

LEGAL MANAGEMENT

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Investing in Our Profession's Future

The Foundation of ALA is supporting students as they work toward careers in legal.





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“
Being a business professional
in a law firm is always
exciting and interesting
because of the variety of
things we get to do. But the
inevitable companion to that
is stress.”

Connecting with Others to Reenergize

As this issue of *Legal Management* is hitting inboxes, members and business partners are converging on Kissimmee, Florida, for this year’s Annual Conference & Expo. I find it the perfect way to reenergize and connect with friends (as well as make some new ones!). It’s not always easy to carve out the time to get away to reinvest in myself like this, but I make it a priority because every time I attend conference, I see the value in it.

I feel better about managing the daily stress of being everything to everyone in my firm, when I’m able to connect with my fellow members at events and feel reinvigorated in the community of others. Being around like-minded people that do what I do fills my bucket and helps me be a better person and a better resource for my firm and even my family.

It’s one way that I take care of myself. Because you know what? Being a business professional in a law firm is always exciting and interesting because of the variety of things we get to do. But the inevitable companion to that is stress. We can feel pulled in a hundred different directions at once. Additionally, many of us are a resource for staff who also might be struggling with their mental well-being.

As May is Mental Health Awareness, I encourage you to continue your education to not only help yourself, but to be a resource to those in your firm who also need assistance. There is such a need for it. For example, one resource you have access to is Mental Health First Aid. ALA began offering this certification from the National Council for Mental Wellbeing last year — every session has sold out so far, and the summer dates are on pace to do the same.

So I would encourage you to take time to reflect on how you take care of yourself and make self-care a priority. Also, be sure to be on the lookout for this year’s print edition

of *Legal Management*, which focuses on wellness topics on everything to the relationship the legal industry has with alcohol to how artificial intelligence can help prevent burnout. Some members even share tips on how they fit wellness into their day (bonus: there are pics with dogs!). The issue will be hitting homes in late July.

Lastly, I would be remiss if I didn't note that this is my last column as your ALA President. It has been an honor and a

privilege to serve in this role. I have learned more than I can put into one column. The chance to connect with so many members — some even in person this year! — is a highlight that will remain with me long after I pass the torch to Sarah Evenson, JD, MBA, in Kissimmee. The Association is in excellent hands.



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Check Out the Latest Opportunities in ALA's Job Bank

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Ransomware: Is Your Firm Vulnerable?

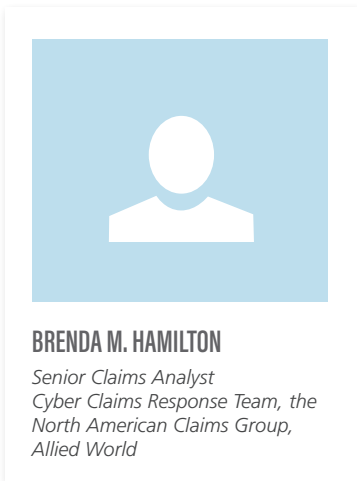
It's one of your worst nightmares: You turn on your computer and there's a ransom note on the screen. While you worked from home, an attacker used your computer to gain access to the firm's entire network, resulting in a complete lockdown.

Unfortunately, it appears that your computer may be the proverbial patient zero. After you collect yourself and contact your managing partner, what should you do? Ideally, your incident response plan will guide your firm's next steps, which should include immediately contacting your cyber and professional liability carriers for guidance and support.

WHAT IS RANSOMWARE?

Ransomware is a type of malicious software (malware) that attempts to extort money from victims by denying access to a computer system or files. The most prevalent form of this malware, crypto-ransomware, encrypts files that can only be decrypted with a key held by the malicious actor. Ransom payments, however, do not account for all the costs associated with a ransomware attack.

Some malware is expressly designed to harvest personal and proprietary information before dropping the ransomware. Once successful at infiltrating your system, the threat actor will collect personal data, passwords, mail files, browser data and more. This type of information can give the attacker access to important information, including personal and business bank accounts, personal or work-related email correspondence, and personal and business data. Getting access to this kind of information can have severe business consequences.



BRENDA M. HAMILTON

Senior Claims Analyst
Cyber Claims Response Team, the
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“
Regardless of whether
large or small, firms
remain prime targets for
cybercriminals.”

Today, ransomware includes threats where cybercriminals are not just encrypting data but also stealing it and threatening to release it on the internet. For example, a small firm in Texas refused to pay a ransom and had its data exposed by the cybercriminals, including fee agreements and diaries from personal injury cases. These extortion attempts are not only about getting data back but also about the risk of proprietary data being exposed or sold to other threat actors.

LAW FIRMS AND NETWORK EXTORTION

Lawyers and law firms have ethical obligations under the rules of professional conduct in their jurisdictions to competently represent their clients, to protect their clients' confidential information, and to supervise and train their staff on cybersecurity policies.

Regardless of whether large or small, firms remain prime targets for cybercriminals. They view legal organizations as warehouses that can provide access to employee identification data, banking information, trade secrets, nonpublic details on client transactions and other highly sensitive information. When a law firm is the victim of a ransomware attack, paying the ransom is not the sole consideration. Other risks include missed deadlines (including statutes of limitations), compromised client information, exposure of the firm's proprietary information and damaged reputations.

DEFENDING YOUR FIRM

Many legal malpractice policies offer some coverage in the event of a ransomware attack. This coverage, however, can be limited and is unlikely to cover but a fraction of the costs necessary to respond to a ransomware event. Ideally, a law

firm should purchase a stand-alone cyber policy that provides coverage in the event of network extortion. Such a cyber policy can reimburse insureds for the expense of a ransom paid to decrypt data or to secure the return of stolen data.

If your firm is hit with ransomware:



Do:

- » Consult your incident response plan.
- » Contact your cyber and professional liability carriers.
- » Remove the infected system from the network.
- » Preserve all electronic artifacts.



