverse experience.

Each year at CES, there seems to be some product that is ubiquitous as you traverse the expansive exhibit halls. This year was the year of the virtual reality/augmented reality (VR/AR) headset. They were everywhere. HTC probably stole the most headlines with

its new competitor to Meta's Meta Ouest Pro headset. HTC revealed the VIVE XR Elite, which is a stand-alone headset (not tethered to a device) that can function as a complete VR headset or can be minimized to a more eyeglass-like form, making it a potential solution for AR applications. This dual functionality is indeed interesting since it is widely rumored that Apple is working on an AR glasses concept. It looks like the MetaWars are beginning, and that usually bodes well for consumers.

Not to be outdone, TCL revealed their RayNeo X2 AR glasses that, at first glance, could fool you into thinking they are just regular eyeglasses. TCL touts these lightweight AR glasses as being able to project a wide array of information right in front of your eyes from language translation to travel directions overlaying the landscape directly in front of you. The fact that hardware developers are seeking to minimize the bulk and obtrusiveness of VR/AR headsets is a positive development for a business-friendly metaverse.

SUSTAINABILITY AND ELECTRIC TRANSPORTATION

A clear overarching theme of most big technology companies at this year's CES was sustainability. From electric cars, motorcycles and boats to technology that actually seeks to clean the environment, companies worldwide are jumping on the sustainability bandwagon in a big way.

One of our favorite examples is ICOMA's Tatamel e-bike. A CES 2023 Innovation Award winner, the Tatamel is a curious looking electric "bike" that is sort of a cross between a moped and a scooter. It has a top speed of 25 mph and about a 20-mile range on a full charge, so it can only be used for intra-city or neighborhood transport. But its function as an



e-bike is only the starting point. The Tatamel folds down to the size of a briefcase, and its custom panels can be reconfigured to turn this "bike" into a desk or a TV panel. Riding a Tatamel is like riding your own personal Transformer. Very cool indeed.

Over the course of this year, we hope to get our hands on a fair number of these tech innovations, and we will share our experience with these new products. Stay tuned!

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.



twitter.com/BillandPhil







IAN NOLAN Chief Executive Officer and Co-founder Brightflag

Inflation, economic uncertainty and the pandemic are putting pressure on legal departments to improve collaboration, control costs and allocate limited resources wisely."

Find the Legal Tech Your **Organization Needs**

The tech transformation within the legal industry is exploding. The global AI legal technology market alone is poised to generate over \$37 million by 2026, according to Zion Market Research, up from only \$3 million in 2018.

Many in-house legal teams are exploring new ways to integrate technology into controlling costs, optimizing limited resources and maximizing time for strategic thinking. Leaders have several legal tech options to explore, but knowing which solution can best fit their needs can prove challenging.

The smart path forward in adopting a legal tech solution is identifying your needs, determining which features are the most critical and ensuring you have buy-in at several levels to drive success.

IDENTIFY YOUR NEEDS

To start, you'll want to validate whether the root of the problem you're trying to solve can or needs to be resolved with technology. Technology isn't necessarily going to solve every business issue, but it's especially well-suited to standardizing processes, detecting errors, simplifying collaboration and generating overall time savings. Defining your needs from the beginning can help streamline your solution search and shorten the path to your desired benefits.

Within corporate legal departments, one common concern is cost control. Oftentimes, organizations inspect how legal work is resourced and allocated. Outside counsel services can represent the most significant (and variable) expense category, excluding your in-house employee salaries. Demand for such services also invariably increases as companies grow and success brings new complexities. Yet most in-house teams still lack the essential ingredient for transforming outside counsel engagements: transparency.

Matter management and modern e-billing solutions can help outline and increase ROI for your organization. These tools provide you with a detailed look into what work is being done, who is doing it and how long it is taking them — internally and externally. These solutions also allow you to compare that information with similar data points over time in order to gain deep insights into spending and help guide decision-making. Using data-driven insights on pricing, billing compliance and other factors can give your in-house legal team the ability to impartially compare firms and make an objective decision on which ones yield the best value.

