

# LEGAL MANAGEMENT

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Vital position suddenly opens up? Be prepared with these passive recruiting tips.





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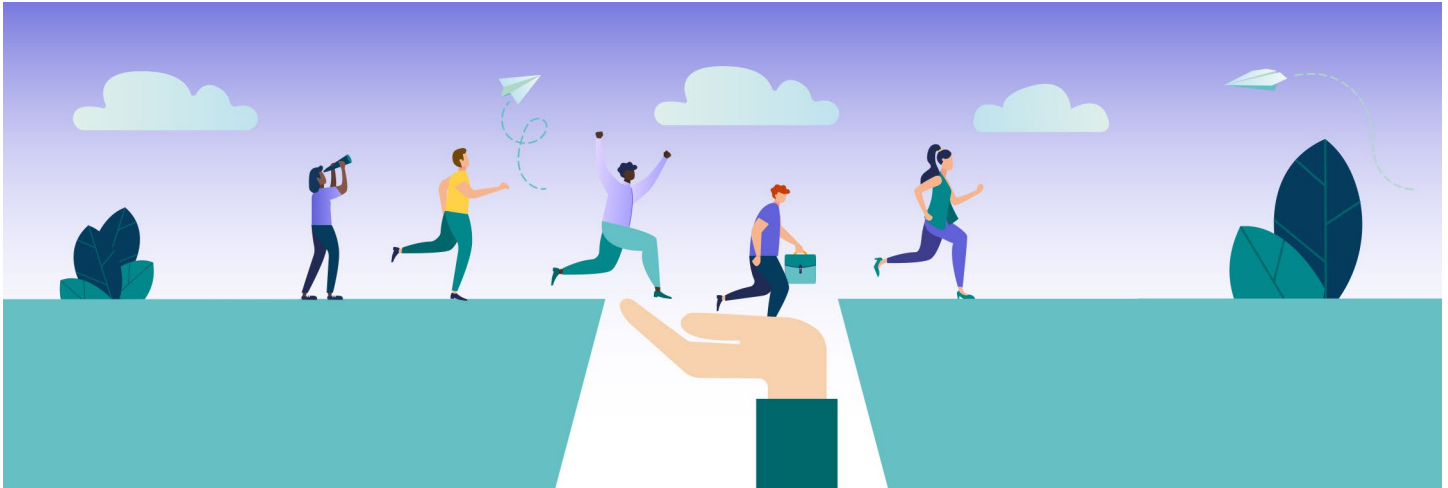
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**ERYN CARTER, CAE**  
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“I would encourage everyone to leverage not just the tangible programs and services ALA offers but also the intangible benefits of friendships and relationships you have within ALA.”

## Ordinary Actions Making an Extraordinary Impact

There is a quote attributed to the world-renowned scientist George Washington Carver of Tuskegee Institute that says, “When you do the common things in life in an uncommon way, you will command the attention of the world.” I was born and raised in Tuskegee, Alabama, and grew up seeing and learning this quote throughout my childhood and adolescence, so much so that I now internalize it as a guiding principle of my life.

As we launch into another year, we might marvel at (or perhaps lament) how quickly the previous year went by. The adage, “the days are long, but the years are short” seems more poignant at the beginning of each year as we resolve to accomplish something that we’ve never done before. The top five New Year’s resolutions of 2023 are all familiar and quite common to most of us:

1. Exercise more
2. Eat healthier
3. Lose weight
4. Save more money
5. Spend more time with family and friends

What would happen if we just focused on doing the same things that most everyone does but doing them more spectacularly or, as Dr. Carver might say, doing them in an uncommon way?

No doubt, life’s circumstances and events happening in the world around us often lead us into uncharted waters. But one of things I have learned and come to appreciate since becoming the Executive Director of ALA is the determined and resilient spirit of the ALA community.

The challenges ALA members face and overcome, the knowledge and mental strength that they build to be successful in their profession, and how generously they volunteer their time to serve on committees and as mentors are the foundational stones on which ALA will continue to grow and thrive. When you add the resources, camaraderie, and the diversity, equity, inclusion and accessibility (DEIA) focus ALA delivers, we realize how much ALA is committed to adding value to members' lives no matter what challenges we face.

Since joining the ALA team, I have witnessed and experienced firsthand the joy and commitment of ALA members, business partners and staff — the way everyone is welcomed and embraced as part of the ALA family with graciousness, hospitality and generosity has left an indelible mark on the organization. The common values and shared purpose have brought members together to form a community of like-minded individuals who care deeply about their peers and are committed to growing as professionals and as human beings.

Witnessing how ALA staff and volunteers work together to create and respond to the opportunities to support members' needs has been beyond impressive. Whether it is learning from and engaging with each other at in-person or virtual events,

sharing knowledge and offering encouragement through the Online Community, or contributing to the content of educational resources — all are testaments to the passion the ALA community has.

Working closely with the ALA staff, seeing the professionalism, insightfulness and integrity they bring to every project, is an example of their absolute commitment to keeping ALA resources and services at the forefront of our Association.

I would encourage everyone to leverage not just the tangible programs and services ALA offers but also the intangible benefits of friendships and relationships you have within ALA. Perhaps we will be able to benefit from messages and tools that help us reach our goals, motivate us to take action toward a greater goal, and implement ideas that inspire us to take what we've learned and create something extraordinary for ourselves and others. Together, we can move forward and command the attention of the world.



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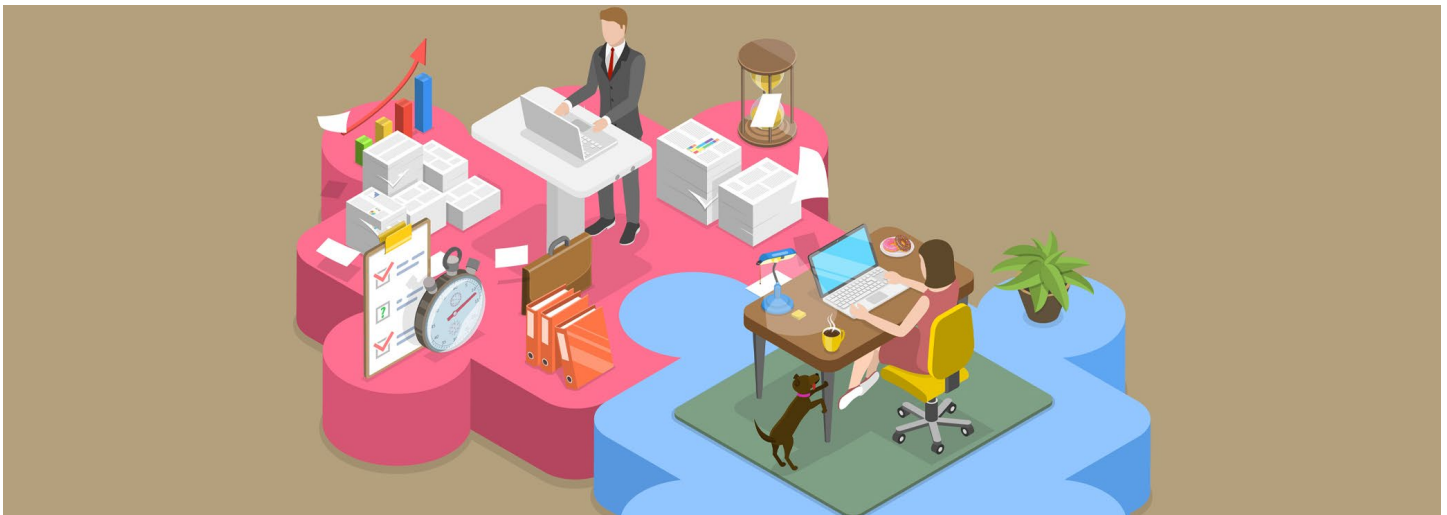
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DAN CARMEL

Chief Strategy and  
Innovation Officer  
iManage

# Rethink the Tools You Use in the Hybrid Workplace

If recent reporting by *The New York Times* is any indication, the jury is still out as to when a full return to office will occur. This means that the hybrid work models that law firms and corporate legal departments adopted over the past couple years are unlikely to go anywhere anytime soon.

In this new landscape, legal organizations need to rethink what systems they're using to accomplish their knowledge work. If they simply take the same approach as in the "prehybrid" days, they will compromise their ability to continue delivering superior outcomes.

## THE HYBRID WORK EFFECT

As any lawyer or legal professional can tell you, their work requires judgment and creativity in achieving some sort of high-value goal or outcome, whether that's minimizing risk in a contract or negotiating the best possible agreement.

The work involves interpretation of complex laws and rules and consultation with senior staff or experts who have relevant experience. There may be best practices in how to carry out the work, but those are a starting point, not a how-to guide.

A hybrid work environment throws some sand in the gears for this type of collaborative and knowledge-centric work. Since people come into the office on different days — if they come in at all — there aren't as many opportunities to pop your head over the cubicle wall or step into someone's office to ask a question, hold an ad hoc meeting or get a quick project update.

