

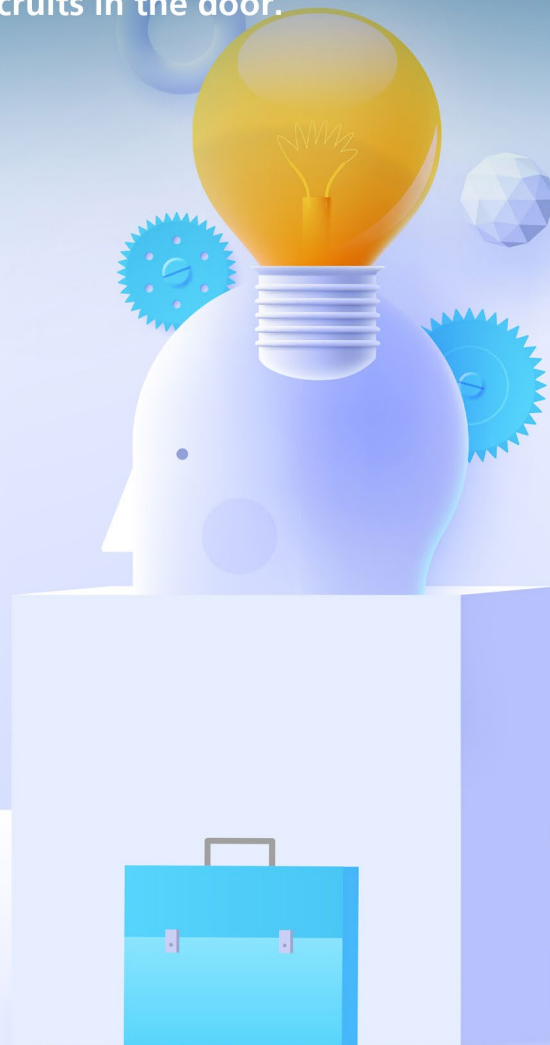
LEGAL MANAGEMENT

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Thinking Outside the Legal Recruiting Box

As law firms struggle to hire legal assistants, legal administrators are finding creative ways to get recruits in the door.





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“
Certainly, being positively present includes taking the time to know the firm community. In the brave new world, this is harder than ever — yet perhaps more important than ever.”

Strategic Leadership and Positive Presence for a Brave New World

As we wade into 2024, many of us are inundated with videos, posts or articles espousing advice for making changes or resetting goals. It is a new year, so we tend to use it as an opportunity for a new resolution — or to resolve — to finally do something about matters that we know are important but that we have managed to defer.

As leaders, we know that focusing on goals and tending to expectations must happen much more frequently than every January. But transformative disruptions and diversions we have encountered in our workplace, workforce and in our culture have caused many leaders to grow weary as their firms suffer from organizational entropy leading to underperformance. Most change is here to stay. So, what now?

INTENTIONAL STRATEGY AND INTENTIONAL POSITIVE PRESENCE

You have heard that doing the same things will produce the same results and that what made us successful will keep us successful. These principles are only true in an environment of incremental change. But we are in an environment of transformative change. In this brave new world, relying on the approach of the past without an intentional growth mindset strategy is likely to lead the firm to its eventual demise.

More than ever, leaders need to formulate and articulate their own internal operational strategy to tackle 2024 and beyond. Most firms will continue to experience persistent skills shortages and risk losing over-tasked top performers, productivity losses exasperated by operational inefficiency, and significant cost pressures while struggling to adopt revolutionary technology to facilitate their ambition to deliver and execute high-quality client service and work product.

An essential step for leaders is to employ a growth mindset approach to analyzing the firm's operations. Consider how your firm should evolve or transform its internal and

external deliverables. Is it time to modify or eliminate internal processes? Take a new approach to job design? Initiate a different level of activity with client relationships? Define or reiterate an intentional workplace culture? The old rules were valuable for an old world, and they tend to keep us in a fixed mindset. New rules are required for some things in this new world. A growth mindset allows us to explore them.

ALIGNMENT: THE RIGHT MOTIVATION

Many people use January 1 as a marker to go to the gym and eat right to lose weight. Such resolutions do not work for everyone, and they typically give way to old habits that are more powerful than the motivation to change. The problem persists for many people because motivation does not match one's values. Their energy and resources are not expended on the right things. Eventually, the energy required to overcome the chore will not be available. A method of expending calories that is matched to such a person's ability to enjoy the activity will produce better and more lasting results.

The same logic can be applied at our firms. Rather than addressing everything that needs to be improved in the firm, figuring out what other firms are doing or simply copying what you did last year, determine how your firm's values inform where to focus resources and energy. In other words, match your activity with the right motivation in your own context.

PRESENCE: A CULTURE OF CONNECTION

Alignment is not enough to meet the challenges of the brave new world. Leaders need to foster connectedness in the workplace with positive presence that reaches far beyond physical presence. Positive presence means both having intentional presence or impact in the firm and creating an environment that empowers others to be positively present or have impact in positive ways, while actively and significantly reducing toxicity.

Positive presence fuels growth. For example, criticism can be used in a positive manner as a tool for improvement or it can be a destructive force that erodes resilience and generates toxicity. The approach toward social and workplace engagement can make all the difference. Advocating an environment of dignity and respect and holding people accountable for their effect on the workplace environment is the responsibility of the leaders of the firm. Leaders who demonstrate positive presence can make gains in workforce productivity and well-being. Those who empower others to demonstrate positive presence and hold others accountable transform their firm culture to one of belonging.

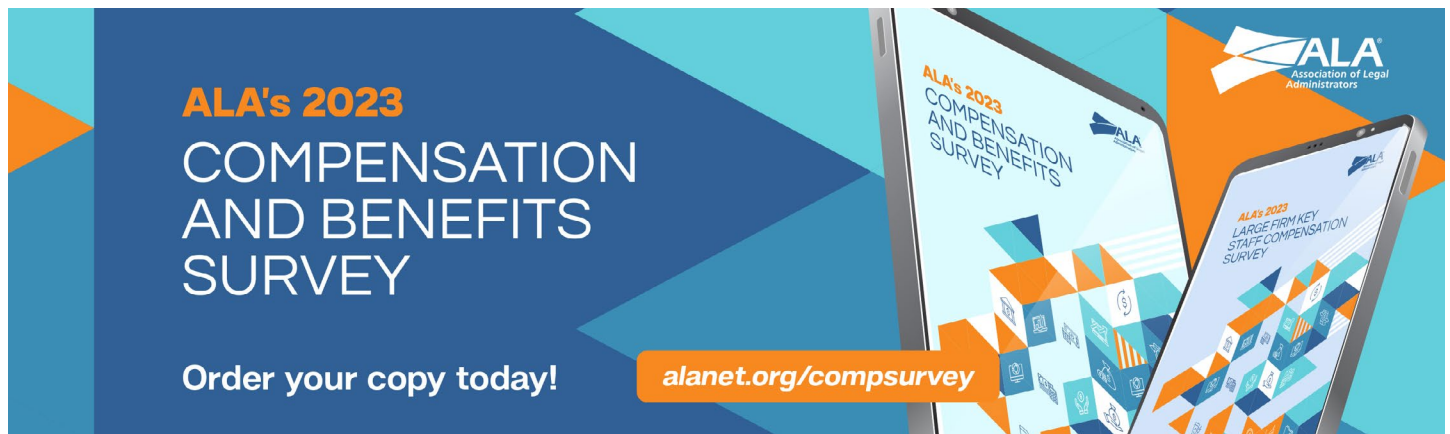
Certainly, being positively present includes taking the time to know the firm community. In the brave new world, this is harder than ever — yet perhaps more important than ever. For leaders, the challenge includes finding ways to be more efficient, be better organized and communicate more often with the motivation to be able to spend more time being positively present and fostering the same throughout the organization.

BOTH ARE NECESSARY

In the brave new world, an operational strategy without positive presence will likely become ineffective over time as the workforce becomes disengaged. Positive presence without an operational strategy will exasperate high performers with inefficient processes and outdated job design and will likely cause them to seek other opportunities.

Change is here. Transformative disruption will continue to challenge the status quo. The good news is that now is a great time to have a brave new start for a brave new world.

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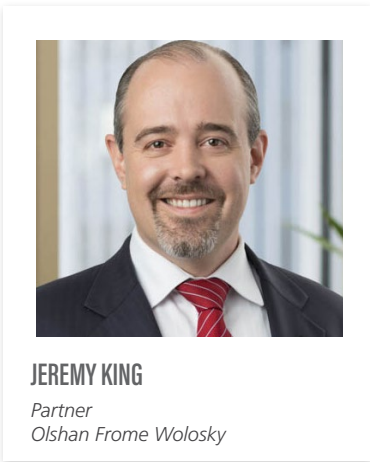
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JEREMY KING

Partner
Olshan Frome Wolosky

Cyber Insurance Can Head Off Your Firm's Cyber Risk

While emerging technologies offer law firms new ways to provide sophisticated advice and services to clients, growing reliance on shared communications platforms, cloud-based information systems and AI-assisted workflow also creates new risk exposure. Firms have unique access to and responsibility for confidential nonpublic client information, which can make them targets for malicious activity. Firms must take stock of emerging risks and ensure that protections are in place from liability and direct loss caused by malicious actors.

“
The best time to negotiate for approval of particular vendors with whom the firm has ongoing relationships is when the policy is being purchased, *not after an incident.*”

The past year has made very apparent the risks to law firms and the need for a proactive cyber risk management plan. In January 2023, the SEC subpoenaed a D.C. law firm regarding a cyber incident that may have resulted in disclosure of client data. In March, the New York Attorney General announced a settlement with a New York-based law firm requiring payment of penalties and implementation of enhanced cybersecurity protocols. In July, several top law firms reported data breaches at the hands of a ransomware group. Finally, in August, a putative class action was filed in California against a major law firm, alleging liability flowing from a data breach that resulted in the disclosure of protected personal information of more than 150,000 people.

Law firms are increasingly becoming victims of phishing attacks and scams, seeking to capitalize on the firm's name and reputation. Recently, a North Carolina law firm sued its insurer after a phishing scheme allowed hackers to send emails from firm accounts, demanding payment of closing funds to the hacker's bank account. In another example, a firm went to federal court to seek an injunction against the use of domain names to prevent scammers from impersonating firm personnel in furtherance of fraudulent schemes being perpetrated against clients and the public.