Don't:

- » Shutdown or reboot infected systems.
- » Communicate with the threat actor by yourself or have your local IT provider contact the threat actor.
- » Wipe out anything on your network.

ABOUT THE AUTHOR

Brenda M. Hamilton is a Senior Claims Analyst on the Cyber Claims Response Team of the North American Claims Group at Allied World.

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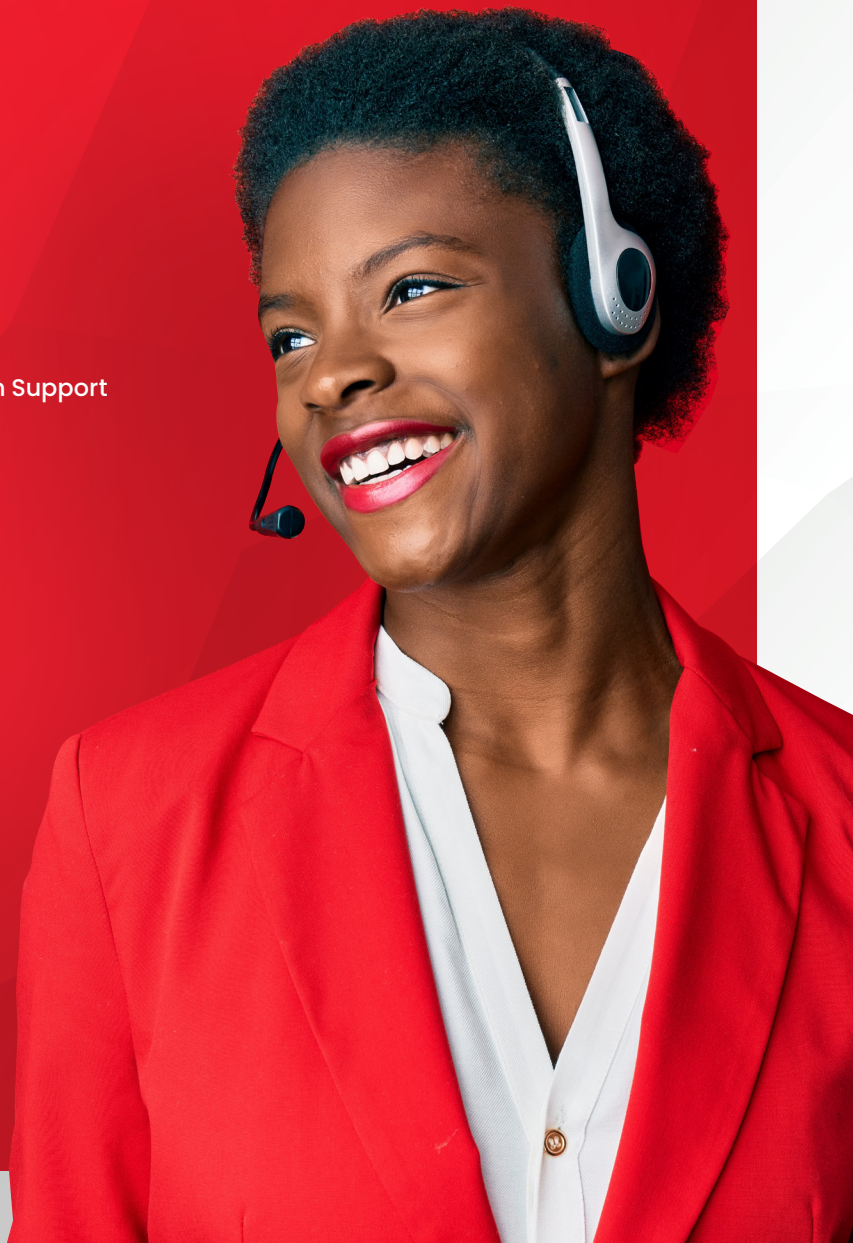
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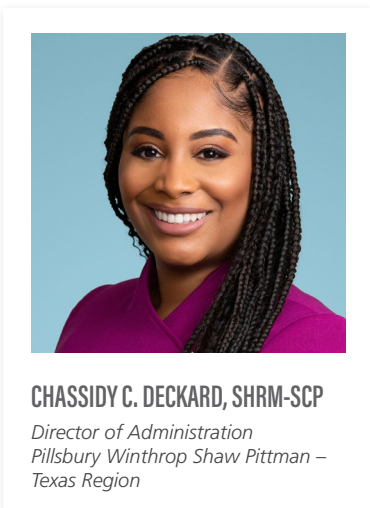


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Diverse Talent Pathways to the Business of Law

“What do you want to be when you grow up?” “A law firm administrator,” says no one ever.

Over the years, I’ve casually asked “so how did you end up here?” to several of my legal administrator colleagues. The responses range from knowing someone in the industry, needing to find a career to support them financially, wanting experience working in a law firm before deciding on law school, or having an education in a certain specialty field and just applying out of curiosity. Many started their legal management careers at an entry-level position at a firm and work their way up the career ladder.

“However, there are several reasons — including systemic and economic barriers — why there is a much lower rate of minority students that have a bachelor’s degree. So even though there is merit and a need to foster an academic focus on law administration, it should not be the only path available to diverse individuals.”

There are several different paths individuals take to enter and advance their career in the business of law. However, each contains roadblocks that may delay or deny advancement — particularly for diverse candidates and employees.

Compared to most other industries, the legal field is very far behind when it comes to diversity and inclusion. In fact, in a 2022 report about diversity and inclusion in law, the American Bar Association notes: “The legal profession has been very slow to diversify by race and ethnicity over the past decade ... In 2021, 85% of all lawyers were non-Hispanic whites.”