Certainly, a range of different tools have sprouted up to help close this gap — rare is the legal professional who isn't familiar at this point with collaboration tools like Zoom,

“The advantages of this integrated approach can be seen across multiple hybrid work scenarios. Legal professionals need to be able to draw upon the collective intelligence of the organization — which is both its best people and best previous work product — in order to do their best work.”

Slack or Teams, or project management tools like Hive or Asana — but these tools come with their own challenges. For starters, professionals now need to constantly monitor multiple tools and multiple channels within those tools simply to stay on top of things.

Then there are the concerns around privacy, security and governance now that work is no longer conducted within the four walls of the office. As tools proliferate, there are new risks to deal with around the sensitive content being managed by those tools, whether that means controlling access or ensuring compliance with new regulations like Europe's General Data Protection Regulation (GDPR).

Addressing these challenges is key for legal organizations to successfully engage in knowledge work and collaboration in today's hybrid environment.

## GAINING VALUE AND SECURITY

One of the biggest ways that technology can support successful knowledge work and collaboration in a hybrid work environment is by integrating disparate forms of content or knowledge — documents, emails, transcripts, etc. — into a “single source of truth.” This leads to a knowledge work platform approach where case management or document management forms the core, but email, collaboration, knowledge management and other elements are also tightly integrated.

The advantages of this integrated approach can be seen across multiple hybrid work scenarios. Legal professionals need to be able to draw upon the collective intelligence of the organization — which is both its best people and best previous work product — in order to do their best work. By analyzing the historical content, messages and other knowledge assets in a single source of truth, today's knowledge work platforms can actively surface both organizational knowledge and expertise.

By enriching this content through advanced technologies like social graph, AI-based classification, statistics and more, a knowledge work platform enables deeper and more relevant searching, which produces results with less “noise” and greater relevance. This ultimately improves the quality and consistency of a firm's work product. For example, by analyzing each user's connection to and interaction with documents and emails, the system can identify who the most qualified experts are for given topics. Billing data — as well as case data from Thomson, Lexis or Practical Law — can also be integrated to enable even deeper searching and analysis.

Integrated matter-centric checklists are another innovation that can aid knowledge work in a hybrid environment. A case or matter checklist can be thought of as a best-practice template



for a specific transaction or litigation type. It has the advantage of being able to be shared around the globe, ensuring that all teams follow firm best practices and client service is consistent even if no one is in the office. Checklists answer the question “where are we with X?” by providing a single dashboard of all tasks and statuses, keeping everyone in the know with minimal disruption, thereby closing a key hybrid work gap.

For all of the above, security and governance are paramount. A knowledge work platform that seamlessly integrates security policies and ethical walls creates an integrated “need-to-know” security environment that allows content to be shared in a safe and protected manner. In this way, greater knowledge sharing occurs while ensuring that only those with proper permissions find, access or see restricted content.

Additionally, secure work from anywhere is now a fundamental need in business, and an integrated platform enables much more comprehensive governance and security on mobile devices and popular tablets, addressing an intrinsic security challenge that comes with the hybrid work environment.

When it comes to the knowledge work that legal organizations revolve around, the proper systems and technology are crucial if legal professionals are to continue effectively collaborating with one another in the hybrid environment.

More than ever, successful collaboration requires a safe, mobile-enabled platform that securely connects people who are physically disconnected and taps into the firm's collective intelligence to make it available to everyone at any time. Firms that address these issues will gain a competitive advantage and succeed in this new world, at the expense of those that do not.

### ABOUT THE AUTHOR

**Dan Carmel** is Chief Strategy and Innovation Officer at iManage, where he leads strategic product direction, product design and development, product management, and go-to-market initiatives for iManage's Knowledge Work Platform.

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**HEIDI K. GARDNER, PhD**  
Co-Founder, Gardner & Co.

**CLINTON GARY**  
Chief Growth Officer, Gardner & Co.

# How Legal Administrators Can Get a Seat (and Voice) at the Strategy Table

**It's an annual ritual. Around this time, an executive or strategy committee meeting is held to discuss priorities for the year ahead. As a legal management leader, you'd love to be in that session.**

But with limited seats available, how can you get a seat? And then how can you make sure you're heard? This all depends on your perceived value to the managing partner or committee chair. This article will give you several practical ideas for demonstrating your value and becoming an indispensable part of the strategy team, whether "chief" is part of your title.

## FIRST, WHY DO YOU WANT A SEAT AT THE TABLE?

Most legal administrators and operations managers want leading roles shaping their company's strategy and initiatives. They know effective collaboration (what we call smarter collaboration) generates various benefits for them and the organization. Based on over a decade of research at Harvard University, these smarter collaboration outcomes include:

- » Higher revenue and profit
- » Better talent engagement and retention
- » Faster innovation
- » Deeper client relationships
- » More efficient processes

“The strategy table is not big enough for everyone. But if its members deliver good representation and insights from across the firm, senior executives have greater confidence they are acting on behalf of their employee base.”



When you collaborate effectively — including with strategy setters in your organization — you achieve solutions that are multifaceted and optimal for a wider range of people (employees, clients, customers, partners, patients, suppliers, citizens, etc.). Challenges and opportunities have been considered from more angles — including your perspective as someone focused on running a successful practice.

## NOW HOW DO YOU GET A SEAT AND VOICE AT THE STRATEGY TABLE?

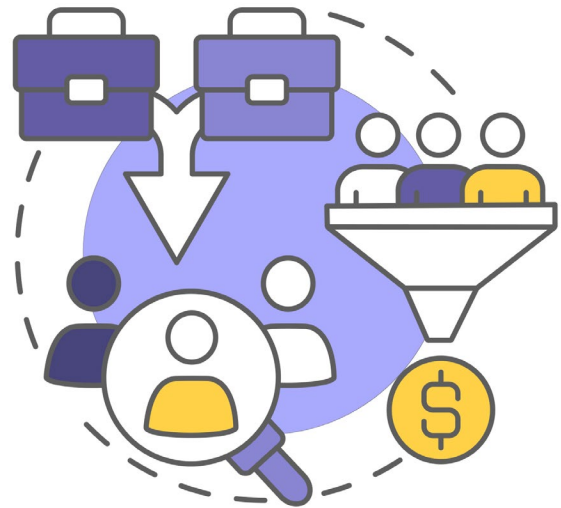
Getting a seat at the strategy table isn't easy, let alone making sure you are heard by others. Our combined research at Gardner & Co. surfaces achievable steps legal administrators can take to boost their chances of being brought into the company's inner circle. Let's take a look.

**1. Build your network in the company:** In addition to subject matter expertise, senior executives are looking for team members offering "representation." By that we mean they have a true pulse on people within their firm — whether it's a group they manage or a broader set of colleagues.

Let's be honest: The strategy table is not big enough for everyone. But if its members deliver good representation and insights from across the firm, senior executives have greater confidence they are acting on behalf of their employee base. As an example, a chief operating officer might primarily work with practice leaders and rainmakers. But this could be extended to office managing partners across different geographics. Or a chief human resources officer might work most with leaders across offices and practices. But they could also cultivate a strong network of associates. Identify key people across a broader group and make time to collaborate with them, building trust and getting them to share their perspectives on culture, operations and more.

**2. Launch and "sell" high-impact initiatives:** Another way to boost your attractiveness to the C-suite and board is by implementing programs that advance the strategic priorities of the firm. These priorities could be revenue growth, operational efficiency or employee engagement, for example.

But this isn't enough: You must also show that a diverse group supports the initiatives and participates in their identification and development. This group could be strictly within your organization or also with peers outside of it. For example, collaborating with other members of ALA could give you access to best practices for a specific investment (for example, a new CRM system or employee perk), helping you maximize success and minimize risk. Together, these different collaborations breed support and achievement, catching the attention of your company's top leaders.



**3. Integrate talent:** Talent retention is an important component of your organization's health and performance. If you can help new hires adjust to and thrive in their new environment, you will stand out among your fellow leaders. This might mean bringing them onto a core company project that leverages their strengths, or meaningfully introducing them to your colleagues so they can benefit from their expertise going forward. Or perhaps it leads to sitting down with them to explain the company's values and cultural principles and how they are manifested in day-to-day work.

Whether the new employees are administrative staff, associates or lateral hires, your role in engaging and retaining them will once again set you apart. Senior executives will want to tap into these skills for the benefit of the larger company.

You play a critical role in how your legal organization functions and thrives. These are just a few ideas to help you remind key stakeholders that you belong at the strategy table.



### TUNE IN FOR MORE ABOUT LEADERSHIP WITH LEGAL MANAGEMENT TALK


In a recent episode of *Legal Management Talk*, we sat down with Heidi Gardner to talk more about what qualities make a good leader in the post-pandemic era. We also discuss how collaboration can help managers work through many of the issues law firms face today, as well as how a compassionate approach toward your employees can boost productivity. Give it a listen at [alanet.org/podcast](https://alanet.org/podcast).