Firms also face risks from new artificial intelligence (AI) tools. The use of AI products like ChatGPT poses a professional risk and a risk to private and protected information

kept by law firms. Such tools may collect data from the users themselves, risking unintentional disclosure of client confidences. OpenAI currently faces at least one putative class-action lawsuit alleging that several activities, including the use of user data, violate privacy laws.

Law firms need procedures to safeguard client information and comply with applicable law if and when a breach occurs. Equally important is working with insurance professionals to ensure the coverage purchased adequately protects against the risks the firm may face.

Such a review should consider the following:

1. Network Security

The firm's IT systems are critical to its operation. Its insurance should cover losses from security failures, including business income.

Law firms should consider whether disruption of a third-party vendor's network would result in a business interruption and whether to insure that risk. Forensics and IT costs, as well as legal and public relations expenses, should also be covered. Many insurers have preferred vendors for such services, and the best time to negotiate for approval of particular vendors with whom the firm has ongoing relationships is when the policy is being purchased, not after an incident. Coverage should also include cyber extortion or ransomware scenarios.

2. Funds Transfer

Law firms face significant risk concerning their funds and client funds. The firm should carefully review requirements in its policies regarding verifying transfer of funds and how insurance applies to instructions to transfer funds. "Social Engineering" coverage is particularly important because it applies to transfers made by spoofed or otherwise fraudulent email instructions. This coverage should be as broad as possible to protect against scammers impersonating clients, vendors or even firm members.

3. Privacy Liability

Many law firms deal daily with data and information protected under privacy laws and could face liability or other expenses even when the breach involves a third party's network. Risk managers and brokers should work together to ensure that potential losses and privacy law liabilities beyond the scope of the firm's network security policy are adequately addressed.



4. Errors and Omissions

Many law firms carry insurance to cover errors made in the rendering of professional services. The evolving practice of law and the professional responsibility of a lawyer to protect client confidence in an environment of increased cyber risk demands that the firm examine whether cyber liability is included, limited or entirely excluded from its existing coverage. Claims by clients that a law firm failed to meet professional standards may not involve facts sufficient to trigger other cyber liability coverage, but they nonetheless present a real risk to the firm.

Risk identification and underwriting of a sophisticated coverage program require identification of sensitive information kept by the firm, an analysis of network security and a close partnership with a knowledgeable broker that can provide guidance on the insurance options available. Timely advice from experienced counsel and industry professionals will help create an insurance program that maximizes a firm's ability to mitigate loss through insurance recovery.



Learn More About Cyber Insurance with *Legal Management Talk*

Jeremy King recently joined *Legal Management Talk* to discuss all things cyber insurance, including what to look for when choosing or changing your coverage. Watch or listen today at alanet.org/podcasts.

ABOUT THE AUTHOR

Jeremy King is a partner at Olshan Frome Wolosky in New York.



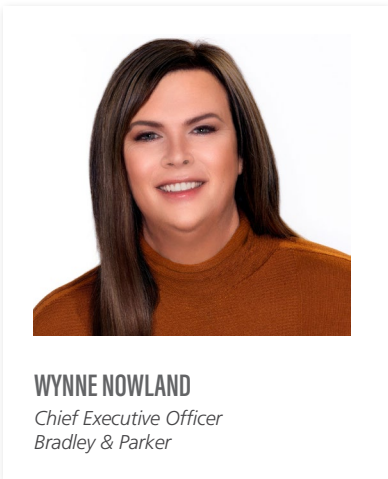
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WYNNE NOWLAND
Chief Executive Officer
Bradley & Parker

The Importance of Diverse Leadership in Legal Administration

In the arena of legal administration, where decisions wield influence over justice and society, the composition of leadership carries profound implications. Within this landscape, a growing recognition of the significance of diversity has started to play a pivotal role in shaping law firm leadership.

The emergence of diverse leadership signals a broader shift toward inclusivity and proper representation within corporate governance. It's crucial to dissect the multifaceted impact of such leadership, shedding light on its potential to drive innovation, foster equitable practices and fundamentally alter the dynamics of legal administration.

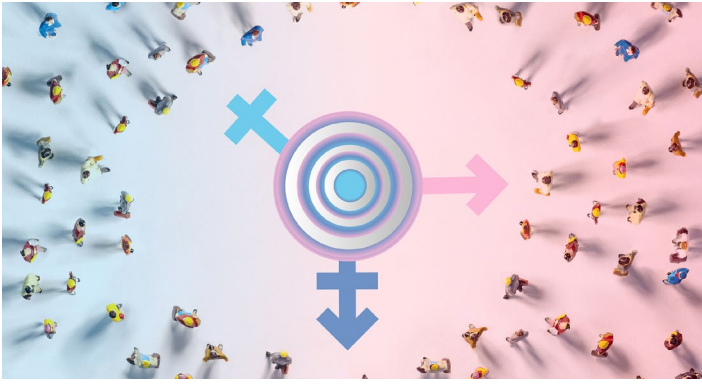
When there's diverse leadership, there exists an opportunity for personal experience and professional responsibilities to provide different perspectives. This, in turn, generates novel insights, strategies and approaches that can revolutionize traditional practices to create a more resilient organization.

A UNIQUE JOURNEY TO LEADERSHIP

As a pioneering transgender Chief Executive Officer (CEO), my story echoes the experiences of countless individuals who seek to be seen and valued for their true selves. My transition against the backdrop of the corporate sphere illustrates the profound potential of diverse leadership to foster innovation, inclusivity and progress. The intersection of my identity and my leadership role has endowed me with a distinctive perspective that informs my decisions and shapes the trajectory of Bradley & Parker.

In the broader context of legal administration, my journey underscores the imperative of diverse leadership. It stands as a poignant reminder that embracing authenticity and inclusivity can lead to a legal landscape that is not only reflective of the society it serves, but also brimming with innovative solutions and enlightened perspectives.

“Integrating a tapestry of viewpoints into our decision-making processes not only allows us to mitigate blind spots, but also unlock the potential for groundbreaking advancements in legal administration.”



STRIDES FOR THE TRANSGENDER COMMUNITY

My journey as a transgender CEO extends beyond personal transformation — it encompasses a resolute commitment to positive change for the broader transgender community. This commitment is driven by the belief that representation, advocacy and education are instrumental in dismantling barriers and fostering inclusivity.

The act of coming out as a transgender CEO was not an isolated event — it was a catalyst for meaningful conversations and initiatives aimed at fostering a more inclusive workplace. My declaration was a clarion call for open dialogue, spurring discussions on gender identity, pronoun usage and the broader issues faced by the transgender community. This dialogue, rooted in empathy and understanding, has paved the way for policy revisions and practices that prioritize inclusivity and respect.

Recognizing the significance of mentorship and guidance, I've endeavored to provide support for transgender individuals navigating their own journeys within the professional world. Through mentorship programs and outreach efforts, I hope to offer guidance to those seeking to bridge the gap between their authentic selves and their professional aspirations.

With that said, it's important to be open and have what are deemed "tough" conversations with the people in your company. By being open, you create a seat for someone who would normally exclude themselves for fear of being rejected.

A TRANSCENDENT PERSPECTIVE

My personal journey of self-discovery has given me an acute sensitivity to the nuances that define human interactions. Through my experience, I have come to understand that authentic leadership requires an unwavering commitment to empathy, inclusivity and respect.

Organizations with ethnically and culturally diverse leadership outperform their competitors by 33%, according to CPS HR

Consulting. It all boils down to productivity and being able to communicate effectively and be your authentic self. I have joked about it in interviews, but I have found that I can focus more on my work now because I don't have to struggle with two personalities. When people either share ideas in an echo chamber or are afraid to share a diverse perspective, it throttles productivity.

Essentially, the ability to empathize with the experiences of marginalized communities is a hallmark of my perspective. I recognize the significance of fostering an environment where every individual feels valued, understood and empowered. This recognition translates into policies and practices that prioritize inclusivity, such as sensitivity training and proactive measures to counteract bias. By acknowledging the multifaceted identities that compose our workforce, we forge a stronger, more resilient collective.

Diversity of thought is a potent catalyst for creativity, and my experience has demonstrated that diverse teams lead to more comprehensive problem-solving and dynamic solutions. Integrating a tapestry of viewpoints into our decision-making processes not only allows us to mitigate blind spots, but also unlock the potential for groundbreaking advancements in legal administration.

In an increasingly interconnected world, the imperative of diverse leadership resonates far beyond a single organization. It transcends borders and sectors, shaping a legal administration landscape that is responsive, equitable and reflective of the diverse experiences of everyday life.

By embracing authenticity, empathy and innovation, we pave the way toward a future where leadership is not confined by tradition, but defined by progress. It is the vision of a future where the true potential of legal administration is unlocked through the power of diverse voices.

ABOUT THE AUTHOR

Wynne Nowland is the Chief Executive Officer of Bradley & Parker and a transgender woman. At age 56, she came out as trans to her entire company in an email — featured in *The Wall Street Journal* — saying, "You've all known me as Wayne, but tomorrow morning I will arrive to work as Wynne." She was already out to her family and many friends, but coming out at work was her final step to being who she truly was, and almost everyone at her firm greeted her with open arms. As one of the very few trans CEOs, Nowland is able to provide unique insight on coming out to family, as well as in the workplace. She has been featured in *The Hill*, *Newsweek*, *Business Insider*, *TODAY*, *CNBC* and more.

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DAVID H. FREEMAN, JD
Founder
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Playing the Fame Game: How to Amplify Your Lawyers' Reputations to Stand Out from the Rest

I could start this article with tread-worn arguments about how important it is to develop a solid plan for 2024, especially in an environment that is shifting as rapidly as ours.

But you already know that.

To save time, let's jump right into ways you can engage in a strategic planning process that is fast, effective and most importantly, has a higher chance of being acted upon by your lawyers.

THE PLANNING PROCESS

There are several ways to craft a strategic plan. You (or a small senior team) can go off to your ivory tower, build a truly brilliant plan and then present it to the masses. Or you can hire a consultant to do the same.