To help make a change, it’s important to note that law firms are businesses when discussing careers in law firm management. Like most businesses, there are certain roles and functions needed for these businesses to be successful. As such, in most major firms you will find the departments of finance, marketing, business development, human resources, recruiting, operations and facilities. And much like any other business, many clients are pushing law firms to become more diverse at the attorney ranks. Many law firms have implemented programs to help improve the diversity recruitment numbers for attorneys.

10 TIPS TO ATTRACT DIVERSE CANDIDATES

- 1 Provide implicit bias training for everyone involved in the selection and hiring process.
- 2 Include diverse employees in the hiring and selecting process.
- 3 Review job descriptions to confirm that language is inclusive.
- 4 Post positions on job boards/websites targeting diverse populations.
- 5 Remove the names and addresses from résumés.
- 6 Reconsider if a degree is a requirement to complete necessary job functions.
- 7 Include salary ranges on job descriptions to ensure pay equity.
- 8 Require recruiting agencies to submit a certain percentage of diverse candidates for each position.
- 9 Consider applicable transferrable skills from different industries.
- 10 Practice inclusive behaviors daily in your organization.

However, there aren't many programs to address the lack of diversity of legal managers in those same firms. Consider that as of January 2022, ALA reports that 82.2% of members identify as white. That barely places administrators further along than attorneys. However, the lack of client demand, limited internal recruitment, and retention plans and programming — and so few surveys focusing on diversity at the business professional ranks — continue to be roadblocks to becoming an administrator for diverse candidates.

Diversity, equity and inclusion (DEI) are more than just buzzwords. **Equity** requires workplace leaders to recognize and acknowledge that systemic barriers deny or delay entry and advancement in the workplace for certain groups. After acknowledging that fact, organizations must actively practice **inclusion** by creating pathways, policies and processes that value and respect individuals that show up and contribute as their authentic self. Creating these pathways will help attract more diverse candidates to the business of law, thus fostering more **diversity**.

CREATING A PATH

The Houston Chapter of ALA is working to change this issue by implementing a new diversity pathway internship program for undergraduate students. The chapter has collaborated with Houston law firms to either host an intern for eight weeks or host a lunch and learn meeting. During the internship program, students will work with different departments and have opportunities to network with law firm leaders. Upon completion of the program, each intern will leave with an updated resume, LinkedIn profile, professional headshot and a better understanding of how to have a successful career in the business of law upon completion of their undergraduate studies.

Obtaining a college degree is one way to enter the business of law. While most universities do not offer degrees specifically

in law firm management and operations, they do offer degree programs that will provide students with transferable skills needed to be successful in some of the departments listed above. However, there are several reasons — including systemic and economic barriers — why there is a much lower rate of minority students that have a bachelor's degree. So even though there is merit and a need to foster an academic focus on law administration, it should not be the only path available to diverse individuals.

Using my anecdote of asking other legal managers how they got into the field, DEI efforts should take advantage of how many positions in a law firm are more heavily trained in-house and law firms' ability to promote within. The availability of entry-level roles such as administrative/executive assistant, office services, facilities and various department assistant or coordinator positions do not always have a degree requirement.



These positions as well as the steadily evolving role of the legal secretary are usually for candidates who are looking to gain more experience in a law firm. Successful candidates are generally responsible for administrative tasks such as drafting and proofreading documents, legal research, time entry, invoices, preparing binders, etc. These entry-level positions are great opportunities for diverse candidates to get their foot in the door and learn more about the industry, and they should be a primary focus for attracting diverse candidates. It gives them an easier way to work their way up into legal management.

Business professionals play critical roles in the success of law firms. In top-performing firms, employees are keenly aware of their role and how they contribute to the strategic goals of the organization. It's time that diversity, equity and inclusion also become critical to the overall strategy and mission in law firms. Having diversity without equity and inclusion is simply just a

numbers game. Attracting and hiring diverse candidates is step one of many. Establishing inclusive environments where all employees feel safe to contribute, engage and collaborate as their authentic selves is key. Once you have these cultures in place, your employees will become some of your best recruiters by sharing their positive experiences with others.

ABOUT THE AUTHOR

Chassidy C. Deckard, SHRM-SCP, is the Director of Administration for the Texas region of Pillsbury Winthrop Shaw Pittman. This is her third year of service on ALA's Diversity, Equity, Inclusion and Accessibility Committee. (She will roll off at the 2022 Annual Conference & Expo.) She is also the Director of Diversity, Equity and Inclusion for the Houston Chapter of ALA. She is most passionate about creating pathways and retaining talent for diverse legal business professionals and attorneys.

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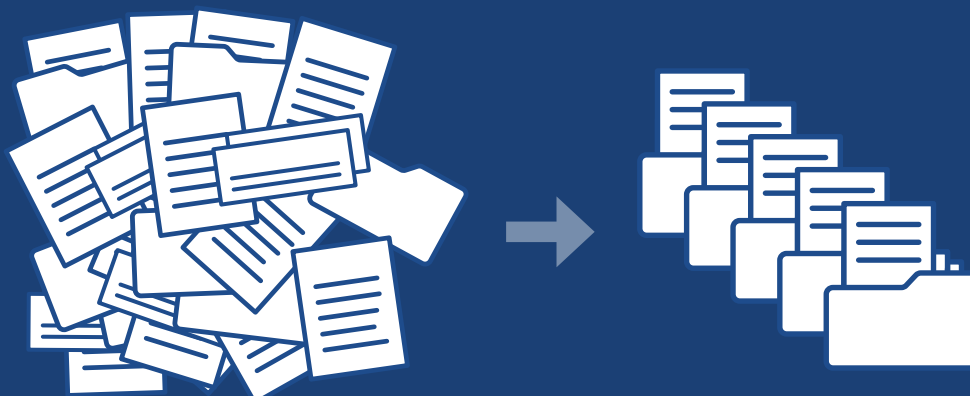
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Keeping Pace with the New Law Firm Work Environment

The outbreak of COVID-19 around the globe has forced businesses to innovate and change the way they conduct their work. Offices have become less important and work from home has become the norm. It's this sudden need for work from home is driving the digital transformation of the workforce and the evolution of the work environment at an unprecedented speed.