## ABOUT THE AUTHORS

**Heidi K. Gardner, PhD**, is a sought-after adviser, keynote speaker and facilitator for organizations across a wide range of industries globally. Named by Thinkers50 as a Next Generation Business Guru, she is a Distinguished Fellow at Harvard Law School and former professor at Harvard Business School. She is currently the faculty chair and instructor in multiple executive education programs at both institutions. Gardner works extensively with her team at Gardner & Co., partnering with boards, executive teams and other senior leaders to boost performance by embedding the principles and practices of smarter, agile, cross-silo collaboration within those groups and across the broader organization and ecosystem. Her latest book with Ivan A. Matviak, *Smarter Collaboration: A New Approach to Breaking Down Barriers and Transforming Work*, offers more ideas on cultivating smarter collaboration.

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**ROSS FISHMAN, JD**  
Chief Executive Officer  
Fishman Marketing

“Leading law firms are spending time and effort on both visibility-enhancing marketing efforts as well as business development activities.”

## Marketing Tips to Weather Economic Headwinds

**Here's some nonbreaking news for you: The law is a challenging and competitive profession. The COVID-19 pandemic shattered segments of the economy, as previously successful industries downsized or collapsed. The small businesses that many law firms rely on struggled or failed.**

COVID was *terra incognita*; we'd seen recessions before, but nothing like this. The pandemic weakened the economy, and law firms promptly tightened their belts. Many firms fired or furloughed personnel and slashed compensation. Then in 2021 things suddenly turned around and legal work came roaring back. Business boomed. The biggest marketing challenge became recruiting, as 2020's clogged pipeline burst wide open and there were more deals to do and lawsuits to file than lawyers available to do them.

As we start 2023, talks of a recession loom large again. Legal work seems to be slowing again and firms are discussing or undertaking new “rightsizing” layoffs. Professional survival today means 1) building a wall around your existing clients, and 2) *growing* them where possible, ideally into new practice areas. It also means: 3) converting more prospects into clients, and 4) standing out as a leader in your field, to attract more referrals as the go-to lawyer for some target audiences.

Economic uncertainty makes traditional client-development challenges even more challenging. There's less legal work out there than there was just months ago. And many of the tools in a 2019 rainmaker's pre-pandemic toolkit don't currently apply or have morphed into something else. It's time to develop new tools or learn to use the modern ones more effectively, like using Zoom for networking, social media for outreach, and webinars for brand building.

Legal marketing professionals need a simple, practical, and detailed guide to follow — a step-by-step list of precisely what marketing and business development activities to undertake under this new and shifting reality. Building or strengthening your marketing platform now will help prepare you for whatever comes next. Your expertise can help your attorneys grow practice areas and make you indispensable to the firm.





Here's where to start.

**1. Host a marketing refresher course.** Leading law firms are spending time and effort on both visibility-enhancing marketing efforts as well as business development activities. With that in mind, it's likely a good time to hold a marketing training or refresher course for your attorneys. Put together (if you don't already have one) a presentation or a guide to help your lawyers brush up on the skills they'll need to navigate the challenges presented by the current environment.

**2. Shift to a focus on helping people, not looking for legal work.** You want the firm's lawyers to be viewed as knowledgeable, caring, trusted advisers — not needy salespeople. Those close relationships will turn into clients should they need to hire a lawyer. Which brings us to the next critical marketing step: **networking**.

**3. Train them on how to network.** Networking is a learned skill. It's not difficult, but many of the required behaviors are counterintuitive to most lawyers. In all your networking, remember, as Dale Carnegie famously wrote 80 years ago in *How to Win Friends and Influence People*: "It's better to be interested than interesting."

That is, be interested in them and in facilitating their success more than being the center of attention. Just because the stereotypical rainmakers are gregarious doesn't mean that's why they get hired. Being outgoing can make it easier for them to stand out and grow their network. But they tend to get hired because they are good at *listening* and finding ways to help people solve their problems. *That's* the secret. Or, as my father used to say, "When you're talking, you're not selling." The fact is, the best networking conversations are brought in by listening, not talking. Consider bringing in an outside expert to help attorneys fine-tune these skills.

**4. Consider a client-development coach.** Building relationships with clients will be more critical than ever. You may want to bring in an outside professional who can help you one-on-one. Plans are easy, but execution is hard. The right coach can answer questions, provide ongoing guidance and support, and keep you on track.

For lawyers who are able to adapt, chaos can create enormous opportunity. You can play a critical role in getting the lawyers ready — and helping your firm's bottom line.

We're all in this together, and together we'll survive — but your career is in your own hands. Devote the time now and you can be ready for anything. I think that's exciting.

This content was developed and excerpted with permission from Ross Fishman's book, *The Ultimate Law Firm Partner's Post-Covid Marketing Checklist: The Renowned Step-By-Step Process for Lawyers Who Want to Develop Clients*.

#### 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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PHILLIP M. PERRY

Freelance Business Writer

“More conflicts are arising in the workplace now because of how polarized we are as a society. The problem is that we’re yelling at each other, and we’re creating a space where anger and a lack of listening is prominent.”

## Managing Conflict in Divided Times

*With such a polarized society, disagreements will inevitably spill over into the workplace. Here’s how to preempt any repercussions.*

This is a story about workplace openness and inclusion.

And blowback.

As a growing number of legal organizations encourage staff members to bring their whole selves to work, more people are sharing their feelings about society’s hot-button issues. Sharing too often leads to disagreement, and then to arguments over politics, racial justice, reproductive rights, immigration policy, gay rights and religious diversity.

“More conflicts are arising in the workplace now because of how polarized we are as a society,” says Michelle Silverthorn, a diversity consultant and Chief Executive Officer and Founder of Inclusion Nation. While disagreement is fine, emotions can get out of hand. “The problem is that we’re yelling at each other, and we’re creating a space where anger and a lack of listening is prominent.”

Workplace sparks can transmute rapidly into blazing fires that burn into organizational efficiency and profitability. According to a recent Financial Times report, “an upsurge in disputes between individuals of opposing views” has led to workers asking managers to fire colleagues “because they don’t fit.” It added that some candidates are walking away from job opportunities “because they don’t feel aligned with the organization’s values.” And this from the Society for Human Resource Management: “41 percent of U.S. employees have quit jobs at some point because they felt their values were being stigmatized.”

**"Employees need to know that the purpose of good company policies is to have an effective workplace, not to simply comply with the law. The organization is paying attention to this topic because inequality and discrimination can harm the company."**

So, what can a law firm do to keep the organizational pistons pumping? While it's tempting to ban discussions of hot topics, the policy can backfire, says Silverthorn. "I would be very wary of having a policy that says something like, 'We don't discuss politics and religion.' That position reflects a standard that may have worked very well for people in the past, but no longer works for everyone — especially those looking to be included today. The fact [an employee is] praying five times a day, or fasting, is part of who they are, and asking them to not bring that into work is like asking them to not bring themselves into work."

Indeed, recent attempts by some high-profile companies to ban fraught topics from the workplace water cooler have triggered employee walkouts. For Millennials and Gen Zers in particular, says Silverthorn, politics is a part of life. They expect employers to take positions on the important issues of the day.

Nevertheless, law firms can introduce policies and procedures to help obviate and resolve workplace disputes. An effective program starts with an understanding of why diversity matters.

"Law firms need to identify their business value proposition for committing to inclusion," says Silverthorn. "If you just state that 'It's a nice thing to do,' then you're not really giving a good reason. Why does it matter for you as an organization to have people bring their whole selves to work, to allow them to rise and thrive and succeed in your workplace? And have you conveyed that proposition to your employees?"

There are many good reasons for diversity, says Silverthorn. For starters, it makes people more engaged and lets them perform at their best and own their work. It also helps them understand they have autonomy and are free to engage their best skills. Moreover, organizations with good reputations can attract more "A players," and fair treatment can keep them from jumping ship.

"People very often leave companies because they feel they are simply being tolerated rather than included," says Bob Gregg, Co-chair of the Employment Practice Law Group at Boardman and Clark LLC. "A toxic environment can lead to constant hiring and retraining of replacements for people who leave."

## PRACTICAL STEPS

While communicating organizational values to workers is essential, so is distilling them into practical actions. Firms can start the process by determining what inequities exist in the organization and designing steps to rectify them. Talking about the topic can help. Some organizations have established so-called "town hall meetings" to do just that. These should be real tools for improving operations — not just for paying lip service to equality.

If a structured conversation is a good idea — or maybe a necessity — it's also true that careful planning is required to pull it off. One size does not fit all.

"Your business might benefit from a meeting to discuss race relations," says James J. McDonald Jr., Managing Partner at the Irvine, California, office of Fisher & Phillips. "But you have to know your workforce. Are people upset? Are they talking about racial matters to such an extent that you feel a meeting might be cathartic? Then I think having an open discussion and letting people be heard might be worthwhile. But you need someone to lead it who will require respect on the part of attendees. And bear in mind that in some cases a meeting might lead to more tension and make matters worse."