Contract management is another avenue in which legal tech can pay dividends. When managing a significant volume of contracts on a regular basis, using e-signature and contract lifecycle management software can lessen the time, burden and effort on your team while also improving how sales deals, nondisclosure agreements and a variety of other contracts are created, negotiated and stored internally. Using a legal tech platform, attorneys and legal teams can spend more time on strategy and less on menial tasks like trying to locate a specific clause.

DETERMINE WHICH CAPABILITIES ARE A "MUST-HAVE"

After identifying your organization's needs, you'll want to examine solution features and determine which are critical versus noncritical. As you begin narrowing your list of potential solution providers, make sure they have those critical features that meet your needs.

Analytics is one aspect not to be overlooked. Legal operations software helps your team evolve from making decisions based on anecdotal evidence to relying on data. As a result of this transparency, corporate legal departments can leave behind any uncertainty over what's generating value in legal spend.

Automation is another capability that can bring more value to your department in the form of time savings. Features such as automatic invoice intake can allow attorneys to spend less time on mundane tasks and more time on strategy. Al solutions add to the benefit of time savings by helping fuel analytics and efficiently surfacing more valuable insights. Al can provide leadership with a view into the effectiveness of their outside counsel spend, including highlighting opportunities to reduce spend where necessary, such as bringing more work in-house for a lower cost, reallocating work to different vendors or reducing the number of vendors being used.

Housing information in a centralized system can facilitate increased collaboration. Emails, documents and invoices between your in-house legal team and vendors can be easily misplaced or overlooked. To avoid confusion, issues or time wasted attempting to locate that document you need, seek a legal tech solution that provides a shared, collaborative portal.

FOSTER AN INNOVATIVE CULTURF

The most critical step in this process is setting your solution up to succeed within your organization and that often requires establishing buy-in from multiple branches within the business.

While the solution addresses common pain points felt by most of the legal team, motivating busy employees to learn new systems and habits can be difficult. The in-house legal team needs to recognize that the organization is adopting a legal tech solution to streamline processes, save time and yield strategic insights instead of merely adding another tool that creates an extra step to their daily work.

Lastly, in the early months of integrating your new solution into daily operations, your employees may require some accountability measures to ensure they are not only using the solution but using it properly. Establish one or two people to champion the initiative and help their peers get the most out of the tool and maximize success.

Inflation, economic uncertainty and the pandemic are putting pressure on legal departments to improve collaboration, control costs and allocate limited resources wisely. But risks await legal teams that rush into integrating a legal tech solution. Take time to determine your needs, find a solution with the best technology that meets those specific needs and invest time to integrate the solution into your team's workflow by establishing an innovative culture from the top down. Legal technology can help your employees identify value and unlock data-driven insights to ensure you are making the right decisions for your business.

ABOUT THE AUTHOR -

lan Nolan is the Chief Executive Officer and Co-founder of Brightflag, the Al-powered legal spend management and matter management platform. From coding his school's first website to producing radio news segments, Nolan was already a lifelong builder before breaking into the legal technology field. After several years spent growing a software development firm focused on legal practice management,



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DAWN ANDERSON, CLM, JD, PHR, SPHR Chief Human Resources Officer Butler Snow

By normalizing the option of seeking help, we can begin to remove the stigma attached to mental illness. Mental illness is not a sign of moral weakness. It is an illness just like diabetes, high blood pressure or arthritis. We must encourage our attorneys and staff to feel free to seek help without fear of ostracism or adverse impact.*

8 Strategies to Promote Mental Health and Well-Being at Your Firm

No one said being a lawyer was easy. Pop culture depicts attorneys as overworked, competitive individuals who feed on adrenaline and stress. This persona is fed by expectations to work long hours and bring in new clients. And now, with the promulgation of work-from-home arrangements, the demarcation line between work and family is blurred, if not obliterated.