“
 Workplace surveys confirm that 85% of law practices have reported higher productivity because of greater flexibility.”

Some attribute this to new and innovative technologies that brought about this digital workspace; however, this premise is false. The mass adoption of telecommuting has become a vital business change agent since the outbreak of the virus.

Many assert that the adoption of technologies focused on delivering a complete virtual workspace for remote users is a profound difference in how we worked in the pre-COVID world. They point to the remarkable rate of moving to virtual workspaces and the leveraging of service as a software (SaaS) platforms, especially in industries that normally would be adoption adverse given the nature of the business. The legal services industry is emblematic of this thesis.

The legal sector illustrates an interesting aspect of the digital transformation of the workforce, as it deals broadly with a variety of personally identifiable information (PII) and highly confidential information (CI). Understandably, the legal sector is risk averse due to regulatory requirements and client-lawyer confidentiality. Historically, the primary defenses of protecting such data were through physical means — access controls and door locks as well as network security via firewalls and similar. Today's mobile and remote access is in stark contrast to the legal sector's previous security paradigm.

By necessity, legal firms globally have transformed themselves into organizations not solely dependent on the physical aspects of data security. There are three relevant

elements that have assuaged previous concerns:

1. Security has always been a high priority for firms. The advent and evolution of multifactor authentication for any device provides a much stronger method for securing access to data.
2. Hosted virtual desktops, virtual servers, virtual networks and telephony have drastically reduced the need for on-salary, on-premises IT staff and hardware. This element also offers an added benefit by driving down capital expenditures.
3. Cloud computing is not necessarily a new construct, but it has evolved with more software companies enabling the use of their products in the cloud, such as enterprise content management, practice management, accounting, as well as the Microsoft Office suite.

Firms have realized that the result of digital workspace adoption initially driven by necessity has produced some unforeseen benefits. Workplace surveys confirm that 85% of law practices have reported higher productivity because of greater flexibility. It has also been reported that attorneys are experiencing an improved work-life balance. Finally, firms have a vastly wider talent pool due to no longer being constrained in hiring by geography for all positions. Job seekers today view firms offering remote working as more desirable.

Many of the challenges the legal profession has confronted over the past two years were especially intimidating to smaller firms or newer legal professionals. This need not be the case moving forward. Networking with colleagues and reaching out to legal technology experts can help alleviate some of the worry and clear obstacles. Managed service providers with extensive experience in the legal sector are available to help legal professionals overcome technology challenges or provide long-term partnerships that considerably reduce the time investment in IT.

Overall, the global crisis that began in 2020 has yielded some unpredicted benefits that will likely continue to transform the legal sector forever.

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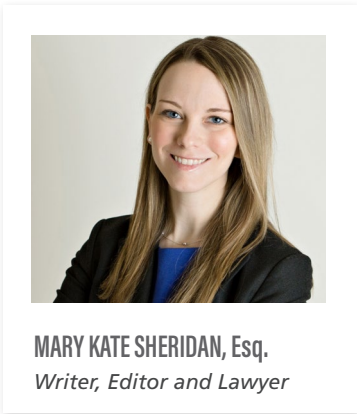
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Best Practices for Making Your Law Firm More Inclusive for People with Disabilities

These four tips can help you make sure your diversity policies don't fall short when it comes to accessibility.

Creating an inclusive workplace for people with disabilities should be a top priority for law firms — especially considering how many individuals in the firm may be living with a disability or may develop one in the future. Unfortunately, many law firms overlook this critical demographic when crafting diversity, equity and inclusion (DEI) policies and programming.

“We should take a hard look at our profession and ask ourselves if we are doing everything possible to create a culture of inclusivity in law for people with disabilities.”

“In comparison to the population of adults with disabilities in the workforce, a staggeringly low number of law firm lawyers self-identify as having a disability,” says Caren Ulrich Stacy, Founder and Chief Experimentation Officer of Diversity Lab. “We should take a hard look at our profession and ask ourselves if we are doing everything possible to create a culture of inclusivity in law for people with disabilities.”

In working toward this culture of inclusivity, legal organizations should develop a strategy rooted in collaboration, trust, community and intentionality. Read on for best practices for bolstering disability inclusion within your organization.

1. BUILD POLICIES COLLABORATIVELY

The most effective inclusion strategies are not created in a vacuum, and firms should draw upon a variety of experiences when developing policies for people with disabilities. Ulrich Stacy recommends that firms use a diverse advisory board to collaborate on decision-making.

“If we use principles that make the firm as accessible to all, even if we don’t know if we have anyone with this special need at this point, we’re making it more welcoming for everyone, including potential future employees and including guests. And [we’re] also doing it in a noninstitutional, universal way.”

“Put a group of humans together who have different perspectives on creating diversity and inclusion in your workforce,” she says.

Also, rather than creating policies from scratch, firms shouldn’t be afraid to build from the successful ideas and practices of others.

“Borrowing from good ideas that others have had is always a good idea,” says Ed Marquette, Partner at Kutak Rock. “My first step is to do what lawyers do anyway: Look around, find some guidelines that look good, and start with those.”

2. CREATE AN ACCEPTING CULTURE THAT ENCOURAGES SELF-IDENTIFICATION

As firms strive to craft inclusive practices, one hurdle is the hesitancy to self-identify as having a disability, which in turn may make it difficult for administrators to understand the range of disabilities within the firm as well as the population of people with disabilities.

“It probably is the second largest form of diversity within the firm, but we’re not getting close to measuring because people don’t self-identify,” says Loren Gesinsky, Partner at Seyfarth Shaw LLP, Co-Chair of the New York office’s Diversity and Inclusion Action Team, and Co-Founder and Chair of the firm’s All Abilities Affinity Group.