The forward-looking law firm will take steps to reengineer any policies and practices riddled with hidden biases. “The most important thing for every business is to establish antidiscrimination and antiharassment policies,” says Yvette V. Gatling, a shareholder in the Tysons, Virginia, office of Littler. “They should cover all aspects of employment including hiring, evaluations, promotions and raises.”

Then, make sure everyone realizes the policies exist to ensure fairness and profitability. “Employees need to know that the purpose of good company policies is to have an effective workplace, not to simply comply with the law,” says Gregg. “The organization is paying attention to this topic because inequality and discrimination can harm the company.”

At a minimum, your written policy should:

**Prohibit insensitive statements.** “People need to understand they have a duty to avoid making racially charged jokes or comments,” says Gregg. “And if they see a coworker doing either, they must speak up and say, ‘Hey, look, that is not appropriate for our workplace.’”

**Not be blind to bullying.** “Courts have said repeatedly that bullying is the glide path to harassment under the law,” says Gregg. “While it may not at first mention race or sex, as bullying continues, people will start to pick up on the fact that it’s happening to individuals who belong to certain groups.”

**Require reporting.** Calling out bullying or harassment in real time isn’t enough. It also needs to be reported through the appropriate channels. Employees should understand that they are required to report anything they experience (or see) in the workplace that may relate to harassment or discrimination.

**... then require a response to reports.** “Ignoring a report of harassment or discrimination can put your business in legal jeopardy,” says Gatling. “You should do a thorough investigation, which means talking to every witness possible. Then you should take action on the results. You also should keep good documentation on how you investigated, and to get back to the victim to let them know what has transpired.”

**Prohibit retaliation.** “People need to know there will be no consequences if they come forward with a report about harassment or discrimination,” says Gatling. “While the law prohibits retaliation, it’s always helpful to remind people and supervisors of that fact and of your organization’s policy prohibiting it.”



## SPELL IT OUT

Hot-button discussions are nuanced. Your communication about policies should not be. Employees need to understand where your firm stands, so effectively communicating policies is critical.

While having the right diversity and inclusion policies are vital, they also must be communicated adequately to the staff. Including them in the employee handbook and on the company intranet is a good start, but it’s not enough. Employees should sign statements that they have read the policies as opposed to just receiving a gloss about them during orientation. Everyone needs to understand and accept the principle of “disagreeing well” — stating one’s position in a civil manner and behaving with respect toward colleagues.

Firm leadership and managers must buy into the policies and understand how to implement them. And they need to set the right example, avoiding careless remarks about modern-day societal events that might on the surface seem innocent but can spark misunderstandings.

Enlightened communications and respect toward others — combined with a carefully designed and implemented diversity and inclusion program — can obviate resentments and foster a more collegial atmosphere. The result can be more effective teamwork, a more efficient workplace and a more profitable law firm.

## 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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“Firms are paying a lot more attention to brand building,” Fontaine says. “The recruiting professionals within the firms need to encourage their marketing people to be thinking about messaging that promotes recruiting, as well as client and business development.”

# Staying One Step Ahead of Talent Demands

*Vital position suddenly opens up? Be prepared with these passive recruiting tips.*

**When a key law firm or department member leaves, the resulting vacancy can pose a threat to both productivity and profitability.**

To minimize any related downtime, firms and in-house entities must be able to quickly locate a qualified replacement. Utilizing a passive recruiting approach to find candidates long before there’s a need to hire them can help.

Numerous industry members recruit on an ongoing basis, continuously unearthing future candidates — including Farrell Fritz, comprised of approximately 70 attorneys. Managing Partner Bob Creighton says relationships with recruiting firms, clients and other entities can help yield hiring options.

“The best way to try to identify candidates is to have an integrated, multipronged effort to stay in touch with as many people as you can — and keep the word out about your firm’s desire to grow and the opportunity your firm offers candidates,” says Creighton. “So when they’re thinking of changing jobs, your firm is front of mind.”

If your organization has historically relied on launching candidate searches solely when a hiring need arises, the following practices can help you more proactively prepare to fill critical roles.

## 1. STRENGTHEN YOUR EMPLOYER BRAND

In addition to soliciting resumes through a career page on their website — regardless of whether there’s an opening — a number of employers are encouraging their recruiting and marketing professionals to work together. The goal is to find ways to convey the organization’s employee experience, according to Valerie Fontaine, a Partner at legal search firm SeltzerFontaine.

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**“Firms are really looking at pipeline opportunities where they are working with colleges or even high schools and providing programs for people who think they might want to join the legal profession.”**

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“Firms are paying a lot more attention to brand building,” Fontaine says. “The recruiting professionals within the firms need to encourage their marketing people to be thinking about messaging that promotes recruiting, as well as client and business development.”

Social media posts can extend beyond just job listings. For instance, Fontaine says sharing information about attorneys’ pro bono achievements on venues like LinkedIn and Instagram can potentially help raise a firm’s public profile.

“Talk about some of the successes the firm has had or new areas of law it’s getting into,” she says. “Make sure you are highlighting the achievements of your diverse attorneys so you appear welcoming to all kinds of folks out there. If you hire somebody, make a big deal in the press about it. Potential candidates need to know you are a firm that’s on the move and growing.”

The marketing department at Creighton’s firm regularly posts items on LinkedIn and other social media outlets, ranging from substantive information about published articles to notifications of events firm members are scheduled to speak at.

“All of that is designed to just keep the firm’s name and brand in front of others, so if people are looking at Farrell Fritz, they’ll be able to see all of that information on a relatively current basis,” Creighton says. “It creates some degree of buzz in the community when the firm is hiring. We hope that may make people more inclined to inquire about opportunities here; that definitely does happen.”

Donaldson and Weston’s HR Manager, Heather LoGalbo — who Partner Dante Weston says has more than a decade of experience in the human resources field — catalogs information about candidates the firm encounters. The HR Manager tags elements such as whether a person might be someone to consider for future roles.

“One of the benefits of having an HR manager is possibly you meet someone today that you want to hire six months from now — making sure you keep track of that,” Weston says. “Both on the administrative side as well as the recruiting side, it’s hugely helpful. Instead of me perusing the internet, trying to look for the right sites to post on, she knows there are sites available where she can post one ad,

and it’ll go to 10 or 20 locations. It’s really helped us create a digital presence.”

## 2. INCENTIVIZE EMPLOYEES TO HELP

Attorneys and support staff members can help increase the exposure of a social media post from the organization, too.

“They certainly should at least like it; possibly reshare it; [or] make a comment — like, ‘Welcome, we’re so happy to have such and such here;’ ‘This was a really exciting win;’ or ‘I’m so proud of my firm to be part of doing this good thing in the community,’” Fontaine says.

Employees can also take a more direct role in passive recruiting by suggesting possible current or future employment candidates. It’s a type of input employers may want to encourage.

“When [employees] make a referral, the likelihood it’s going to be somebody who will be attractive to the [organization] and successful are higher than just somebody coming in cold,” Fontaine says.

Donaldson and Weston sponsors an ongoing incentive plan to obtain referrals from within the firm. Current employees receive a bonus if their recommendation is eventually hired and are paid another bonus when the new hire completes 90 and 180 days with the firm.

“It’s one thing to a hit a number — we need five people, so let’s get these five,” Weston says. “But it’s another thing to balance that out with making sure they’re good fits and quality candidates. We pay [the employee] a retention bonus to not only try to find someone who will maybe apply for or take the job, but also to work with [the new hire] to make sure they onboard as efficiently as possible.”

Attorneys, paralegals and other staff members have submitted hiring suggestions — former coworkers, people they knew in law school — who Weston says have largely been good hires.

“They’re taking more of a role in recruiting,” he says. “They’re out, they’re about, they know colleagues at other firms. We have probably a dozen people that have come through the referral process currently. What we’ve found is



“We stay in touch on a regular basis with the recruiting firms we work with. They know to generally present candidates because when the right people come along — whether or not we were actively looking to recruit in that space — we’ll be pretty opportunistic at trying to hire [them].”

candidates hired through the referral program end up getting promoted quicker to higher positions than those that come in without knowing anyone.”

### 3. INTERACT WITH FORMER EMPLOYEES

Creighton says the alumni network Farrell Fritz has sponsored for more than a decade has helped the firm remain in contact with former employees. They have a dedicated portal on their website and host social events that current employees also attend.

“We think it’s a smart thing to do for a lot of reasons,” he says. “Those lawyers are all now working in other law firms or businesses, and they could refer work to us. They could be good resources from a recruiting perspective, because if they come across people looking to work in Long Island or in New York, they can refer those people to us; that’s happened quite a bit.”

Keeping former employees updated about what the firm or legal department is up to and inviting them to participate in webinars and other events can result in positive feelings that alumni may pass on to others in the industry, Fontaine says.