While these techniques may deliver an outstanding work product, it often fails the final test, which is implementation. When lawyers don't have a hand in crafting their own future, when they haven't spent time exploring "why" things must be done to achieve their goals, there can be a lack of buy-in and willpower to act on something that is not "theirs."

Having run dozens of strategic planning sessions in firms of all sizes, I've found that including the lawyers up front is an important starting point so they feel a sense of ownership over the process and the outcome. To that end, rather than handing them a plan and telling them they must do it, have them create it themselves through a facilitated brainstorming and action planning process so they tell themselves they want to do it. One approach I've found particularly effective is a methodology known as "backcasting."

“Clarity begets momentum, and momentum is a must for bringing plans to completion.”

Backcasting is a strategic planning process that starts with defining a highly desirable future and then reverse-engineering actions that must be taken in the present to achieve that future. It takes what feels like far-away goals and breaks them down into manageable, sequential steps that are logical and doable.

Let's look at how you can conduct such a session in your firm.

1. Choose the Right People

First, determine which members of the firm must be brought into the process. Include all who would have a part in its implementation and success, meaning lawyers, management and staff, all of whom might bring valuable insights and perspectives.

Depending on your firm size and makeup, you might run specific sessions for different groups (practice, industry, geographic, key clients) so that everyone is fully engaged in areas they truly care about.

2. Facilitation

Schedule about a half day and have someone run the session who does not have a vested interest. I've seen situations where dominant partners lead meetings and others don't feel empowered to speak up or disagree with their opinions. This structure can kill the kind of knowledge-sharing and team building required to build a thorough plan and set the stage for implementation.

3. Envision a Desired Future

Encourage participants to envision the firm two, three or more years in the future (but not too far out). Ask what success looks like. Consider factors such as types of clients, practice mix, new practices, market position, geographies, firm culture, internal processes, and technology. This vision should be ambitious yet achievable, stretching the firm's capabilities without straying into fantasy.

4. Reverse-Engineer

Now comes the fun part. Prioritize the future goals and assign topics to breakout groups who are tasked with coming up with sequential steps that must be in place to go from their present reality to that desired future. Have them acknowledge the potential challenges and discuss ways to overcome them. This is a good pressure testing moment, because if there are issues that can't be solved, it means the goal should not be pursued (at least for now).

5. Drill Down to Who Does What by When

While we usually call this overall process strategic planning, practically speaking, it should be renamed "strategic action

planning." If you're in one of the many firms that have crafted plans only to see them poorly implemented, you know why an emphasis on action is so vitally important.

To ignite action, have your breakout groups go one level deeper by recommending timelines and accountability so there is no doubt about the next steps, who is responsible for managing those steps and by when those steps should be completed. Clarity begets momentum, and momentum is a must for bringing plans to completion.

6. Group Debrief

With first drafts in hand, you can now apply another level of polish. Each breakout group presents their conclusions to the full group so everyone can understand their thinking and provide their input. In this way, it shifts the process from smaller group thinking to becoming everyone's plan.

7. Management, Management, Management

Initiatives like these often die a natural death unless your leaders consistently fan the flames. They should meet shortly after this planning session to further refine the plan. They should hold initiative leaders responsible for implementing their steps. They should make achieving the steps a priority in your important meetings and celebrate progress along the path. And perhaps, there can be some consequences for not getting things done.

In effect, each leader must take on the role of Chief Implementation Officer. While the backcasting process can set up the pins, your leaders must make sure firm members consistently knock them down. It's this kind of one-two punch that can turn your long-desired dreams into reality.

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. For 30 years he has worked with over 10,000 lawyers in hundreds of firms worldwide, and he has created an online training and group accountability program, Lawyer BookBuilder®, that guides lawyers on how to become rainmakers. He has also developed a Return on Potential Calculator, which is a free tool that shows firm leaders, group leaders, and individual lawyers how much revenue they could generate if they (or their groups) became better rainmakers.

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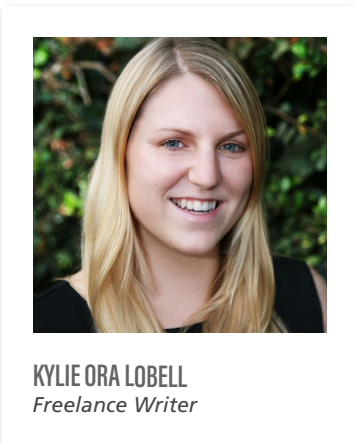
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Tips for Addressing Toxic Behavior in Law Firms

Allowing bad behavior to fester can derail productivity in your firm and drive down morale. Here's how to turn it around.

The law firm environment is often busy, stressful and fast-moving, and it requires staff to be on their A-games to ensure they are meeting client demands and staying as productive as possible.

“Toxic leaders may exhibit narcissism, micromanagement, negativity, blame-shifting, favoritism, passive-aggressiveness, lack of support for their employee’s well-being, lack of trust and empathy.”

But that can get derailed if toxicity is allowed to creep in. It can create unnecessary drama in the workplace, negatively impact relationships among colleagues and clients, and lead to inefficiency in many different areas.

According to a spring 2023 study from Fortune, toxicity is prevalent in workplaces across the country. The study showed that 64% of respondents have experienced a toxic work environment, and 44% of these respondents blamed leadership for it. Toxicity came out in the form of being disrespectful (55%), abusive (34%), noninclusive (30%), unethical (29%) and cutthroat (21%).

It’s critical for law firms to address toxic behavior, no matter what form it comes in, and then deal with it — or else the problem could get out of hand.

“It’s a domino effect,” says Chere Estrin, Chief Executive Officer at Estrin Legal Staffing. “Your staff begins to shy away from the toxic individual. Maybe they don’t complain in the beginning. However, if the toxicity doesn’t stop, it spreads throughout the firm. Morale goes down. The legal field is a small world. Rumors start that your firm is not so nice to work with and recruiting, retention and engagement becomes a problem. It’s like a cancer that spreads.”

“If a top-performing partner or a rainmaker is causing problems, the issue can become even more critical — but they are not above reproach, either”

It’s a nightmare scenario for any firm. But if this sounds like your firm, how exactly can you stop the toxicity spread? Furthermore, what if it’s a top performer, partner or rainmaker who is causing issues? How should those situations be approached?

Here are insights from experts on how to go about tackling — and hopefully eliminating — the toxic work environment, before it’s too late.

SPOTTING TOXIC BEHAVIOR

Toxic behavior comes in a number of forms. According to Beverly Beuermann-King, a workplace culture and resiliency speaker at Work Smart Live Smart, a toxic employee will give mixed messages, be passive aggressive and resistant to feedback, engage in excessive off-hours communication, and have weak listening skills.

“Toxic leaders may exhibit narcissism, micromanagement, negativity, blame-shifting, favoritism, passive-aggressiveness, lack of support for their employee’s well-being, and lack of trust and empathy,” Beuermann-King says. “Toxic environments may foster a culture of gossip, spreading rumors, constant complaining, rudeness, resistance to change, fear of repercussions, limited collaboration, disrespect towards others, bullying and harassment, leading to a toxic and hostile workplace where there is low morale and high turnover.”

Jaclyn Roberson, Co-Founder and Senior Partner at Roberson Duran Law in San Antonio, says that if many employees avoid interacting with a certain employee, that’s a good indicator that that particular employee may be engaging in toxic behaviors.

“Clients will also tell you if you have a toxic employee,” says Roberson. “I have encountered situations where multiple clients refuse to work with a certain employee and they all seemed to share the same complaints.”

ADDRESSING TOXIC BEHAVIOR

Once toxic behavior has been pinpointed, it’s up to the law firm leaders to take action. The first step is to have a one on one with the employee in question, according to Estrin. She recommends having another manager in the room for this conversation.

“The problem with the one on one is that frequently, the employee is either not aware of their behavior or they deny it,” she says. “You need to say things such as, ‘When you do XXX, other people react XXX.’ Or, ‘When you do XXX, this causes XXX in the firm.’”

Roberson has found that nobody is a “toxic person.” Instead, they are simply behaving in a toxic manner, and sometimes they may not even be aware of it. By starting a conversation, leaders can find out what’s really going on.

“Addressing your team’s mental health is key,” Roberson says. “Instead of punishing people, listen to their concerns first. Maybe they need some time off. Maybe they need a change in job duties or location. Listen first, act second.”

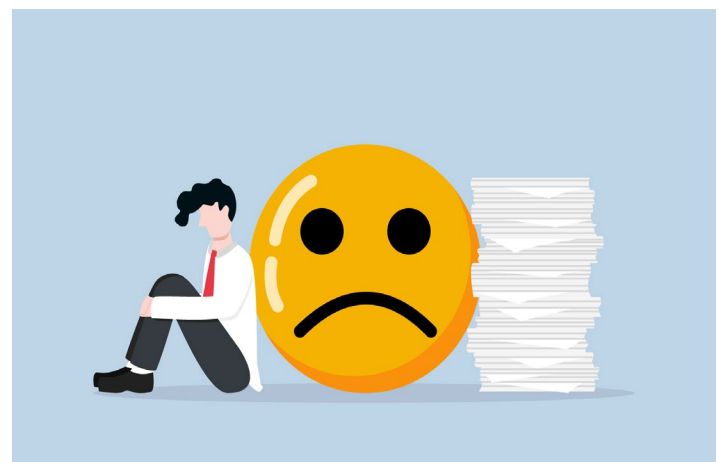
After meeting with the employee, Beuermann-King said it’s important to outline a plan and communicate the desired changes and expectations going forward.

“Document expectations and behavioral changes to maintain accountability and track progress,” she says. “If the behavior persists and negatively impacts the firm, consider taking disciplinary actions, up to and including termination.”

DEALING WITH TOXIC TOP PERFORMERS

If a top-performing partner or a rainmaker is causing problems, the issue can become even more critical — but they are not above reproach, either.

“Addressing toxic behavior from a top performer is delicate but necessary,” says Mike Schmidt, a founding partner of Schmidt and Clark in Washington, D.C. “Their skills are valued, but no one is irreplaceable. We address the issue privately, emphasizing the impact of their behavior on the team and the firm’s values. If there’s no improvement, we take appropriate action, ensuring fairness prevails.”



“Instead of punishing people, listen to their concerns first. Maybe they need some time off. Maybe they need a change in job duties or location. Listen first, act second.”

Estrin echos a similar sentiment.