While data from the Centers for Disease Control and Prevention indicates that more than a quarter of adults in the United States are living with a disability, only 1.22% of lawyers self-identified as having a disability in the National Association for Law Placement’s 2021 Report on Diversity in U.S. Law Firms.

This lack of self-identification often stems from the fear of stigma. “People with a disability may believe they would be discriminated against by employers or coworkers if they were to disclose they had a disability,” says Michael Sabella, Counsel at BakerHostetler.

Indeed, “people with a health condition or impairment, and who identify as a person with a disability, reported experiencing proportionately more overt forms of discrimination, such as bullying and harassment, as compared to people who do not

have such conditions,” according to a recent study by the ABA and the Burton Blatt Institute at Syracuse University.

It is imperative that firms establish a culture of trust to encourage individuals to self-identify. “As a starting point, all law firms should make it clear to their people that this is a safe place,” says Sabella.

Below are some steps firms can take in nurturing this supportive culture.

Provide equal resources.

One step toward creating an environment of trust is to demonstrate the firm’s commitment to people with disabilities. Gesinsky recommends providing the same resources — including affinity groups and employee resource groups — to people with disabilities that the firm provides to other underrepresented groups.

Raise awareness.

Firms should build awareness via events like panels and presentations to bring the conversation to the forefront. For example, BakerHostetler hosts a Disability Awareness Month every October that includes panel presentations.

“You see it, you hear it, you learn about it, and it creates that environment in the workplace of accessibility and an invitation to be who you are,” says Sabella.

Share personal experiences.

As firms develop programming and events, they should consider ways to incorporate personal narratives or breakout sessions during which lawyers and other professionals with disabilities can share their own experiences.

“It takes the courage of some to give others courage, and then it has a multiplier effect,” says Gesinsky.

Embrace the value of affinity groups.

One important tool for building an inclusive culture within the firm is an affinity group. Affinity groups are particularly useful for people with disabilities given the variety of experiences within the demographic.

“People forget to create an ongoing practice to ensure they continue to check in with those people who previously requested an accommodation.”

“Members of affinity groups learn from each other,” says Ulrich Stacy. “Just because you have a disability doesn’t mean you understand everything about every disability, and even people with disabilities can learn from each other.”

In addition to providing a space for knowledge sharing, affinity groups also offer a structured setting to voice suggestions to firm management — and to do so collectively.

“Affinity groups really do help move the needle,” says Ulrich Stacy. “Oftentimes, they’ll be the voice to management if something isn’t going in the right direction, and as a group, they can talk about what the firm can do differently or better and offer suggestions.”

3. ENCOURAGE BROAD PARTICIPATION

Even in the most welcoming of environments, some people will not feel comfortable self-identifying, which is why firms should provide resources broadly. For example, in creating its affinity group, Seyfarth Shaw was purposeful in crafting it for all, not only people with disabilities — even naming it the “All Abilities” affinity group.

A broader approach such as this has the added benefit of attracting allies to participate.

“All affinity groups should welcome allies,” says Sabella. “It is fantastic for affinity groups to be for those who are involved in their respective communities, but you are a voice that is further enhanced by allies who are on the same page as you, who want to be involved and who want to do what they can.”

Also, don’t limit resources to certain subsets of the firm.

“Accessibility is affecting everybody that is part of your firm — attorney or not attorney,” says Gesinsky. “Give careful consideration to involving broader segments or your entire law firm population in these efforts.”

4. BE INTENTIONAL WITH POLICIES AND ACCOMMODATIONS

Another aspect of creating a more inclusive workplace is having an intentional approach to drawing up policies and accommodations — with intentional being the key word.

“In terms of planning strategies for dealing with diversity (including persons with disabilities), one should try to put oneself in the shoes of the person who has the disability,” says Marquette.

The following are some tips for shaping your firm’s approach to policies and accommodations.

Ask.

As simple as it sounds, one best practice in offering accommodations is to be straightforward and ask.

“What is it that they prefer?” says Marquette, who emphasizes the importance of asking given that some decision-makers may not think of certain accommodations because of their own physical and mental capabilities.

Also, be sure not to limit the request to one isolated group.



“The firm should be offering to talk to everyone and anyone who wants an accommodation to make it a natural thing the firm cares about so individuals don’t feel they’re in the ‘out’ group,” says Ulrich Stacy, who recommends that firms send a monthly firmwide email inviting anyone to provide accommodation requests.

Think holistically.

Firms also may consider approaching accommodations through a universal design perspective, focusing on accessibility for all.

“If we use principles that make the firm as accessible to all, even if we don’t know if we have anyone with this special need at this point, we’re making it more welcoming for everyone, including potential future employees and including guests,” Gesinsky says. “And [we’re] also doing it in a noninstitutional, universal way.”

Create an ongoing process.

Firms should adopt a fluid mindset when developing their accommodations policy. While an initial check-in when someone first self-identifies or joins the firm is important, the process should not stop there.

“People forget to create an ongoing practice to ensure they continue to check in with those people who previously requested an accommodation,” says Ulrich Stacy, who notes that any number of dynamic changes can occur after an accommodation is offered. “Also, check in with the entire population, because there is a high-percentage chance that many people are living with a disability [that] they didn’t have when they joined or that has evolved over time.”

Disability inclusion should be part of every law firm DEI plan. With a collaborative spirit, environment of trust, broad reach and intentional mindset, you will be ready to hit the ground running.

ABOUT THE AUTHOR

Mary Kate Sheridan, Esq., is the Communications Specialist at Diversity Lab. She is an attorney and former litigator with a JD from Columbia Law School. Mary Kate also holds an MFA in Creative Writing from The New School and a BA in English from Mary Washington College.