“The reason you want to have alumni groups is multifold,” she says. “One, just to let potential candidates know this is a community-friendly, caring place; we wish you the best, regardless of where your career takes you — and it’s brand building. Another way of [passively] recruiting always has been word-of-mouth [information sharing]; you want that word-of-mouth to be regular and positive.”

Fontaine has also noticed an increase in boomerang hiring, where, after leaving a job, employees work for their previous employer a second time — which offers clear advantages.

“People are returning,” she says. “Your alumni know the folks — the culture, the ins, the outs and what works and doesn’t at your firm. Be nice to them on the way out, and when they’re leaving, let them know you’d be happy to hear from them in the future, if they might entertain returning. Sometimes firms lose people they don’t want to lose. You want to make it easy for them to come back.”

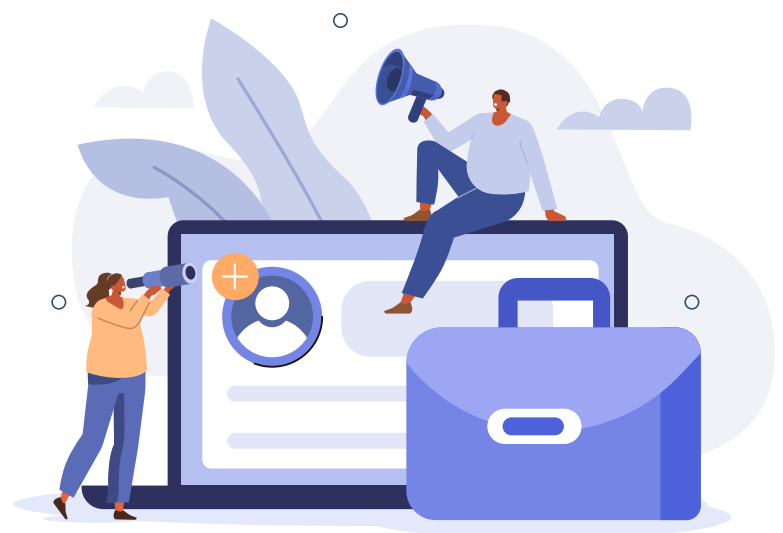
### 4. DEVELOP A TALENT PIPELINE

Pinpointing anticipated future hiring needs — and actively helping to prepare a pool of candidates to meet them — can also shorten hiring time. A number of industry members, according to Fontaine, have undertaken outreach efforts to help encourage and develop future industry members through workshops, career fairs and mentoring programs.

“Firms are really looking at pipeline opportunities where they are working with colleges or even high schools and providing programs for people who think they might want to join the legal profession,” Fontaine says. “There’s been a lot of concentration of those kinds of efforts for [diversity, equity and inclusion] purposes, as well.”

Farrell Fritz supports some local law schools through scholarship funds, Creighton says, which has provided opportunities to engage with the institutions and students. The firm also has uncovered solid candidate options through correspondence it receives from recruiters.

“Our two go-to firms have worked with us for a long time, so they do a good job screening and present really good candidates to us, both at the associate and partner levels,” he says. “When you’re getting unsolicited email blasts, more often than not they’re candidates we pass on, but occasionally, we find some we’re interested in talking to.”



Professional organization initiatives — such as community bar programs — can be a source of new talent, Fontaine says. Farrell Fritz firm members are encouraged to be involved in their community, according to Creighton. In fact, he says the majority of its lawyers are part of a bar or civic association or philanthropic organization.

“The not-for-profit community is really vibrant on Long Island,” Creighton says. “We are engaging it, really, because it’s consistent with our core values, but those relationships have far-reaching effects. Often, we get opportunities to talk to people who are looking for jobs because they’ll talk to a friend who knows somebody at Farrell Fritz. That will lead to opportunity for us.”

No law firm or department can flawlessly foretell the future. Even with the most arduous planning, some may find they’re unprepared to fill key positions. One potential solution is to shift the organization’s talent supply ahead of its present demand — a successful approach Farrell Fritz has employed.

“We stay in touch on a regular basis with the recruiting firms we work with,” Creighton says. “They know to generally present candidates because when the right people come along — whether or not we were actively looking to recruit in that space — we’ll be pretty opportunistic at trying to hire [them]. Taking the view that if you build it, they will come: If we hire good lawyers, we’ll get the work. We’ll be able to support that. We really try not to miss opportunities to hire the right candidates.”

#### 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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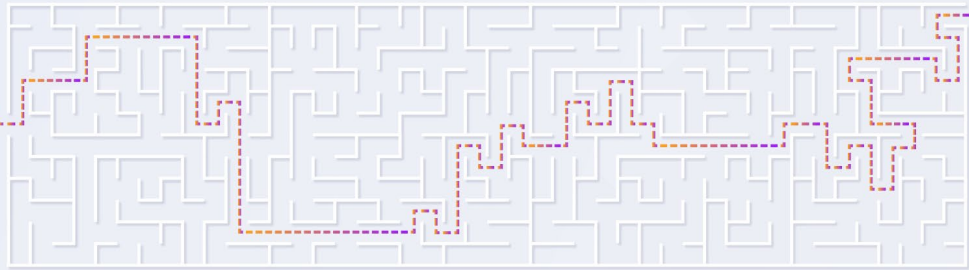
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PAULA TSURUTANI

Freelance Writer and Editor

## Navigating a Path to the C-Suite

*As law firms continue to hire C-Suite professionals to drive business operations, earning your CLM designation will help advance your career.*

**For Karie Rivkin, CLM, the plan had always been to obtain her MBA, but working full-time while raising three children and other life events forced her to place that goal, at that time, on hold.**

“For even the most seasoned leaders, the CLM preparation materials provide relevant legal industry and management expertise for continued professional growth and development.”

“Still wanting something more, the [Certified Legal Manager (CLM)]<sup>®</sup> designation seemed to be my logical and natural next step,” says Rivkin, who is the Chief Financial Officer (CFO) at Eichelbaum Wardell Hansen Powell & Muñoz, PC, and a Director on ALA’s Board of Directors. “Since the CLM is an ALA offering — and ALA is recognized in the legal industry — the credential would help validate my expertise.”

Though already responsible for guiding the strategy and vision of the firm’s future, the CLM credentials provided her the opportunity to update her title from Firm Administrator to Chief Financial Officer. It validated her skills.

It’s an example of how the way firms approach business has drastically changed in recent years. One notable change that’s pertinent for legal management professionals? Relying on C-Suite level positions to drive the business part of the law firm and leaving lawyers to do what they do best — practice law.

As Rivkin’s story illustrates, expanding your professional development is an important way to enhance your C-Suite credentials and make yourself more valuable to the firm. The CLM certification is one meaningful way to sharpen skills and demonstrate expertise.

“For even the most seasoned leaders,” says Rivkin, “the CLM preparation materials provide relevant legal industry and management expertise for continued professional growth and development.”

The CLM exam is rigorous, designed to test the mastery of core competencies needed to be an effective administrator. In other words, it's an excellent foundation for those looking to advance their positions within the firm.

While it can be a good place to start in your C-Suite journey, there are other things to consider, too, according to Matthew Sullivan, Executive Vice President, Finance and Operations, at Sullivan Law and Associates, and Founder and Chief Executive Officer (CEO) at Unravel Legal. (He also serves as a member of ALA's Professional Development Advisory Committee.)

"To be successful in a C-Suite position, you need to assess situations at a very high level and operate strategically — weighing options, assessing risks and making calculated decisions based on all the information," says Sullivan. "Cultivating this skill does not come naturally to many — especially administrators — who are used to doing and handling the nuts and bolts of the business."

Maybe you're interested in expanding your knowledge in the field and learning how to take on a more strategic role in your legal organization. Or, perhaps, you'd like to set your career course on a C-Suite track. Or maybe, like Rivkin, you are already doing many of the tasks required of a C-Suite position — but you just need that extra piece to demonstrate your expertise to firm leadership. Whatever your course, here's how earning your CLM can bridge the gap to get you to the next step.

## BE STRATEGIC IN THINKING AND POSITIONING

Developing a strategic skill set requires experience, managing shoulder-to-shoulder with leadership and learning on the job. However, if you're not in the position of making strategic decisions just yet, you still can "play out the scenarios in your mind, much as a bench coach would in baseball with the team manager," says Sullivan.

Communicating your readiness and willingness to move out of your comfort zone is another important step. A recent article about transitioning from upper management to the C-Suite noted that gaining the attention and trust from current C-Suite occupants is one of the first steps managers can take. That means raising your hand to take on more responsibility. Although you may not be ready to advance right away, the point is to demonstrate your potential and create — not just measure — value at the firm.

In Rivkin's case, she was already doing that. She had a seat at the table and was involved in the firm's forward-looking planning. But the education and courses in preparing for the CLM exam provided her with new ideas — for example, for preparing budgets and calculating future profitability.