“There are always other top performers,” she says. “This person is not the only one. There were top performers before them and there will be top performers after.”

She found that in the past, law firms were not as willing to deal with toxic top performers, but now that is changing.

“When I was in the law firm — particularly the major or midsize firms — the partnership would frequently keep toxic partners on if they had a hand in significant revenue for the firm,” Estrin said. “It was the green-eyed monster in the corner office. They refused to lose that revenue. Now, with new laws, mindfulness and just better care of employees, that doesn’t happen as often, or at least as I am aware.”

CREATING A HEALTHY WORKPLACE ENVIRONMENT

Along with handling toxicity in a professional manner, law firms should be creating a healthy workplace culture for everyone. It starts at the beginning, with the hiring process.


“When new employees join the organization, ensure that they are aware of the company values, code of conduct and behavioral expectations,” said Beuermann-King. “By setting a positive tone from the beginning, toxic behaviors can be nipped in the bud, preventing them from taking root.”

Additionally, leaders must demonstrate the behavior they expect from their team members as well.

“Displaying professionalism, respect and constructive communication sets a precedent for others to follow,” says Beuermann-King. “When employees witness leaders embodying these values, they are more likely to adopt them themselves.”

According to Schmidt, building a positive workplace culture at the law firm is an ongoing, but worthwhile, effort.

“We emphasize empathy, understanding and a collaborative spirit,” he said. “We encourage our employees to speak up and actively participate in shaping our work environment. By fostering a culture of respect and support, we not only prevent toxicity, but also nurture a thriving, successful team.”

 **If This Topic Hits Home, We've Got a Webinar for You**

When toxic employees are dragging your firm down, it takes skillful management and patience to turn it around. How you and your team effectively deal with toxicity can mean the difference between having a negative, drama-filled workplace, and an engaged, collaborative and productive organization. Beverly Beuermann-King, who is quoted in this article, leads the webinar *Terminating Toxicity: Strategies for Leaders to Effectively Deal with Employee Attitude Issues*. Listen on demand for more tips on how to handle this prevalent workplace problem: bit.ly/webinar-toxic. ALA members only pay \$39.

ABOUT THE AUTHOR

Kylie Ora Lobell is a freelance writer living in Los Angeles. She covers legal issues, blogs about content marketing, and reports on Jewish topics. She’s been published in *Tablet Magazine*, *NewsCred*, *The Jewish Journal of Los Angeles* and *CMO.com*.

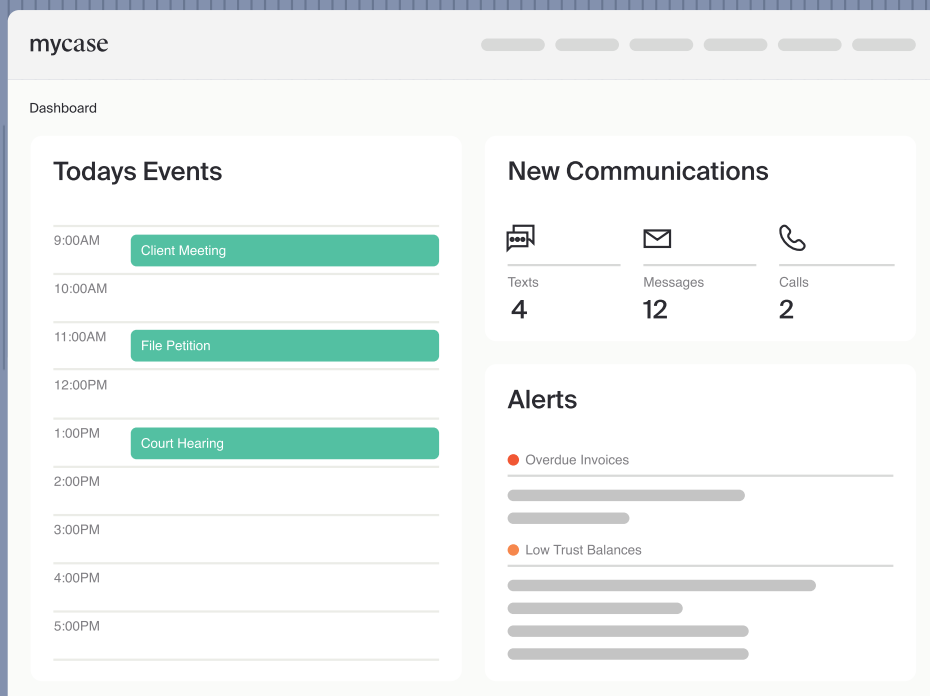
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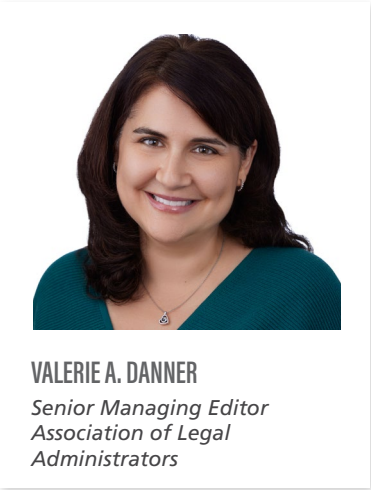
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VALERIE A. DANNER
 Senior Managing Editor
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“Given the financial pressures facing law firms globally, it is incredibly important to understand exactly what skills are required to support the firm, especially given the rising cost of support staff and the hard costs for recruitment. ... Firms should be using hard data to make these recruiting decisions and making sure they are building a sustainable support organization for the future.”

Thinking Outside the Legal Recruiting Box

As law firms struggle to hire legal assistants, legal administrators are finding creative ways to get recruits in the door.

Lisa Waligorski, CLM, PHRca, SPHR, still remembers the headline from the June 2013 issue of *The Wall Street Journal*: *Legal Secretary, a Dying Job?*

Law firms were just a few years removed from the Great Recession and grappling with the outcome of declining business and needing to cut back on expenses. The article also noted that younger attorneys “conduct business by email and type their own briefs,” implying the traditional legal secretary role is about to get a reboot.

The headline was certainly provocative, if not a bit misguided. Ten years later, the problem isn’t that the legal assistant job is dead — it’s still very much relied on in law firms. The dilemma has become a firm’s ability to fill this much-relied upon position.

“The job still exists,” says Waligorski, the Executive Director at Newmeyer & Dillon, LLP, and a member of the Orange County Chapter. “It’s just an aging workforce.” She estimates that people aged 45 and older account for 50% of legal assistants.

Research supports this. In 2023, BigHand released a report that noted 38% of firms are expecting to lose between 20% and 40% of their support staff to retirement over the next five years.

The other challenge is that the well for legal assistant recruits is drying up, making it that much harder to hire for these positions. Many colleges have cut the legal assistant program from their curriculum. That’s what Kristin Gaydosh, CLM, Firm Administrator with Baum O’Connor Cullen Chmiel, discovered as she began searching for recruits to fill legal assistant roles within her firm in Pittsburgh.

“That’s where I spend a lot of my time — trying to bring people up, and I have to do that because we can’t find the people anymore that want to do the jobs. I really like finding a person who is absolutely hungry for knowledge, trying to find their way [into a firm] exactly the way I was because nobody would let me in.”

“There are no longer legal assistant degrees from local colleges and universities in Pittsburgh or business schools. There are paralegal certificates, but there are not legal assistant degrees. And it’s frustrating because you still see medical assistant programs and medical coding programs, but not for legal [assistants],” says Gaydosh, a member of the Pittsburgh Chapter.

Eric Wangler, President of North America at BigHand, says he’s been hearing similar challenges in his work with law firms. “Most firms tell us that recruiting younger people into assigned support roles is a real challenge, so firms are looking for ways to make these roles more appealing and change their recruiting habits. The traditional legal assistant has evolved, so educating firms (and firm leadership) on new/ better ways of working is the first step.” That can be tough for more seasoned attorneys to swallow who are used to having the same legal assistant supporting them for decades.

As is the case with legal management professionals, you are confronted with finding solutions for this challenge — a challenge that needs ideas from fresh angles.

“We’re thinking outside the box,” says Gaydosh.

DO SOME RESEARCH ON WHAT YOUR FIRM NEEDS

What a small firm can do with legal support models is not comparable to models large firms can employ. So getting a good idea of what your firm actually needs is the place to start.

“Given the financial pressures facing law firms globally, it is incredibly important to understand exactly what skills are required to support the firm, especially given the rising cost of support staff and the hard costs for recruitment. ... Firms should be using hard data to make these recruiting decisions and making sure they are building a sustainable support organization for the future,” says Wangler.

At her firm in Canada, Mary Munro, Executive Director, Legal Service Delivery at Borden Ladner Gervais, LLP, is looking at the firm’s needs from the perspective of the lawyers’ career paths.

“Legal assistant support shouldn’t look the same through this whole process,” says Munro, an Independent Member. For example, if it’s a junior associate, look at how they are doing



tasks such as their research, e-discovery and document review, she says. That’s where they’ll need support, including guidance on understanding the business of law. Once they move into a senior associate level, they are now having matters that are in their name and owning them.

“They’re having conflicts cleared and they’re developing relationships with the clients, and they now have more scheduling issues,” says Munro. “And then once they are partner or senior partner, they are business development leads, management leaders, or they are responsible for large portfolios or key clients. So how do we build a flexible legal assistant support model so that it can follow the career of the of the lawyer and make it a seamless transition for them?”

She likens it to having a menu of working/support options — looking to meet the needs of the lawyers where they are, but also exploring how to tap into the great talent that’s out there by having roles that have a variety of different work styles.

TAP INTO LOCAL CITY RESOURCES

There is another tentacle to this challenge though: Finding the people to fill the roles. This issue was brought up in the Pittsburgh Chapter’s July meeting. And it’s inspired them to get creative.

“There really is not a business administration path for many high school students. That’s where the breakdown is. There are not individuals promoting these support staff roles and career paths that can be so satisfying.”

A four-year college experience isn’t the career path for everyone. There are still rewarding career options out there though — reminding high school guidance counselors of the many options within legal outside of practicing law is well worth it. Just the suggestion by a guidance counselor might be enough to introduce someone who is interested in legal — but doesn’t want to be a lawyer or incur law school level debt — that there are pathways to other rewarding careers within the legal industry.