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MEETING MODERN DEMANDS FOR DIGITAL ACCESSIBILITY

With so much of today’s legal work taking place virtually and via technology, digital accessibility is a must for every law firm. Firms should assess their technology to ensure their lawyers and staff have optimal access to successfully do their jobs, from making sure the firm’s website is accessible to providing assistive technologies like screen readers to being intentional about the execution of firm presentations. Focusing on digital accessibility will also benefit those outside the organization — including clients and prospective job candidates — who are engaging with the firm’s resources.

While it may seem daunting to introduce new technological tools or approaches, the process doesn’t need to be overwhelming.

“Making technology accessible does not require a massive investment and does not require a complete overhaul of a laptop or a computer product,” says Ed Marquette, Partner at Kutak Rock.

And firms don’t need to tackle this important area alone. Administrators may consider bringing in an accessibility consultant, strategizing with an advisory board or building knowledge through resources like the International Association of Accessibility Professionals or Deque Systems.

Find the resources and strategies that work best for your firm to keep moving forward as digital accessibility continues to evolve.



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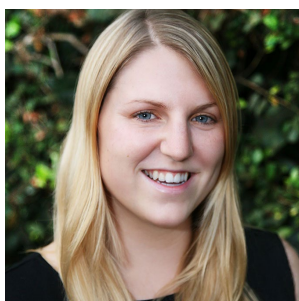


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KYLIE ORA LOBELL
Freelance Writer

“I am extremely grateful for this scholarship opportunity, as a majority of the scholarships that are available to students are geared specifically to those who are pursuing their JD. The scholarship opportunity provided by the Foundation is one of very few that targets students who are pursuing a non-attorney career in the legal industry.”

Investing in Our Profession’s Future

The Foundation of ALA is supporting students as they work toward careers in legal.

In 2020, Monique N. Mahler, CLM, SHRM-CP, MSLA, was enrolled at the University of Denver’s Sturm College of Law. Already a member of ALA, she was receiving the Association’s emails. One day, an email came into her inbox that especially intrigued her. “I saw the scholarship mentioned in one of the emails and thought, ‘Why not take a chance?’”

The chance paid off when a few months later, Mahler was chosen as the first recipient of the Foundation of the Association of Legal Administrators’ Student Legal Career Scholarship.

It was a gratifying moment for the Foundation Trustees, who worked tirelessly to get the program off the ground.

“This initiative of the Foundation is one of which I am personally very proud,” says Kyle A. Weigand, Immediate Past President of the Foundation and Director of Operations at Brouse McDowell. “Finding and fostering the future leaders of our profession is a prominent goal of not only the Foundation but also of ALA.”

Michelle Cohen is the Office Manager and Director of Human Resources at Schneck Law Group, LLC, as well as President of the Foundation. Cohen and Weigand were instrumental in helping the scholarship program get off the ground. She said she’s passionate about it because the Foundation is supporting the next wave of legal professionals.

“We had a chance to make this charitable arm of the ALA more visible and viable for the future while addressing needs in the legal management community, such as education about what legal management entails and outreach and support for a diverse body of students and current legal managers,” Cohen says. “They are the next generation that will be taking the helm of this profession.”



CONTINUE THE CONVERSATION

Monique Mahler talked about her research project — that was funded in part by the Foundation of ALA — on an episode of *Legal Management Talk*. Her research examined what law firms are doing in a post-COVID-19 landscape, including remote work policies to the future of their real estate footprint. Listen to the podcast at alanet.org/podcasts.

Weigand says the scholarship program is especially important because it helps encourage growth for legal professions outside of becoming a lawyer. “Receiving a scholarship increases the chances a potential legal management professional will be able to complete [their] education and feel even more compelled to work within our industry.”

Shannon Taylor is proof of that. As one of the 2021 scholarship recipients, she put the funds toward her education at Arizona State University’s (ASU) Sandra Day O’Connor College of Law, from which she’ll graduate in May. She says it’s great the Foundation is providing a scholarship for those not just looking to become lawyers. She plans to continue her work in alternative dispute resolution (ADR) by maintaining her current role as manager for UPCAP Mediation Services, which provides low- or no-cost mediation services for Michigan residents.

“I am extremely grateful for this scholarship opportunity, as a majority of the scholarships that are available to students are geared specifically to those who are pursuing their JD,” says Taylor. “The scholarship opportunity provided by the Foundation is one of very few that targets students who are pursuing a non-attorney career in the legal industry.”

It’s something Jovana Kuvac, another 2021 recipient, was excited about, too. Also enrolled at the Sandra Day O’Connor College of Law to pursue a master’s in legal studies, Kuvac learned about the scholarship from an ASU adviser. Kuvac was inspired to apply and find out more about the Foundation’s dedication to supporting students like her, who have alternative aspirations and goals in the legal industry.

“I am passionate about all things related to conflict resolution, and specifically the practice of mediation,” she says. “This scholarship has supported my continued education and career as I continue growing into my role as a nontraditional legal industry professional. There is no limit to the potential for non-attorneys to contribute to and advance the legal industry. The financial and personal support provided by this scholarship has furthered my drive and determination to make a difference in the field of conflict resolution.”

FILLING A NEED

In addition to providing an opportunity in these niche legal fields, it provides much needed financial support. With the funds from the scholarship, Mahler was able to offset the cost of an entire summer session. She also used the funds to help her complete the work on her capstone project, a white paper she shared with the ALA community.

It underscores a modern fact about higher education: It’s exorbitantly expensive. According to a report from Georgetown University, the cost of college has gone up 169% in the past 40 years. The average in-state public school tuition is \$27,330 per year, while the average tuition at a private nonprofit college is \$55,800 per year. In 2020, the typical college student graduated with \$28,400 worth of debt.

Many students aren’t able to pay back the loans they’ve taken out because they aren’t making enough money — especially when high interest is factored into the equation. Or students may not be able to complete their degrees because they can’t afford the cost anymore.