Rita Nielsen, CLM, PHR, SHRM-CP, is an Office Administrator at Locke Lord LLP, and CLM Director for the Chicago Chapter. "It is a well-respected certification within the legal field," says Nielsen. "It is an important bridge to upper management."

In a field that's quickly evolving, the continuous learning required to keep your CLM (much like attorneys do with continuing legal education credits) means those with the designation regularly broaden the perspective they bring to work. It can help in unexpected ways, including how you handle challenges at work.

"Try not to say no," says Nielsen. "Before thinking something cannot be done, think it through. Tap into other resources within the firm because you may likely find a way to make it work."

Additionally, ask questions and gather facts. Rivkin says that she often relies on business partners for solutions. "It takes a team. I cannot possibly know everything and that's where our trusted business partners come in. They might suggest an alternative to consider (sometimes even recommend not to move forward) or a product not yet released that would be even better allowing you to alter or delay your project."

Considering all options and presenting the results in a well-communicated document is a critical step, because for C-Suite professionals, it isn't just about execution, it is the strategy, analysis and reasons supporting the project or plan. The CLM course materials and the required continuing education provide educational opportunities to develop these skills and "it proves you have mastered a range of management skills and are competent to take on a more strategic role in the business of law," says Rivkin.





**"To be successful in a C-Suite position, you need to assess situations at a very high level and operate strategically — weighing options, assessing risks and making calculated decisions based on all the information."**

## GET A MENTOR OR SPONSOR

Law firms often roll out elaborate mentoring programs for their associates, citing the benefits to both mentors and mentees, and the importance of mentors in professional development, client service and succession planning. Likewise, mentoring within the administrative ranks can produce equally positive results and could help retain high performers, ensuring greater operational stability and continuity.

Since formal, internal mentoring programs for administrators are scarce, identifying and working with a trusted mentor or group of sponsors needs to be a priority for legal managers aiming for the C-Suite. Such career advisers serve as advocates, act as a sounding board and provide feedback about professional development. Often, these mentors may be professionals working outside of the firm.

Sullivan credits his father-in-law who, in a mentor role, helped him think differently. After finishing law school and being trained to "think like a lawyer, he took me under his wing to [teach me] how to think analytically and strategically like a businessperson," says Sullivan. "As you may have guessed, he did not work in the legal industry."

Tap into your ALA network, too. If you decide the CLM is where you'd like to start your C-Suite journey, you may also find like-minded cohorts and possibly access to mentors.

"The CLM exam is difficult and studying for it can be daunting," says Nielsen. "I would highly recommend joining a study group. A study group provides a structure specific to the different knowledge areas. You'll also have study buddies who can share study tips, encourage you and help you stay motivated. My study group included a CLM mentor who guided us to success. He helped find subject matter expert speakers to teach us."

## KEEP LEARNING

The industry will continue to shift, presenting new career opportunities for legal administrators. Now more than ever, states are examining (and making) changes to legal

ownership, so there will be opportunities for professionals within legal who don't practice law, particularly within C-Suites.

"My advice to those wanting to step up to a C-Suite title: The CLM is a great start," says Rivkin.

Once in the C-Suite, all that you've learned along the way will help shape the direction at your firm.

"How do you want to inspire?" says Sullivan. "Your words and actions will carry much more meaning. Be mindful of your personal brand when you reach this career stage. Give people the opportunity to speak and really be heard. And have enough self-awareness to know when something is not working and make a timely change."



### READY TO GET CERTIFIED?

Make 2023 the year you make time for yourself and your professional development. ALA's Certified Legal Manager (CLM)<sup>®</sup> program provides the opportunity to demonstrate you have mastered the knowledge, skills and abilities to operate at a high level of expertise in the field of legal management. For more information on how to start your CLM journey, visit [alanet.org/clm](https://alanet.org/clm).

Plus, don't miss the CLM episode of *Legal Management Talk*, where Rita Nielsen, CLM, PHR, SHRM-CP, discusses the program, the benefits it offers and what the process is to achieve it. Visit [alanet.org/podcast](https://alanet.org/podcast) to tune in!

### ABOUT THE AUTHOR

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SHIELA MIE LEGASPI

President  
Cyberbacker

“Instead of something to be afraid of, saying no to your managing partner can be an opportunity to introduce innovative alternatives to what they have proposed.”

## How to Say “No” to the Boss

In a law firm, the managing partner is the face of your business. It’s hard enough to say no to the person signing your paycheck, but even more so when their name is the same as the firm’s. Ideally, you should not have to fear retaliation for giving legitimate feedback, but until you give it, you will likely have that small seed of doubt planting roots in the back of your mind.

It is important to remember that everyone makes mistakes — no one can make the right decision 100% of the time. Leaders are consistently busy, sometimes to the point of being outright overwhelmed by their work. The constant pressure they are under could lead to a feeling of burnout, and studies have shown that burnout can lead to poor decision-making.

When your managing partner is making a decision that is not in the company’s best interests, you have to ask yourself whether you should put your foot down and say no. There will inevitably come a time when you feel that you must do so, but the most critical thing isn’t *what* you say — it’s *how* you say it.

### BE CONFIDENT AND ARMED WITH DATA

The most important thing you can do when saying no to your managing partner is to be confident. Confidence does not necessarily mean an opinion is valid, though studies have shown that people are more likely and willing to listen to advice given to them by someone who appears confident. Furthermore, if you aren’t sure of your opinion, should you be countering your boss in the first place? If you are hesitant about your position, take the time to reconsider and do more research until you are truly confident.

One of the best ways to build this confidence is by supporting your position with hard data. Opinions only have to be disagreed with, whereas hard metrics have to be discredited. Think of it as providing evidence of the validity of your position; it is best to present data to prove your position, not to disprove theirs. (Don’t focus on them being wrong, as this could be perceived as hostility.)

Transparency is also essential in these scenarios. People often expect business leaders to be always functioning at full capacity, which in turn can cause them to come off as somewhat high-strung. They may misinterpret you coming to them with an opposing idea as having a vested interest or ulterior motives. By being transparent with your managing partner, they can know that you have the company's best interests in mind and that your advice can be trusted.

However, trust is something that goes both ways, so you must first be able to show respect for the contributions that your managing partner has given to the organization. After all, they have put in a lot of work to get the firm where it is, and that needs to be acknowledged with respect. If you approach your managing partner in a disrespectful manner, not only will they not listen to your advice, but they could also begin to mistrust you completely.

Indeed, the best way to say no is with appreciation and gratitude. Just as you hope they will show their gratitude to you for making the best decision for the company, show your appreciation for them and the leadership they have provided thus far. Nobody is perfect, and a good leader should know that. If you correct them kindly and thankfully, they will be more receptive to what you have to say.

## SAYING "NO" CAN HELP YOUR FIRM

While tempting to go along with whatever the managing partner says all the time, it's ultimately a mistake. There are dangers to having "yes-people" in business, those who never challenge anything the boss says. However, growth is all about innovation, and innovation cannot occur without the stimulation of a challenge to enact meaningful change.




Instead of something to be afraid of, saying "no" can be an opportunity to introduce innovative alternatives to what your managing partner has proposed. Being a creative problem solver can put you in an even more favorable position with your managing partner as the mind behind the proposed solution that helped the company through a trying time.

Society is so caught up with the idea that saying or being told no is a bad thing when, in reality, it doesn't have to be. There are plenty of examples in which saying no is not only necessary but conducive to the company's growth. If you can approach saying no the right way, it can do far more good overall in the long run.

### ABOUT THE AUTHOR

**Shiela Mie Legaspi** is the President of Cyberbacker, a provider of administrative support and virtual assistant. Legaspi empowers growth-minded business owners with world-class, economic leverage to fulfill their greatest purpose. She is an expert in career coaching and teaches others how to lead with integrity, purpose, and passion.

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#### BILL & PHIL

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Neal & Harwell

Phil Hampton, Consulting President,  
LogicForce

## Can the Metaverse Be the Legal Tool of the Future?

The metaverse has emerged as one of today's most talked about legal trends, but many people still don't know what it is or how it can be used to help the legal industry. The Oxford English Dictionary defines the metaverse as "a virtual reality space in which users can interact with a computer-generated environment and other users." While that doesn't inherently mean the metaverse is a good place to conduct business, many firms are already adapting to the new environment.

Of course, some of the biggest players in the tech world are becoming involved with the metaverse. Meta (formerly Facebook) is the most well-known example, but Microsoft and Apple are dabbling in the virtual reality world, as well. It remains to be seen how far each company will go as they experiment and innovate, but suffice it to say, the metaverse is still being built and will remain "under construction" for some time in the future. But what effect will all this "virtual development" have on the practice of law?

### PRACTICING LAW IN THE METAVERSE

Many large law firms (and some smaller ones) are buying "office space" in the metaverse, including ArentFox Schiff, the DLA Piper Global Law Firm, Kirkland & Ellis and several others. Morgan & Morgan even has a television spot seeking clients who have been injured in the metaverse.