“There really is not a business administration path for many high school students,” says Gaydosh. “That’s where the breakdown is. There are not individuals promoting these support staff roles and career paths that can be so satisfying.”

She is working with an eight-member committee of the Pittsburgh ALA Chapter to develop a program to help area firms fill these roles. The pace at which the group is working shows not only is there a need, but they are onto something. Doing some outreach to area high schools to get the legal assistant career on the guidance counselor’s radar was just the first idea that’s come up.

They’ve also spoken to someone in the education field, who pointed them in new directions, including workforce programs offered by the City of Pittsburgh. “There are youth foundations, there are other nonprofit organizations. I’m not going to say they have legal assistant programs, but they could be in a position to. We’re excited about the possibility of working with some programs that already exist.”

While still in the development stage, the committee is already making strides. The chapter is excited about where these open lines of communication are leading, including identifying intern candidates at career fairs. They even have the local bar association interested in partnering with them.

Once they have a blueprint in place, they are eager to share with other ALA members not only to help them with similar challenges, but to also bolster ALA’s strategic direction as it relates to diversity, equity, inclusion and accessibility.

“Our program should embrace and advance diversity, equity, inclusion and accessibility in our Association and the legal industry. ALA is committed to becoming the industry source for relevant learning and development for legal administrators. We can be the local source for learning, not only for administrators, but other law firm administrative roles. ALA uses influence to elevate the visibility of the Association and advocate for legal management professionals,” says Gaydosh. “Again, why not take it to the local support staff community as well? Let’s do it through programs and community resources that already exist and would be thrilled to partner with us to introduce a curriculum and career path to the right audience. Let’s be intentional about where we recruit.”

RETHINK THE LANGUAGE IN YOUR JOB DESCRIPTIONS

When Waligorski was a legal assistant years ago, she knew everything an attorney was doing because she did the attorney’s typing. She read through every piece of physical mail — there was no internet and there was no email.

“When it comes to the way that it works now — with all the email, and you’ve got attorneys getting out of school [who] can type all their own stuff because they grew up typing all their own stuff. It’s just a different job now, and it’s OK to promote it that way,” she says.

Promoting it differently is exactly what Munro is working to do. “We’re throwing out all the rules and the role doesn’t have to be this way anymore,” she says. They are currently exploring the term “legal assistant” to start. “I have seen postings from other law firms that are using the term executive assistant versus practice assistant or legal assistant. So maybe it’s a legal executive assistant or hybrid executive assistant/practice assistant. We are actually looking to upskill our practice assistants and we see the value of providing our partners with a higher level of support,” says Munro.

Also take a close look at the actual terms you are using in the job description. Are you selling it as well as you could be? Are there aspects of the job that you can write differently to attract a younger group of recruits who are interested in legal work?

Gaydosh says another ALA member who is a marketing director was on their last committee call and noted they need to curate their message better so the younger demographic they are targeting takes notice. For example, instead of saying “proofreading,” elaborate and say, “curating and editing content of legal documents.”

Or instead of just saying managing attorney emails and calendars, speak to the level of organization and communication skills required.

“Maybe it’s communications between opposing counsel and clients, and instead of scheduling, it’s managing complex appointments and court deadlines,” says Gaydosh.

Highlight the tech aspects of the job — what programs are in place that might give someone a chance to flex their tech prowess? Workflow programs? Artificial intelligence? Collaboration tools?

As an example, Munro suggests if you have e-discovery tools for document review, promote it and how this role might use that. “As a legal assistant, if I’ve done my schooling and I’m very tech savvy, I don’t want to come in and just run invoices all day,” says Munro. “If we’re going to have our legal assistants feeling like they’re doing interesting work, we’re going to need to have interesting tools for them to use as well.”

It ties back to the overall mission and goals of the firm, so the individual sees they aren’t just in an entry level job — these roles play an integral part within the legal operation. People want to feel like their work matters, arguably more so with this incoming generation.

Which brings us to the next part of the job description. Tout your firm culture and growth opportunities that exist.

“Individuals don’t know the atmosphere within your firm. You need to promote the firm culture,” says Gaydosh. “[For example,] we have a professional work environment, and employees are well rounded and respected.” She also says that on-the-job training is something younger recruits crave, but not all job postings say that. Spell those perks out to really sell people on the role.

PROVIDE PATHWAYS WITH TRAINING

Are you overlooking candidates for these roles that show promise, but don’t have legal experience? Or are there opportunities to bring in a temp worker to gauge their interest in the work and see if there is an option to work with them to move into a permanent legal assistant position?

When Waligorski was looking to get her foot in the door in legal, she was met with the same paradoxical roadblock: The job postings were entry level ... but they wanted five years’ experience in legal. “I was like, how are people getting the experience then?”



She found her way in as a temp as a firm’s receptionist, showed her worth and then got the role of legal secretary. It’s something she keeps in mind when looking to fill spots today. It’s one reason she’s created an office services path.

“I am constantly trying to find different ways to train people and that’s where my value is,” says Waligorski. “That’s where I spend a lot of my time — trying to bring people up, and I have to do that because we can’t find the people anymore that want to do the jobs. I really like finding a person who is absolutely hungry for knowledge, trying to find their way [into a firm] exactly the way I was because nobody would let me in.”

With that in mind, she’s worked to develop pathways at her current firm for a legal support assistant. So if someone in office services is showing that potential, they have a roadmap to advance. They can work their way up to becoming a legal assistant, which includes a lot of internal training and going through LPI training (something exclusive to California).

“So if we’ve got people [who come from] office services, and they’re showing their worth and they’re doing a great job, we’ve got a path to move them to the [legal support assistant],” says Waligorski. The program is adaptable for work experience. For example, if someone comes in who has records clerk, e-filing or service of process experience, the training can be tailored to account for some of the knowledge they’ve already obtained from that role.

Wangler says they are working with many firms that have taken the traditional legal assistant role and established up to five levels of support. “In these structures, entry-level support team members work in a team and work on support work

“As a legal assistant, if I’ve done my schooling and I’m very tech savvy, I don’t want to come in and just run invoices all day. If we’re going to have our legal assistants feeling like they’re doing interesting work, we’re going to need to have interesting tools for them to use as well.”

that does not require legal knowledge. In this way, they are learning about working in a law firm, being trained how to complete different tasks, but are largely being shielded from the pressure of a direct support relationship with a group of lawyers. As their skills develop and they can take on the work that requires more interaction with clients/lawyers, and a deeper understanding of the legal process, they progress their role into higher levels within the firm,” he says.

Time isn’t a luxury firms have, especially smaller firms with limited human resources. This is where the program ALA’s Pittsburgh Chapter is working on can prove beneficial.

“If you had an opportunity to support one individual. ... The cost of one individual going through a program for a set amount and you had an opportunity to have that individual work in your firm for an internship during the summer with the opportunity to possibly hire that person upon completion of the program? Absolutely. So let’s make it happen. says Gaydosh.”

If you can’t create a training program that goes from legal support assistant to legal assistant, Waligorski says work to find people in interviews who have that drive. She asks the same questions to every candidate and is very up front in interviews about what’s expected — but also what can be achieved with hard work.

“We tell people we’re looking for somebody who is a team player, and somebody who is willing to learn and is thirsty for knowledge. We are willing to help you with the path that you want to be on if you’re willing to put in the work; you’ve got to put in the work. It’s never going to be just handed to you. It wasn’t handed to me,” says Waligorski.

Then make sure they are set up to succeed and acclimated. That initial investment is the key to getting people in these roles — and keeping them. When you do make a hire, remember that they might not fully understand the opportunities that lie in front of them if they are willing to work for it. Have that conversation with them. Gaydosh notes how rewarding a career in legal support can be.

“Once you are a legal assistant, then you even get to the point where you might specialize in an area of law, whether

it’s litigation, corporate, bankruptcy, estates and trusts, and you have an opportunity to find your right fit within a law firm — an expert within your own field,” she says.

Munro notes she focuses on technology in interviews, noting if they aren’t tech savvy, they won’t succeed at the firm. “I’ll ask a technology question, and it’ll be as simple as like tell me the most recent technology adopted at home. Because if somebody’s got a technology brain, they’re using it at home too. If they’re not interested [in tech], they’re not going to fit long term. We’ve got to be able to introduce these tools and have people not afraid of them.”

HIGHLIGHT THE PERSONAL GROWTH, TOO

Yes, Gen Z wants to be connected to their work and have a roadmap for career development. But they also want a competitive salary, even for entry level jobs.

Gen Z is facing inflation and a higher cost of living and, in many cases, crippling student loans. Waligorski says you’ve got kids living at home into their 20s and 30s because they can’t afford to have their own separate life, especially in metropolises like Los Angeles and New York City.

Waligorski explains she uses the jobs to show them how it can lead to more financial stability and set them up for success personally, too. Showing them the possibilities is another way to get them in your firm’s door.

“You can get them because they see a path. They’re like, ‘OK, if I can get the skill set and I can build this up — then I can build something from this and get a better job. I’ve got this [firm] on my resume and can get out of this house.’ It’s not just the pathway professionally; it’s a pathway, personally.”

ABOUT THE AUTHOR

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6 Steps to Boost Your Productivity

You walk into the office and the phone starts ringing before you even have a chance to sit down. As you take the call, you realize the alarming number of emails you've received overnight. Looking at your schedule, it's completely crammed with meetings, and you'll be working late ... again.

If your workday is filled with stress, you are not alone. In a 2023 Gallup poll, 52% of regional workers reported feeling stressed, the highest levels in the world. It's a recipe for burnout.

While it's difficult to carve time to focus with so many competing tasks and interruptions, here are strategies you can implement now to help streamline your workload and boost your productivity even in the busiest of times.

1. The Two-Minute Rule

If you can get it done in two minutes or less, get it done. This quick and easy technique is a game-changer. Sign it, send it, click it, buy it, delegate it — whatever the action.

Move it off your desk and off your to-do list. It's great to alternate this technique with bigger projects that take a lot of time, because you get the satisfaction of feeling productive when you knock a bunch of things off your project list.

2. Schedule in Advance

Start your day on the right foot by spending 10 to 15 minutes each morning prioritizing and planning your day. Target three priorities to accomplish each day. It's tempting to think you are going to get 10 items knocked off your to-do list, but that rarely happens, and they may not be the most important items on your list.