The Foundation is trying to alleviate some of that burden for emerging talent in the legal management field with this scholarship program. As the charitable affiliate of ALA, the Foundation funds the scholarship and the Foundation Board of Trustees manages it. The goal of the scholarship — which is part of a bigger Foundation push that focuses on students — is to enhance careers in the legal field.

“The legal industry is a rapidly changing one — we have been saying that now for many years,” says Weigand. “These scholarships help people directly pay for tuition expenses in our industry.”

Christian Chicas, one of the 2021 recipients, appreciated that the scholarship was not just an opportunity for those pursuing non-attorney legal careers but also one that’s available to graduate students like her. She’s enrolled at ASU, where she’s studying for her master’s degree as she works as a paralegal.

“There are not a lot of scholarship opportunities for the degree I am receiving, and there are less scholarship opportunities for those in grad school,” says Chicas. “Thankfully, [the Foundation] awarded me a scholarship that helped me with my tuition. As a result, I am graduating [with a] master’s [from a] legal studies program in May 2022. [I] can’t wait to wear the hood and gown.”

APPLICATION EXPECTATIONS

The scholarship is available to students — juniors and seniors who are enrolled in an accredited college/university curriculum or those who are actively pursuing a master’s degree — with an interest in a non-attorney career in the legal industry. Each year, the scholarship awards up to \$10,000.

Students can apply if they are studying a field like legal management, paralegal studies or another legal support function; have at least a 3.5 GPA; have demonstrated leadership ability; and participate in extracurricular activities and community service.

The Foundation can decide every year how many scholarships it gives out. Two were awarded for 2022, and there were three in 2021, according to Weigand. “There is no limit to how many scholarships can be awarded per year,” he says. “There is only a cap on the dollar amount budgeted.”

The requirements are simple: Scholarship recipients must continue in their course of study and create a video testimonial that discusses how the scholarship has helped them. The application process, however, is not so simple — and it’s designed that way.

“Recipients also receive a yearlong mentorship component with an ALA member, which allows them to lean on a more experienced professional, ask questions, seek guidance and connect with others in our industry. It’s really a win-win for us and them.”

“The application process is a fairly rigorous one,” says Weigand. “Applications are gathered by the Foundation’s ALA staff liaison, and any identifying information is redacted. A review committee comprised of Foundation Trustees reviews and recommends candidates to the entire Foundation Board for consideration after identifying the top candidates.”

The redactions are intended to reduce unconscious bias in the Trustees’ decision-making process, in line with the Foundation’s overall commitment to diversity, equity, inclusion and accessibility.

Recognizing that success isn’t just tied to monetary awards, the Trustees also included a mentoring component for recipients. “Recipients also receive a yearlong mentorship component with an ALA member, which allows them to lean on a more experienced professional, ask questions, seek guidance and connect with others in our industry,” says Weigand. “It’s really a win-win for us and them.”

For her part, Mahler pays it forward and serves as a Trustee for the Foundation, where she has since mentored another recipient. Having been a mentee herself, she knows how valuable it is. “HR is my passion,” she says. “I’ve been so fortunate to have worked with and been mentored by some incredible office administrators and HR directors. My goal is eventually to become an HR director.”

Taylor says that along with the financial assistance, the mentoring is a gratifying component of the scholarship. “[It’s] extremely beneficial. I am still relatively new to this field, so having the ability to reach out to someone who has extensive knowledge and experience in the field is invaluable.”

LIFTING UP STUDENTS — AND THE FUTURE OF LEGAL

Today, Mahler continues to be an example of why investing in education benefits the profession as a whole. She is a Regional Human Resources Manager in Dallas and Houston with BakerHostetler, and since winning the scholarship, she’s

succeeded in earning her master's degree and her Certified Legal Manager (CLM)[®] designation.

As the program gains momentum, spreading the word about the recipients' successes also touches others who are looking for opportunities in the niche field of legal.

Right now, the Foundation is trying to get the word out about the scholarship. They are encouraging prospective applicants to follow them on Facebook, Twitter, LinkedIn and Instagram.

"I believe once we have a greater presence on college campuses [and] expand our social media reach, we will continue to grow the number of applications and be able to really see where this initiative will go," says Cohen. "Our future fundraising successes will be a very big part of all of our initiatives and what we will be able to do."

In the end, this is an effort that helps uplift the profession. "We are very proud to be a part of supporting that type of outcome where information and education can assist all of us with expanding our professional growth," says Cohen.



Donating to the Foundation is an investment in efforts like these. (And if you're reading this before May 18, 2022, bid on a silent auction item by visiting alanet.org/foundation!) Your donation will be part of the over a quarter-million dollars in grants, programs and sponsorships aligned with the Foundation's missions and goals throughout its 41 years. You can learn more about these efforts by visiting alanet.org/foundation.