However, migration into the metaverse may take quite some time. Traditionally, law firms have always lagged a step or two behind developing technology. Firms typically react to tech changes rather than getting out in front of them. There are many issues to be raised about transacting business and operating in the metaverse, including that there is almost no established law relating to it.

“Many legal pundits assert that law firms should be investing in the metaverse. Some argue that by having an office in the metaverse, lawyers will have a chance to increase their exposure to potential clients and reach them in new ways.”



Still, there are many opportunities for law firms, such as creating so-called “smart contracts” that are self-executing based on certain established parameters. There are also opportunities for decentralized autonomous organizations (DAOs). These are emerging corporate-type entities that do not have a central governing body. In fact, Tennessee has just legalized the creation of such entities within the state.

There are many opportunities for using the metaverse in the litigation world, as well. For example, an attorney can meet with a potential witness in the metaverse in a way that is very realistic and looks like the potential witness and the lawyer are together in the same space. There can be virtual office meetings between and among attorneys preparing for trial in the metaverse that will make it much more interactive and realistic. Depositions, expert witness testimony and so forth can be held as if in person even though the participants will be in remote locations.

The proof in trials — especially in criminal cases and accident cases — can also be much more realistic. The jurors can be taken to a virtual world where the parties recreate their concepts of what events took place. In fact, a Florida attorney (who is representing a person accused of attempted murder using a vehicle) filed a motion with the court to put “jurors in the driver’s seat through the use of the latest technology — virtual reality goggles.” The evidence would be presented by requiring the jurors to wear virtual reality goggles while considering the expert testimony of an accident deconstructionist.

## THE METAVERSE IS STILL LIMITED

No pun intended, but “the jury is still out” on the metaverse itself, much less the use of the metaverse in the practice of law. Theoretically, the metaverse would be a great place to interview witnesses and prepare for trial. It would also be a great place to recreate reality for a trial. It would be a great place to have new and exciting areas and modes of practice.

However, the metaverse is not ready for primetime. It certainly is reliant upon large amounts of error-prone technology. And the legal rules in the metaverse are very ambiguous; normal

rules may not apply. It is very, very complicated, and while there are glimmers of opportunity for law practices, full functionality remains a thing of the distant future.

Moreover, the practice of law has always relied on true, human interaction — empathy for one’s client, direct confrontation of adversaries and skillful, in-person advocacy. It is hard to see how any of those things can be present in the metaverse absent the creation of some sort of new virtual presence technology. This technology is still in its embryonic stages, and we can’t predict whether it will live up to all the hype it is presently receiving. Only time will tell whether the future holds a place in the metaverse for the daily practice of law.



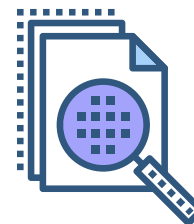
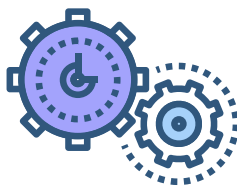
### CONTINUE THE METAVERSE CONVERSATION

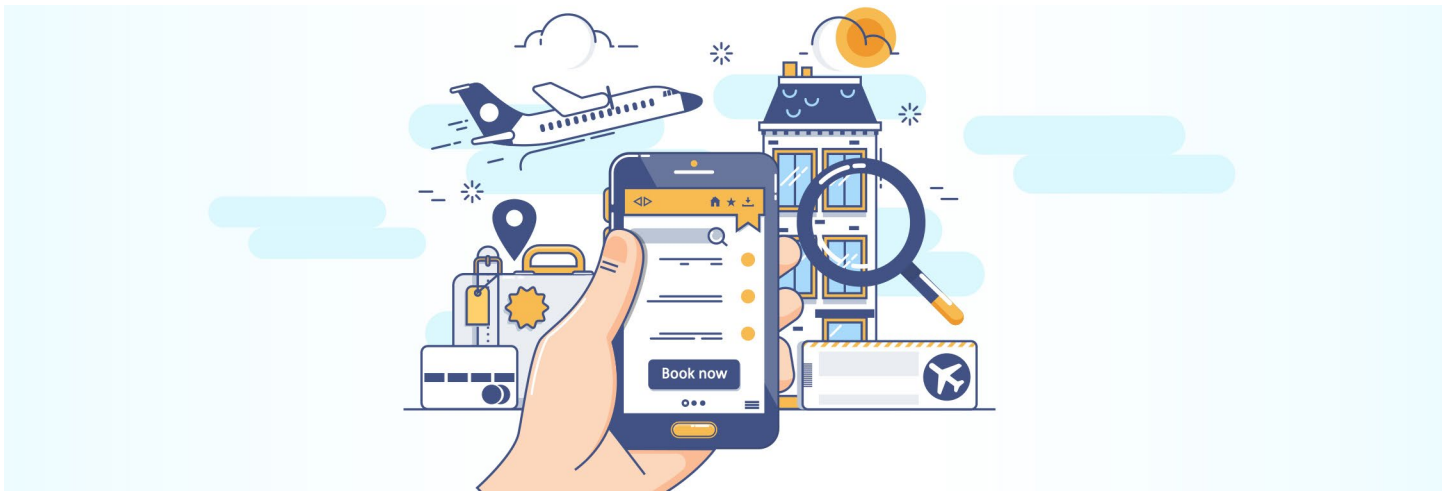
Check out our recent episode of *Legal Management Talk* where we dive into the metaverse’s relationship with legal with Dan Atcheson, Firm Administrator at Jenkins Wilson Taylor & Hunt, PA, and Chair of ALA’s Professional Development Advisory Committee. Learn about how some firms are already renting space in the virtual world to meet with clients and how the metaverse is becoming more conducive for firm operations. Atcheson also offers his thoughts on how government regulation will be required to prevent crimes such as assault and battery from occurring in the metaverse. (Yes, it can happen there, too!) Subscribe to *Legal Management Talk* through your podcast app. Or, listen directly to the “Legal and the Metaverse” episode at [alanet.org/podcast](http://alanet.org/podcast).

### 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](https://twitter.com/BillandPhil)





**RYAN SPEAR**  
President  
Hotels for Trial

“The problems in the airline industry are even more dramatic. Higher costs, delays, schedule changes and overcrowded flights are causing global consternation.”

## Traveling Back on for Trials? Here's How to Book Smarter

The U.S. court system basically ground to a halt during the COVID-19 pandemic. Judges hustled to hold some hearings via phone and video chat, but the overwhelming outcome was gridlock. As vaccinations became available and positive case numbers declined, courts have revved up nationwide. However, law firms that used to have tried-and-true processes for booking their attorneys for out-of-town trials are running into new obstacles.

The surge in demand — coupled with higher costs and staffing shortages — is creating difficulties for travelers and providers (airlines, hotels, ground transportation companies, etc.). According to the Global Business Travel Association, prices for business air travel increased 48% in 2022. Another 8% rise is expected in 2023, which will take us above prepandemic levels. STR reports that the average U.S. hotel rate in spring 2022 was \$146.61, the highest monthly average on record. In high-demand cities, like Miami, the average rate in April was \$329.50, a 30% hike from April 2019.

The problems in the airline industry are even more dramatic. Higher costs, delays, schedule changes and overcrowded flights are causing global consternation. The United Kingdom saw 500 flight cancellations in one weekend in June 2022.

If you are on for booking travel, these three tips can make sure your out-of-town trial bookings go smoothly.

### 1. DIVE INTO THE DETAILS

Make sure you have all the information you need before you begin. Here are some questions to consider:

- » What are the dates of check in and potential check out?
- » What is the address of the courthouse, and how far away are the attorneys and staff willing to stay?

- » How many sleeping rooms do they require, and will they need additional meeting or working space?
- » Will they need AV equipment or special internet setups? Do they need any disability accommodations?
- » Will they require 24-hour room service, the ability to bring in outside catering or laundry/dry cleaning options?
- » Do they want guarantees that opposing counsel will not be in the same hotel?

Having a thorough understanding of the team's needs and preferences is key to ensuring the trip is a success and allows you to discuss everything upfront with each hotel you vet to avoid misunderstandings.

## 2. START EARLY

Book hotels as soon as you have the trial dates. Hotel occupancy rates averaged 66% nationwide in 2018 and 2019. As a result of the pandemic, they tanked to 44% in 2020 and 58% in 2021. These days, they are back at 63% and expected to hit 65% for 2023, according to the American Hotel & Lodging Association.

While this is good news for the hotel industry, staff shortages (2022 employment levels are down 16% from 2019) and higher room rates are leading to frustration for many guests. This makes it essential to book early and to prepare your attorneys and supporting staff for possible hiccups in service.

We always recommend sourcing at least five hotels to get a sense of the local rates and cancellation policies and to determine which ones will be able to best accommodate all the above needs.

If you need to book rental cars and/or drivers in the trial city, be prepared for higher costs and tighter supply there, too. Prices are expected to increase 4% in 2022, and an additional 3% in 2023, reaching levels above those seen prepandemic.