The cost is enormous. Attorneys struggle with depression, stress and anxiety at high rates. The legal profession is in the top 10 for divorce and suicide, and one in four attorneys are problem drinkers. Work overcommitments, work-family conflict and permissiveness toward alcohol in the workplace aggravate these problems. Attorneys often feel a responsibility to be perfect and ignore personal and client emotional responses.

Diverse attorneys are afflicted by these stresses even more. For example, one in four women have considered leaving the legal profession due to mental health. Furthermore, diverse team members already report pressure to overperform and overcome negative bias. This pressure only exacerbates the stress already associated with the profession.

We must wear many hats while running or working for a profit-driven business. That means paying attention to expenses, costs and the bottom line. Clients use sophisticated software to micro-analyze and challenge every line on a bill, creating more work as we now find ourselves justifying every task we perform. The practice of law is hard and complex. That is not likely to change.

As profit margins shrink, many firms will increase pressure to produce. The obligation to our clients and the complexity of all that we deal with remain. Those are, frankly, outside of our control in large part. However, there are things we as administrators can do to encourage healthier firm cultures.

1. Respect work-life boundaries.

With the increase of hybrid work opportunities, attorneys struggle to separate work and home life. There is a real or imagined expectation that the associate is always working or available. That pace is not sustainable. Encourage your associates to value their time and personal well-being.

2. Pay attention to the warning signs and respond appropriately.

Mental health challenges are as unique as the individual manifesting them. Pay attention to the warning signs. Is someone missing deadlines? Talk to them to find out why. Have you noticed an associate losing their temper or appearing distressed? Reach out to them. Are you aware of personal challenges such as a divorce, family illness or loss? Make the time to call or stop by their office to check on them.

If you are unsure how to reach out, you have resources available. If your firm has an employee assistance program (EAP), you can call and get strategies for your conversation. Explain the situation you are facing and ask them to help you strategize your meeting. The National Council for Mental Wellbeing offers Mental Health First Aid, which provides you with key strategies to assess for warning signs, address the individual, listen without judgment and encourage them to seek appropriate professional and personal help. (See call out below for more information on this.)

3. Make sure your legal staff knows the resources available to them.

If you have an EAP, publicize it throughout the year. If you become aware of someone facing mental health challenges, proactively remind your employees (staff and attorneys) that they can take advantage of it confidentially.

4. Provide training and reminders about personal wellness.

The Gallup Organization identified five components that contribute to a person's well-being: physical health, career engagement, financial security, social networks and community connection. Set a regular schedule of training — for example, Continuing Legal Education or "lunch and learns" — that provides helpful and practical strategies for personal wellness improvement.

5. Practice what you preach.

It's critical that the partners of the firm model these same principles. That means you must respect the work-life balance



of your associates and staff. Too often, senior attorneys forget the power their emails or calls hold over a more junior associate. Manage the expectation in advance. If your partners are catching up on emails over the weekend or late at night, make it clear they should not expect a reply within 5 minutes to their midnight email.

6. Do not assume that you have walked the same path.

Just because you had a light case of COVID and could work through your quarantine, remember that not everyone will be so lucky. Do not glamorize the insanity of working from your hospital bed. Set personal boundaries for your mental health and permit your team to do the same.

7. Hold your team accountable, but help them succeed.

Ask what kept them from meeting the deadline or the billable target. Identify the root cause and eliminate the obstacles. Sometimes it is simply a habit that needs to be replaced, such as waiting to enter your time or a misunderstood instruction. At other times, it may be a window into a bigger issue in the employee's world that may require additional resources. You can only help them identify the right strategies or resources to overcome obstacles if you ask about them.