“
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“The top distractions that people identify include social media and emails. Both can easily throw off your momentum.”

Next, dig into your calendar and begin to block time for completing those specific tasks. Having a solid game plan in place will help you be less reactive and still be able to shift priorities quickly if an emergency comes up.

“Preplanning is how I stay the most productive,” says Patrick Thacker, an Associate at Acito Klein & Candiloros, P.C. “I find that adding in buffer time between meetings as well as being prepared for all my meetings in advance helps me to have productive days.”

By adding in buffer time and completing two-minute tasks you can better prepare for an upcoming event, or you can take time to thoughtfully transition to your next task. Without planning for your day, Thacker notes that you’ll find that you start the day scrambling and end the day wondering where all the time went. Planning his day allows him to be proactive and have a sense of accomplishment.

3. Limit Distractions

First, get clear on what is distracting you. Are you being interrupted by text messages? The constant ping alert from your emails? Or is it hunger, and you need to take a break?

Having an awareness about what is distracting you can be the first step to fixing it. The top distractions that people identify include social media and emails. Both can easily throw off your momentum. Using sites that block social media and websites you waste time on allows you to remain focused. Closing out of extra browser tabs on your computer reduces the temptation to toggle between windows. These steps along with eliminating notifications will help decrease interruptions and create a better flow in your workday.

4. Match Your Energy to Your Tasks

Your energy levels dip and peak all through your workday. Work with your natural energy and rhythm throughout the day rather than pushing through projects and tasks. Spend a week or two tracking when you have high-energy times during your day. Once you have these high-energy times documented, use the information to schedule your peak times to maximize your biggest projects.

5. Stop Overwhelm

The more you feel overwhelmed at work, the greater number of unhealthy choices you’re likely to make. In addition, being overextended by your workload increases rates of absenteeism, presenteeism and burnout.

If you are feeling overwhelmed, chances are you have not identified the next actionable step to work on. Break down larger tasks into smaller actionable steps. You’ll know when you have defined a clear actionable step because you will have confidence in moving forward with no hesitation.

6. Take Breaks

The brain can take about 90 minutes of concentration before it begins to move into lower levels of focus. After periods of focused concentration, take a break. Take regular breaks to reenergize your mind and body throughout the day. Think about what your optimal times in the day are to take a break then schedule it into your calendar. Breaks are vital to the brain to recharge and allow you to reduce stress and burnout. Be sure to keep them short — less than 10 minutes — to reap the full benefit. Use your breaks as a way to reward yourself for completing important tasks or as a transition from one task to another. Whether it’s meditating for five minutes or a quick walk around the office, breaks help you clear your head so you can refocus and create a boost of energy.

Keeping on top of your workday can be a struggle. When you implement these techniques, you gain the upper hand on the impending tasks you have to complete. These small wins will allow you to have control over your workday so that you can have better days at work.

ABOUT THE AUTHOR

Margo Crawford is a Productivity Coach with Wave Productivity and works with entrepreneurs, small business owners and business professionals to help them get more focused and productive in their workplace. She is the author of *Exploring Productivity*. Crawford has been presenting productivity techniques to businesses for nearly 20 years.

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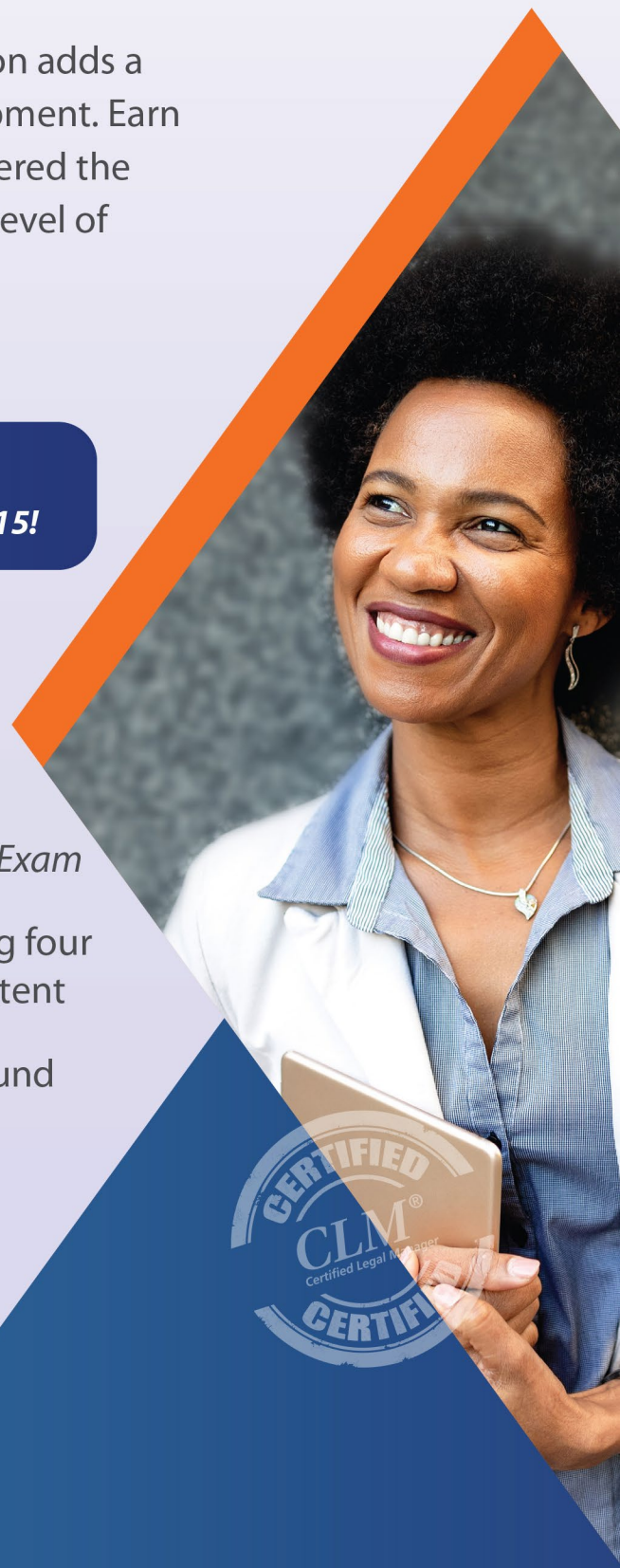


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TARIQ HAFEEZ
 Co-Founder and President
 LegalEase Solutions

AI Can Revolutionize Legal Service Providers — If Used Strategically

Alternative legal service providers (ALSPs) have pioneered the legal sector’s push toward making its processes and workflows more efficient. They have played an essential role in pushing this highly traditionalist industry to embrace globalization, legal transformation and strategic outsourcing for contract review, legal research, litigation support and other high-volume work.

“Generative AI can also help legal management professionals and their teams quickly identify responsive documents in e-discovery, particularly by whittling down the number of responsive documents legal teams should review.”

The same can be said for generative artificial intelligence (AI) today. AI is nothing new to the legal profession. Law firms, and even alternative legal service providers, have already been integrating machine learning tactics and AI tools into their services and legal tech solutions for years. However, the launch of OpenAI’s ChatGPT and other consumer-focused generative AI tools are making AI easily and affordably accessible to any professional.

Unsurprisingly, what was once a stealth offering could turn into a disruptive force for ALSPs. One recent Thomson Reuters survey found that 82% of in-house counsel surveyed felt they could apply ChatGPT and generative AI in day-to-day legal work. At the same time, roughly 1 in 5 corporate legal departments want to either decrease their ALSP spending or reevaluate their spending plans.

However, despite the dim picture legal industry doomsayers are painting, there is still a role for the ALSP in furthering legal services and expanding opportunities. ALSPs can and do play an important role in helping train AI models with data and feedback to help bring about greater accuracy. Increasingly, legal tech companies are looking to partner with ALSPs to create AI-powered tools and solutions. Moreover, modules rooted in generative AI can help the ALSP sector streamline services, promote more efficient matter staffing and streamline the way ALSPs accomplish high-volume legal tasks.

HOW GENERATIVE AI IMPACTS ALSPs

The mission of any ALSP is to help legal and in-house department clients scale, optimize and adapt to new technology — all while saving costs and promoting efficiencies. Generative AI will — and should — push ALSPs to reassess how they approach these objectives. Standalone generative AI programs could render an ALSP’s automation-focused advantages redundant, considering how AI can accomplish much of the same tasks as an entire review team with a fraction of the staff output. Naturally, the speed at which AI can categorize contracts, point out redlines, compile legal research and more would enable ALSPs to complete projects with greater accuracy, and at a fraction of the speed expected with human-powered teams. This could upend how ALSPs approach their pricing and business models. Given the process-based shortcuts AI offers, increasingly cost-conscious clients may raise red flags about not getting billed appropriately.

However, current-generation AI programs are still imperfect. Even though generative AI programs and associated large language learning models (LLMs) have gotten remarkably close to mimicking the quality of human-generated responses, counsel and research findings, in-house departments still risk receiving inaccurate or made-up feedback. For in-house departments, the risks of following advice grounded in AI-induced “hallucinations” can compromise an in-house department’s objectives.

HOW ALSPs AND GENERATIVE AI CAN WORK TOGETHER

The way ALSPs can maximize AI’s potential while preserving their value proposition is to fill the gap between AI’s aspirations and current capabilities. When ALSPs combine the strengths of their niche knowledge and human intelligence with AI’s power, they can fulfill their objectives much more quickly and efficiently.

Consider contract review, long a staple offering of ALSPs. Once an AI module has undergone machine training, it could automate up to 60% of the work an ALSP team could produce. It could even offer redlines, execute playbooks of fallback clauses, summarize execution timelines and renegotiation schedules, and even synthesize business data with contractual terms to assess grounds for renegotiation. While humans will remain a key cog in driving effective negotiations and relationship-building initiatives, ALSPs must repackage their offerings to reflect the heightened speeds at which AI can work through agreements.



Generative AI can also help legal management professionals and their teams quickly identify responsive documents in e-discovery, particularly by whittling down the number of responsive documents legal teams should review. While an attorney would still need to make critical judgment calls around evidentiary privilege considerations, introducing the technology could represent the difference between having an ALSP review millions of disparate documents or billing for concentrated review sessions of highly responsive documents.