## 3. TAKE CARE WITH THE CONTRACT

Since trial dates can change, you should always ask providers about their cancellation policies. You want the hotel to hold the rooms — preferably with no money down — until you can confirm everything with the court. Keep the lines of communication open by letting hotel representatives know about any potential delays or changes in your requirements. Ask them for the same courtesy; for instance, they should let you know if they have any changes in rates or availability. You also need written confirmation that you will have right of first refusal before they release any of your rooms.



If you have provided a deposit and the trial date changes, let the hotel know as soon as possible. Cancellation fees are usually set on a sliding scale with higher amounts as you get closer to check-in. You want to make sure the contract entitles you to as much of your deposit as possible and that any cancellation fees will be applied to a future booking. This is a win-win, as it reduces your financial risk and lets the hotel know to expect future business from you.

Your contract should also include an “early departure” clause. This will lower the fee the hotel charges if you check out early, which can happen if the case is dismissed or a settlement is reached. Negotiating a favorable cancellation policy can save you and your clients tens of thousands of dollars.

Following these simple steps will help ensure you arrange the best and least-stressful scenario possible so those traveling to the trial can focus on winning the case.

### ABOUT THE AUTHORS

**Ryan Spear**, President of Hotels for Trial, is a luxury travel agency owner, mentor, speaker and hospitality professional.

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🌐 [linkedin.com/company/hotels-for-trial](https://linkedin.com/company/hotels-for-trial)

# ALA Congratulates Its 2023–2024 Board of Directors & Chapter Resource Team

In November, the 2022 Nominating Committee convened in Chicago to determine the 2023–2024 ALA Board of Directors and the Chapter Resource Team (CRT).

These volunteer roles are vital to our Association. The ALA Board of Directors is responsible for establishing the vision, mission and goals of the Association as well as setting its strategic direction. Members of the CRT assist in the development of creative strategies that promote and educate members on the policies, programs and initiatives of ALA, including providing support and resources to chapters and their leaders. In addition to serving as mentors to chapters, team members serve as subject matter experts and they are interested in the further development of their own leadership skills.

The members that make up these groups are held in the highest regard and have been entrusted to guide ALA and the legal management profession into the future. Please join us in congratulating this extraordinary group of legal management professionals! These individuals will officially take office in May in Seattle at the Annual Conference & Expo. Read the full list below.

## 2023–2024 BOARD OF DIRECTORS



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Term: 2023–2026



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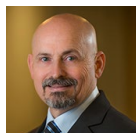
Lewis Brisbois  
Phoenix, Arizona  
*Arizona Chapter*

# Anniversaries, Awards and Appointments

## Members on the Move »



**Dawn H. Anderson, CLM, JD, PHR, SPHR**, a member of the Atlanta Chapter, is now the Chief Human Resources Officer for Butler Snow LLP in Atlanta, Georgia.



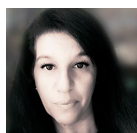
**Scott A. DeRouen**, a member of the New Orleans Chapter, is now Administrator at Pugh Accardo LLC in New Orleans, Louisiana.



**Tabatha Stephanie Harris**, a member of the Capital Chapter, is now Legal Business Administrator at the Washington Metropolitan Area Transit Authority in Washington, D.C.



**Sara Maicher, CLM**, a member of the Indiana Chapter, is now Senior Practice Manager at Quarles & Brady LLP in Indianapolis, Indiana.



**Sylvia Mankarious**, a member of the Minnesota Chapter, is now Firm Administrator at Mueting Raasch Group in Minneapolis, Minnesota.



## Sending Our Condolences

ALA is saddened by the passing this month of Linda Clardy, Operations Assistant at Nixon Peabody in Chicago, Illinois, and a member of the Chicago Chapter. According to her obituary, Linda loved the ocean, animals and giving back to the community. We send our condolences to Linda's family, friends and colleagues.



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# What's Happening at Headquarters



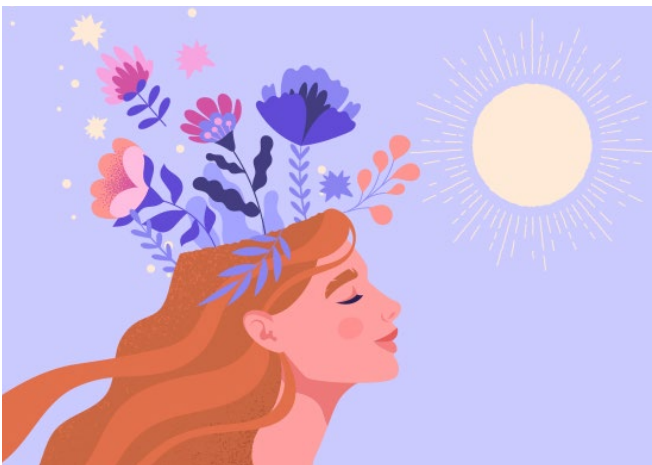
## Check Out the Latest Episodes of *Legal Management Talk*

Don't miss an episode of the podcast that covers all things legal administration! Each edition of *Legal Management Talk* runs less than 30 minutes and is available on YouTube and every major podcasting platform. To check out these recent episodes, visit [alanet.org/podcast](https://alanet.org/podcast).

- » "Meet Eryn Carter, CAE, ALA's New Executive Director"
- » "Becoming a Certified Legal Manager with Rita Nielsen, CLM, PHR, SHRM-CP"
- » "Leadership and Collaboration with Heidi Gardner, PhD"
- » "Legal and the Metaverse with Dan Atcheson"
- » "Mental Health, Microaggressions and HR Trends with Michael Cohen"

## Register Now for ALA's New Legal Project Management Certificate Program

Join ALA as we host Paul J. Unger for his course, **Tame the Digital Chaos: Time, Task, Email and Distraction** on **February 7–8, 2023**, from **10 a.m.–1 p.m. Central daily**. This dynamic two-day event will be a virtual deep dive into legal project management. **The Legal Project Management Certificate Program** will equip attendees with the know-how to implement the framework for assorted projects. The program is an interactive training course comprised of two, three-hour instructor-led sessions over Zoom. Due to the interactive nature of this course, this program will be limited to a maximum of 50 participants. For more information, visit [alanet.org/lpm](https://alanet.org/lpm).



## Mental Health First Aid Is Back: Sign Up for Winter Sessions

Our popular Mental Health First Aid Certification Program is back! The program is an interactive training course comprised of 2 hours of self-paced content (to be completed online independently prior to the live session) and one 6.5-hour instructor-led session over Zoom. The one-day training program will be offered on four separate Fridays in January and February 2023.

Don't hesitate! Register now at [alanet.org/mhfa](https://alanet.org/mhfa). Those who complete the program are eligible to receive 7.5 credit hours toward their CLM certification.



# What's Happening at Headquarters

## The Foundation of ALA's Student Scholarship Is Now Open

The Foundation of the Association of Legal Administrators is excited to announce its 2023 Student Legal Career Scholarship. The program aligns with the Foundation's Student Visibility and Scholarship Initiative, which champions students as the future of the legal profession. This scholarship, sponsored by SurePoint Technologies, will award up to \$10,000 to eligible students!



The Foundation encourages juniors and seniors enrolled in an accredited college/university curriculum as well as those currently pursuing a master's degree with an interest in pursuing a non-attorney legal career, including in legal management, paralegal studies or another legal support function, to apply. For more information and to apply, visit [alanet.org/student-scholarship](https://alanet.org/student-scholarship).

## Frequent ALA Contributor Honored with Meritorious Service Award for Ending Armed Standoff

Ross Fishman, JD, Chief Executive Officer of Fishman Marketing and a frequent contributor to *Legal Management* (you can read his latest column in this issue), was awarded the Citizen Citation for Meritorious Service from Highland Park, Illinois, last month after ending an armed standoff in September using only his skills of persuasion.

"It was certainly an unusual day," says Fishman. "The individual was a neighbor we all liked who had recently been going through some very difficult personal issues. The police had gotten called to look in on him and he'd inadvertently trapped himself in a situation without a simple solution. After 12 hours of discussion with the police and SWAT negotiators, he just needed a friendly, trusted voice to show him a safe resolution. I was lucky to be in a position to help at a time when he was ready to choose it, and we were all relieved that it all ended safely."

The award he was given commends Fishman for his "willingness to become involved in this public safety incident," noting the empathy and care he exhibited for someone else in need was worthy of recognition.

We agree — congrats, Ross!



© Rob Fishman



## See You in Seattle for ALA's 2023 Annual Conference and Expo!

Registration is still open for ALA's 2023 Annual Conference, taking place May 7–10 in Seattle, Washington. Don't miss the chance to join thought-provoking educational sessions, network with your fellow administrators and learn about the products and services business partners offer. Early bird pricing ends on February 10, so act fast! Visit [alanet.org/conf23](https://alanet.org/conf23) for more info and to sign up.