8. Normalize asking for help.

There is a significant stigma attached to mental illness. Attorneys fear being treated differently after asking for mental health help. This reluctance is compounded by a distrust of the confidentiality of their problems. There is a concern that their reputations and credibility will be irreparably damaged if they admit to needing help from a mental health professional. In fact, the International Bar Association found that 41% of attorneys would not discuss their well-being concerns with their employer for fear it may negatively impact their careers.

By normalizing the option of seeking help, we can begin to remove the stigma attached to mental illness. Mental illness is not a sign of moral weakness. It is an illness just like diabetes, high blood pressure or arthritis. We must encourage our attorneys and staff to feel free to seek help without fear of ostracism or adverse impact.

AN ENGAGED, PRODUCTIVE FIRM

When an attorney is suffering from mental distress, there is an unavoidable effect on colleagues, families and friends. Whether it is the staff member dealing with an irritable or possibly abusive attorney or the colleague having to jump in to avoid a missed deadline, there is a ripple effect that impacts the morale and efficiency of everyone on the team. Even more telling, the global survey by the International Bar Association reported that 26% of attorneys dealing with mental issues acknowledged they had made a significant mistake, and another 24% reported narrowly missing a significant one. No firm wants the liability this aftereffect creates.

Paying attention to employees' well-being impacts retention, too: The aforementioned survey also notes that 31% of attorneys surveyed were actively seeking another job. With recruiting and retention top of mind for most firms today due to the Great Resignation, promoting emotional wellbeing demonstrates that the firm values employees and cares about their long-term success. You'll have employees who are more engaged, productive, and creative and generally provide more optimal performance. It's a win-win.



SIGN UP FOR MENTAL HEALTH FIRST AID

Conversations about mental health can be difficult to start. But just as CPR helps even those without clinical training to assist an individual having a heart attack, Mental Health First Aid (MHFA) prepares participants to interact with a person experiencing a mental health challenge or crisis. Mental Health First Aiders learn a five-step action plan that guides them through the process of reaching out and offering appropriate support. ALA offers this training from the National Council for Mental Wellbeing every quarter. Check your inbox for more details or visit alanet.org/mhfa.

ABOUT THE AUTHOR -

Dawn Anderson, CLM, JD, PHR, SPHR, is the Chief Human Resources Officer at Butler Snow, a national law firm that offers a full range of business law and litigation services. After 20+ years of leadership at large corporations, she embarked on overhauling the human resources function in the legal industry into a strategic role. As a licensed attorney with a corporate background, she brings a unique combination of experience and perspective and is passionate about developing people by leveraging talent, creating accountability and building resources to deliver long-term results for an organization. Anderson is a member of the Atlanta Chapter, and her certifications include lean six sigma, Strategic Human Resources Profession, Certified Legal Manager, Organizational Development and Design, and most recently, Mental Health First Aid.

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Anniversaries, Awards and Appointments

Members on the Move >>>



Joan Brambani (not pictured), a member of the Oregon Chapter, is now Director of Operations/HR at Parsons Farnell & Grein, LLP, in Portland, Oregon.



Marcos Coto-Batres, a member of the Austin Chapter, is now Director of Operations at Bollier Ciccone, LLP, in Westlake Hills, Texas.



Andrea Korphage, a member of the Maryland Chapter, is now Manager, Partner Growth at Quarles & Brady LLP in Washington, D.C.



Helen Miranda, a member of the East Bay Chapter, is now Human Resources Manager at Murphy Pearson Bradley & Feeney in San Francisco, California.



Gladys Smith, a member of the Kentucky Chapter, is now Resource Leader/Business Analyst at Stoll Keenon Ogden, PLLC, in Louisville, Kentucky.



Jacquelyn Brown, a member of the Atlanta Chapter, is now Executive Director at Mozley Finlayson & Loggins, LLP, in Atlanta, Georgia.



Jessica Fenton, a member of the Gateway Chapter, is now Senior Manager of Human Resources at Thompson Coburn, LLP, in St. Louis, Missouri.