There are many other AI use cases for an ALSP to explore, including using it to expedite legal research, run predictive analytics on potential judge rulings and identify red flags in a company’s compliance initiatives. So long as they consider the benefits and drawbacks of the technology — and the continued importance of human legal teams — ALSPs should consider test-driving and embracing AI technology soon. It’s a move that will not only help the legal management community streamline their day-to-day work, but also further an ALSP’s standing as a trusted partner for legal management professionals for decades to come.

ABOUT THE AUTHOR

Tariq Hafeez is the Co-Founder and President of LegalEase Solutions. He helps original equipment manufacturers (OEM) in-house legal and compliance teams leverage legal transformation to improve and streamline how they approach legal research, compliance, contract management, and litigation analytics and support.

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BILL & PHIL

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*Phil Hampton, Consulting President,
LogicForce*

Microsoft's Copilot Is the Latest Promising AI Tool

In the past year, generative artificial intelligence (AI) has transformed from an ongoing experiment into actual products that we use daily. Sometimes, it's hard to conceptualize how something like AI might impact your daily work. But when products we use regularly begin to incorporate generative AI into our workflow, we can easily see how transformative this new technology can be.

“In addition to making basic computer system changes, Copilot can do more interesting things. In much the same way you can use the new chatbot version of Bing to query the internet for specific things, you can do likewise with Copilot, with the response being a summary of the solutions to your question with footnotes to actual websites.”

We are now at the stage where AI is being introduced in brand new technology while also being incorporated into some very old technology that we have used for a long time. Case in point: Microsoft Windows.

Microsoft first gave us a sneak peek of what it was working on in the AI space with a preview of its new AI-infused version of Bing, Microsoft's search engine. Now, the next Microsoft widespread AI feature update has been made available to Windows 11 users with automatic updates beginning in September 2023.

For those who have the update, you will notice a multicolor icon in your taskbar with a label of "Pre" on it. Clicking on this icon will bring up the preview mode of Windows' newest AI feature called Windows Copilot. Copilot is Microsoft's branding for its AI integration that will be a part of not only Windows 11 but Microsoft 365 products (Word, Excel, Power Point, Outlook, etc.), the Edge browser and Bing. We are very excited to see Copilot integrate into all these products but will have to be patient since it is still in preview mode with limited functionality. Our enthusiasm is also tempered by the news that at least some of the coming Copilot updates will come with a price tag. For now, however, we are happy to experiment with the free preview.

SOME FUN PERKS

When you launch Windows Copilot, you're presented with three different modes: "More Creative," "More Balanced," and "More Precise," which governs how you want the

Copilot companion to respond to your requests. Thankfully, Microsoft includes some example queries in each mode to give us an idea of what they are talking about.

At the bottom of the panel is a text box where you can type in your query or command for Copilot. There's no harm in trying it out — there's really not anything you can do that will be hurtful to your computer. If you ask something Copilot is not yet equipped to do it, it will kindly tell you. No harm, no foul. The only restriction is that you can only make 30 queries in one Copilot session. We're not sure if this is just a restriction in the preview mode or if that is a regular feature of the full-blown product.

Among other features, Microsoft suggests that you can use Copilot to make system setting changes on your computer without having to hunt for the option among the labyrinth of System menus and options. For example, you simply ask Copilot to "turn on dark mode" and, like magic, it makes that change for you. It doesn't make you feel dumb for asking, or roll its eyes, or stifle a laugh; it just does it for you. Nice!

We would really like it if once we made such a request, Copilot would just complete the task without coming back and asking for "Yes" or "No" confirmation, but maybe that will go away in future updates (we hope). In this preview stage, Copilot can do basic system changes, but it stops short of more advanced tasks, like performing a system backup. Copilot's answer to that request was a step-by-step guide of how to do it myself. Thanks, but no thanks.

In addition to making basic computer system changes, Copilot can do more interesting things. In much the same way you can use the new chatbot version of Bing to query

the internet for specific things, you can do likewise with Copilot, with the response being a summary of the solutions to your question with footnotes to actual websites. So, in this respect, Copilot is just a Bing chatbot added to the Windows interface with the added ability to perform some limited Windows commands.

One feature of Copilot that we found useful was to ask it to summarize a webpage that we had open in the Edge browser. Acting more like an AI-assistant rather than just a robotic shortcut, Copilot will do a pretty good job of creating a bullet point summary of any webpage we had open in the active browser tab, including PDF documents. Much like a human assistant might read through a document and highlight the salient points for you, Windows Copilot seems to perform this task with ease.

While we know this preview version of Copilot is limited in its functionality, we still can get a glimpse of how AI is going to be infiltrating our daily workflow through the systems that we currently use. This evolution is not scary to us (at least until AI learns how to write an article in the tone of Bill and Phil). While we welcome more AI technology into our workflow, we still recognize its limitations and sometimes its outright errors. Thankfully, humans like us are still around to tame and harness this technology for good.

ABOUT THE AUTHORS

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

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AMY KOSEY
Account Manager
Innovative Computing Systems

“Educating employees about cybersecurity threats is no longer optional; it’s a necessity for law firms.”

Safeguarding Your Law Firm: A Guide to Educating Employees About Cybersecurity Threats

In today’s digital landscape, law firms are not exempt from the looming threat of cyberattacks. While many may choose to remain tight-lipped about security breaches to safeguard their reputation, it’s crucial to understand that silence is not a defense against evolving cybersecurity threats.

Staying silent only increases employees’ and clients’ vulnerability and the likelihood they will learn of the breach from the hackers. In fact, the firms that go the extra mile to educate and train their employees often experience fewer or no incidents. This article will explore the importance of educating staff about cybersecurity threats, focusing on two essential phases: during a cyberattack and post-recovery.

EDUCATION OF STAFF WHILE THE CYBERATTACK IS UNDERWAY

When a cyberattack is detected, immediate action is required. This phase is critical to mitigating damage and ensuring a swift recovery. Educating your staff during this high-stress period is essential. Here’s what you need to consider.

Set Expectations: Inform your staff that a security event has occurred. Ensure this communication is made through secure channels not compromised by the attack.

Stay Calm: Above all else, emphasize the need to remain calm. Panic can exacerbate the situation.

Establish Business Downtime: Explain that business downtime is necessary to isolate impacted systems and minimize the impact of the attack.

Gracefully Log Out: Encourage employees to calmly and efficiently save their work and log out of impacted machines immediately.

Offline Machines: Let staff know that impacted machines will be taken offline immediately, and a hard time limit will be set.

Follow Procedures: Stress that any attempt to log in without permission could worsen the event and might result in administrative action.

Prioritize Critical Systems: Highlight the importance of keeping critical systems offline to prevent further damage.

Give Regular Updates: Set expectations for regular updates to confirm if systems can be brought back online.

Mandate No Information Disclosure: Remind employees not to speak or release any information about the attack until stakeholders decide upon a formal response.

Describe Cyber Insurance: Educate stakeholders about the necessity of cyber insurance, especially if mandated, and provide an explanation of the attack that led to this requirement.

Explain Forensics and Follow-up: If forensics or cyber insurance engagement is required, communicate to staff members the extended downtime and inform them when systems are ready for use, pending forensic team approval.

EDUCATION OF STAFF POST-RECOVERY TO REDUCE FUTURE CYBERATTACK RISKS

Once the initial threat is neutralized, it is vital to prevent future attacks. The type of attack will determine the appropriate post-recovery education. In general, social engineering and ransomware attacks are the most common, and here is how to educate your staff effectively.

Recognize Human Firewalls: Every team member is a firewall. Train your staff to recognize attacks and empower them to stop threats before damage is done.

Establish Annual Security Awareness Training: Implement regular security awareness training to increase staff's awareness of potential red flags.

Conduct Assessment and Feedback: Run post-training tests or surveys to gauge staff's understanding and the effectiveness of the training.



Implement Your Own Phishing Campaigns: Launch phishing campaigns to raise staff awareness of social engineering tactics.

Give Remedial Training: After the phishing tests, provide additional training for those who fail. Adjust the campaign cadence based on results.

Run Incident Response Testing: Regularly test your incident response, business continuity and disaster recovery plans to identify issues and technical problems.

Hold Tabletop Exercises: Simulate cyber events with tabletop exercises to prepare staff for real-world scenarios. Use feedback from staff to refine the process.

Educating employees about cybersecurity threats is no longer optional; it's a necessity for law firms. As the adage goes, "an ounce of prevention is worth a pound of cure." The costs of a cyberattack, both in terms of financial losses and reputational damage, are far greater than the investment required to educate and prepare your staff.

Remember: It is the law firms that proactively train and educate their employees that stand a better chance of preventing, mitigating and recovering from cyberattacks.

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ALEX SMITH
Global Product Lead
iManage

Legal Administration Meets Generative AI: A Roadmap for Success

Within the sphere of legal administration, the allure of generative artificial intelligence (AI) looms large, beckoning practitioners to consider its potential benefits.

Start in the finance department. Could the deployment of generative AI help law firms accelerate the trend toward more flexible or creative billing models?

What about the HR side of the house? Can generative AI play a role in onboarding activities and ongoing talent development initiatives, helping to make sure junior associates continually learn and grow and develop?

What if the IT team could roll out a brand-new practice management system or document management system and then lean on a generative-AI-powered chatbot to help provide product and behavioral change support and answer questions that new lawyers might have about the system?

These are heady possibilities. But while this newest flavor of AI holds the promise of transforming many different areas of “the business of law,” there are issues around training, security and risk mitigation that must be addressed before legal administrators can confidently embrace it.

INFORMATION ARCHITECTURE BEFORE ARTIFICIAL INTELLIGENCE

Legal administrators should begin their generative AI journey by evaluating their information architecture. Why? Because the large language models (LLMs) that underpin generative AI require extensive training on data to provide accurate answers and generate useful content.

“No one should think of generative AI as a ‘plug and play’ technology that doesn’t require any groundwork. But that doesn’t mean that generative AI isn’t worth exploring — it just needs to be done in a thoughtful and considered manner.”

Picture our lawyers above querying a tech support chatbot and getting wildly inaccurate answers about how to use their new practice management system. Alternatively, imagine the financial analyst who is trying to come up with an ideal billing model for a new client by using a generative AI tool that was trained on matter and billing data from 10 or even 20 years ago.