Jennifer Majewski, an independent member, is now Chief Human Resources Officer at The Chartwell Law Offices, LLP, in Eagleville, Pennsylvania.



Angela Pinto, a member of the Atlanta Chapter, is now Executive Director at Ervin Cohen & Jessup LLP in Beverly Hills, California.



Sending Our Condolences

ALA is saddened by the sudden passing of **Bob Hamilton**, Chief Operating Officer at Fredrikson Law in Minneapolis, Minnesota. Bob joined ALA in 2014 and was active in the Large Firm Administrators Caucus. We send our condolences to Bob's family, friends and colleagues.

ALA also regrets the passing in October of **Richard Tempero**, who was ALA's Executive Director from 1985 to 1989. A native of Nebraska, Richard served the legal industry for over 30 years as a lawyer, administrator and executive. We send our condolences to Richard's family and friends.

What's Happening at Headquarters



New White Paper Tackles Workplace Violence

It's a sad reality, but one we must be prepared for: workplace violence. It can have wide-reaching effects in communities. Victims can suffer from lasting physical and psychological problems and bear the financial burden of care after experiencing a violent incident. For organizations, violent acts can lower employee productivity and morale and increase turnover. They can also increase financial burdens on organizations in the form of workers' compensation payments, medical expenses, lawsuits and liability costs.

ALA's latest white paper, Assessing, Managing and Mitigating Workplace Violence: Active Shooter Threat, can help you and your staff be prepared. Learn how to address workplace violence — specifically an active shooter threat — at your office. It includes links to sidebars that provide checklists and additional resources, too.

Be sure to check it out at alanet.org/whitepapers.

Don't Have ALA FOMO: Register for BIG Events at Annual Conference and Expo

Jhe speakers and agenda for ALA's 2023 Annual Conference — taking place **May 7–10** in **Seattle, Washington** — have now been revealed, so start planning your schedule!

Make sure you take advantage of the opportunity to bring Balance, Impact and Growth to your professional life. Plus, don't miss the Preconference Workshop on May 7, where you can receive training on Adult Mental Health First Aid and learn strategies to respond to the signs and symptoms of mental health and substance use challenges.







New Chapter Leader? ALA's Essentials of Chapter Leadership Can Help You Prepare

ALA's Essentials of Chapter Leadership is a three-day virtual training event intended to provide incoming chapter leaders with basic instruction on chapter management, as well as information on the importance of adhering to essential financial and legal responsibilities. The training will take place **March 29** through **March 31**, and registration is open to all chapter members.

Visit alanet.org/essentials-of-chapter-leadership to sign up!

What's Happening at Headquarters



ALA Webinar: Approaches for Turning More Lawyers into Great Rainmakers

Becoming a rainmaker is tough, which means your lawyers need your help in building better books of business. To help you succeed, this webinar will cover some of the best techniques for helping lawyers build great books of business. **David H. Freeman, JD**, (who incidentally shared additional insights on business development in this month's cover story) will guide you through the secrets used by top rainmakers for personal branding, building great networks (both internally and externally), delivering "wow" levels of service, cross-selling, getting and maximizing client meetings, staying top-of-mind, building great networks (internally and externally) and much more.

Be a rainmaker: Register at *alanet.org/upcoming-webinars* for this session on **February 22** at **2 p.m. Central**.



Check Out the Latest Opportunities in ALA's Job Bank

The ALA Job Bank is *the* online resource that connects law firms, corporations, governmental agencies and similar professional service organizations with prospective candidates for nonlawyer positions.

With more than 600 open legal management positions posted each year, **ALA's Job Bank** can help you find that "next step" in your career.

- Search open positions in legal management
- Share open positions with your network
- Subscribe to our weekly Career Connection newsletter

alanet.org/careers

LAW FIRM RECRUITERS: Post open staff positions to attract qualified candidates with the experience and knowledge you're looking for.