The bottom line is that the outputs provided by generative AI will be skewed in the wrong direction if improper data is used to train it. So, how best to get around these types of disasters-in-waiting and shore up the information architecture?

FEEDING TIME

The first step is to identify the trusted data sets within the organization and where exactly that data lives.

Organizations that already have a document management system (DMS) are one step ahead of the game, as they have implemented the context of matters and some key matter-centric factors like practice areas or regions. But the firm's data will require some additional attention to find "the good stuff."

Fortunately, the administrative teams will know where the data is good and where it is weaker. For example, a key business function may be run in spreadsheets stored in the DMS. Identify them and mark them out uniquely. Alternately, find where the practice teams "stash" the shared knowledge/best examples, and flag these matters as unique.

This filtering is key. Providing the LLM with access to all the files within the DMS can overwhelm the model with too much "noise" and not enough "signal." A better approach is to train the LLM on a small subset of data within the DMS, like the final approved versions of documents from within a specific time range. Having some sort of internal knowledge curation team that's in charge of determining what "good content" looks like for any particular legal administration workflow is essential. Simply put, what you feed your LLM matters.

Likewise, firms will want to ground the outputs that a generative AI tool is able to provide. In the case of the IT professional looking to create chatbot support for the latest platform rollout, that might mean making sure that the tool is pulling answers from vetted content, like an official support portal rather than the entirety of the world wide web. For the finance professional, it might mean making sure that outputs are grounded in specific areas of the DMS, practice management system or billing system.

STAY ON TOP OF SECURITY AND MAINTAIN CONSISTENCY

In the quest to feed generative AI models good content and deliver optimum outputs, legal administrators should ensure that they're not accidentally stepping on any security or confidentiality landmines. After all, law firms traffic in highly privileged material.

Some matters and files will be fully locked down and inaccessible, depending on how "open" or "closed" of a security model is in place at the organization. This raises the possibility of a variability of responses from generative AI, rather than uniformity.

For instance, several different HR professionals who all work at the same firm — and who are looking to find the best examples of work product to use as training materials in a talent development seminar — might get totally different results from generative AI, depending on what kind of access they have to the firm's files.

To avoid this kind of scenario, firms should think about adopting a slightly different security posture for knowledge assets and best practices content that are used to train the LLMs. This will help avoid a scenario where the answers that generative AI provides are highly variable.

Remember, however, that some business data is very confidential — things like billing, salary, bonuses and employee data (like working styles). Make sure this is treated as if it were client confidential, and only abstract out data that helps your AI needs.

THINK PRACTICAL ROADMAP, NOT PLUG AND PLAY

No one should think of generative AI as a "plug and play" technology that doesn't require any groundwork. But that doesn't mean that generative AI isn't worth exploring — it just needs to be done in a thoughtful and considered manner. If legal administrators address these key areas around information architecture, training, security and consistency, they'll find themselves with a realistic and practical deployment roadmap to help ensure generative AI success.

ABOUT THE AUTHOR

Alex Smith is the Global Product Lead – Knowledge, Search, AI at iManage.

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

Congratulations to the 2024–2025 ALA Board of Directors and Chapter Resource Team

In November, the 2023 Nominating Committee convened in Chicago to determine the 2024–2025 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 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 Aurora, Colorado at the Annual Conference & Expo.

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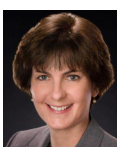
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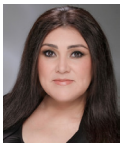
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Anniversaries, Awards and Appointments

Members on the Move »»



Kimberly Bernal, a member of the Houston Chapter, is now Director of HR at Patterson + Sheridan LLP in Houston, Texas.



Tara C. Mundy, a member of the Arizona Chapter, is now Firm Administrator at Struck Love Bojanowski & Acedo, PLC, in Chandler, Arizona.



Ryan M. Theborge, a member of the Downeast Chapter, is now Director of Legal Operations at Unum Law in Portland, Maine.

Kudos to the Fall 2023 CLM Recipients!

Congratulations are in order for the 14 administrators who passed this fall's CLM exam and are now Certified Legal Managers:



- » **Amber Kulig, CLM**, of Goodell DeVries Leech & Dann, LLP, in Baltimore, Maryland
- » **Marissa A. Wills, CLM**, of Shepherd Elder Law Group, LLC, in Overland Park, Kansas
- » **Curtis Glenn Hanna, CLM**, of Austin & Pethick Law Firm, PC, in Aiken, South Carolina
- » **Michelle M. Sheppard, CLM**, of Hartline Barger LLP in Dallas, Texas
- » **Dana L. Holsomback, CLM**, of Ogletree Deakins Nash Smoak & Stewart, PC, in Nashville, Tennessee
- » **Robin W. Owens, CLM**, of Morton & Gettys, LLC, in Rock Hill, South Carolina
- » **Darryl Blanton, CLM, SHRM-SCP**, of Davis Cedillo & Mendoza, Inc., in San Antonio, Texas
- » **Sharen Nocella, CLM**, of Maron Marvel Bradley Anderson & Tardy, LLC, in Wilmington, Delaware
- » **David Montiel, CLM**, of Fox Swibel Levin & Carroll, LLP, in Chicago, Illinois
- » **Stefanie N. Raph, CLM**, with the Town of Castle Rock in Morrison, Colorado
- » **Heather Bowen, CLM**, of HMB Legal Counsel in Chicago, Illinois
- » **Timothy Barker, CLM**, of Bryant Miller Olive PA in Tampa, Florida
- » **Kristi Seaton, CLM**, of Hodges Loizzi Eisenhammer Rodick & Kohn LLP in Itasca, Illinois
- » **Veronica M. Hurless, CLM**, of Orloff Lowenbach Stifelman & Siegel, PA, in Morristown, New Jersey

ALA Member Interviewed About Memoir

Writer's Digest recently offered an opportunity to 80,000+ writers to submit a published or unpublished story to a competition hosted by Atmosphere Press. Only 50 writers were selected for an interview to be published in their Atmosphere Press Presents author interview series, and ALA member Nadean Stone, CLM (Ret.), MBA was one of those!

You can read the full interview here and more about her memoir, *No Stone Unturned: A Remarkable Journey to Identity* at alanet.org/legal-management/2019/june/departments/ala-member-pens-memoir.

Congrats, Nadean!

Anniversaries, Awards and Appointments



Sending Our Condolences

ALA is saddened by the passing in December of two former Presidents of the Beverly Hills Chapter, Louise Caplan and Carol Leemon. Both were active in the ALA and legal communities. Louise was Beverly Hills Chapter President from 1994–1995 and served as an administrator at the law firms Bryan Cave and Jacoby & Myers. In her later years, she volunteered with AARP to help seniors file their tax returns. Carol was chapter President from 1993–1994 and was an administrator for two law firms in the Los Angeles area before becoming a consultant. ALA sends its condolences to Louise’s and Carol’s families, friends and colleagues.

ALA is also saddened by the death of Gail Roupp, former President of the Philadelphia Chapter who was a member of ALA for 20+ years. “Gail’s unwavering dedication to our chapter was unparalleled — always the first to step up and volunteer, whether it was lending a hand at events, extending a warm welcome to members over lunch, or contributing ideas to propel our chapter forward,” the Philadelphia Chapter said. To honor her legacy and work for the legal community, her family requests that donations be made to the Foundation of ALA. ALA sends its heartfelt condolences to Gail’s family, friends and colleagues.

Conference Agenda

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Liz Murray
*Author, *Breaking Night:
My Journey from Homeless to Harvard*
Founder, The Arthur Project*

MAY 19–22 Gaylord Rockies Resort & Convention Center
Aurora, Colorado

What's Happening at Headquarters



Our New White Paper Explores the Benefits and Risks Generative AI Brings to Law Firms

Artificial intelligence (AI) in general and “generative AI” (GAI) in particular, such as Open AI’s ChatGPT and DALL-E, received extraordinary media coverage over the past few years and specifically during the last few months of 2023. GEN-AI can provide many benefits to law firms; however, it also can create risks.

Our latest white paper, *Generative Artificial Intelligence: Benefits and Risks to Law Firms*, provides you with a fundamental, nontechnical, informative discussion of AI and GEN-AI concepts. It investigates the relationship between ethics and the rapidly (and sometimes unchecked) evolving world of GEN-AI. Finally, it identifies specific GEN-AI benefits and risks relevant to law firms when using GEN-AI in their activities and improve and elevate the reader’s overall AI literacy.

Visit alanet.org/whitepapers and download your copy today.

Register by February 9 to Save on Annual Conference & Expo

Take advantage of early bird pricing for ALA’s 2024 Annual Conference & Expo in Aurora, Colorado! Don’t miss the chance to hear from engaging speakers on all the latest legal trends, meet exhibitors that have the business solutions your firm needs, and network with ALA colleagues new and old.

Book by February 9 to save \$200 on your registration. Click here to preview the presentations and get ready to Discover the Difference that will help you, your firm and your team stay competitive in today’s rapidly evolving legal landscape. Join us **May 19–22!**

Visit alaannualconf.org to register.



Join the Discussion on Hiring and Retention of Legal Support Staff

As firms struggle to recruit legal support staff, hiring and retention will remain top of mind for firms in 2024. Is your firm doing anything unique or innovative around this topic? From professional development options to flex arrangements, we want to discuss what firms are implementing to make careers in legal support a viable option. Join members of ALA's Professional Development Advisory Committee (PDAC) Jennifer Trippett, Senior Manager of Professional & Staff Development at Steptoe & Johnson PLLC, and Cynthia Thomas, Regional Administrator at Offit Kurman, as they lead a discussion on themes looming large in this area. Register now for this ALA Roundtable on **January 19** at noon Central by visiting alanet.org/roundtables.



Learn About the Basics of Running a Chapter

Save the date for 2024 Essentials of Chapter Leadership, taking place **March 26** through **March 28**. This three-day virtual training event will 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. This event is open to all members, so be sure to attend if you want to learn about these topics, even if you're not yet slated to be a chapter leader.

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A collage of circular images on the right side of the banner. It includes a hand using a laptop, two women smiling, a man working at a computer, and a group of people in a video conference.