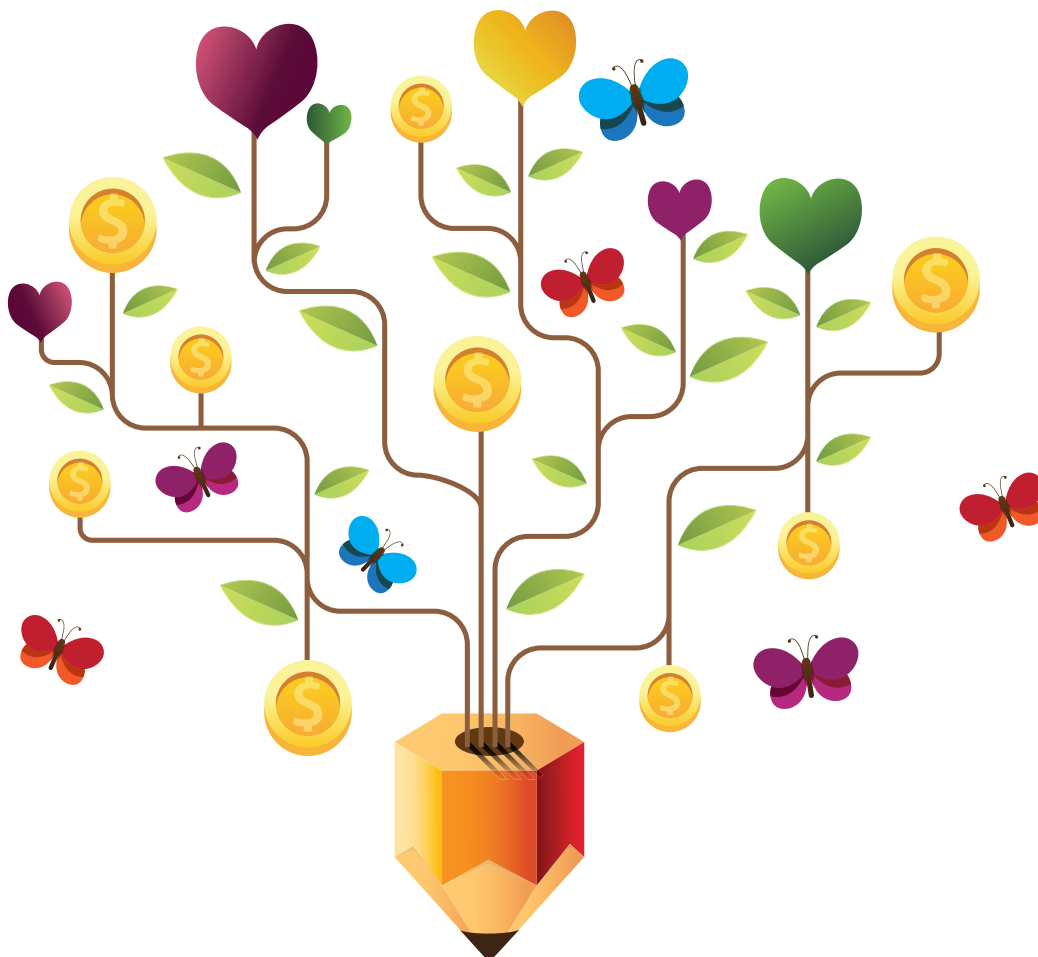
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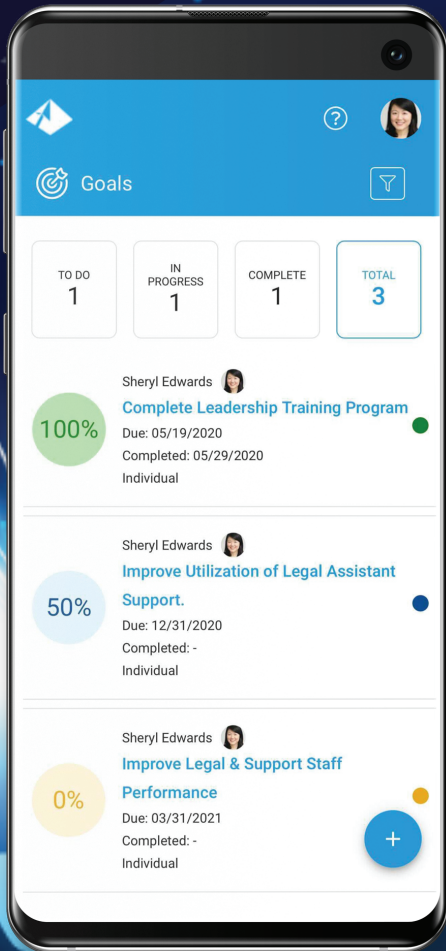
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PAULA TSURUTANI

Freelance Writer and Editor

Are Your Internal Communications Up to Par?

The way leadership shares information with staff can enhance engagement and build connections.

In the mix of marketing activities in law firms, internal communications often have taken a backseat. In fact, 52% of respondents to a recent survey conducted by ContactMonkey reported they do not have a long-term internal communications strategy in place.

“
The firm needs to act as a team, understanding the value of everyone in the firm's success.”

But, if anything, the past two years have pushed the internal communications function into the driver's seat — highlighting its importance in building community and connections, managing change, and enhancing the culture in the law firm. And those are powerful ingredients in recruiting and retaining talent, increasing market visibility and reinforcing brand identity.

What changes have legal leaders and experts observed in the stature and potential of internal communications, and how can firms further elevate and energize their efforts?

For starters, the frequency, level and format of internal communications has shifted markedly as firms grapple with new public health guidelines, escalating client service needs and firm operating constraints.

Davis Wright Tremaine LLP spent much more time doing firmwide meetings, according to Sean Gibson, Director of Client Service and Strategic Communications. “While email is great for communicating essential information, it's not as effective when discussing operating decisions during a pandemic or addressing social justice issues. We've all been isolated yet collectively experienced events that have profoundly affected us,” says Gibson. “Having a forum where firm leadership can convey information and also share perspectives from different voices from around the firm has been invaluable.”

“As increasing numbers of attorneys and staff return to the office or opt for hybrid arrangements, firms need to continue a steady level of internal communications.”

While marketing and PR professionals often drive communications efforts, C-suite leaders of firms — more so than in the past — have taken center stage as active communicators. It’s been an opportunity to spotlight rising stars, firm values, diversity initiatives, new business and operational goals.

“It was always important for us to facilitate and step back so our leaders’ and colleagues’ voices could be heard — both to inform and to unify,” says Roy E. Sexton, Director of Marketing at Clark Hill. “Our [chief executive officer] started a monthly newsletter; our [chief human resources officer] worked with her team and the marketing team to increase storytelling about diversity, equity and inclusion (DEI) concerns; and our [chief operating officer] started a weekly update to provide guidance on the evolving standards and mandates to keep everyone engaged and informed.”

Hearing from top management helped drive more cohesion, revealed a greater sense of humanity and led to increased institutional awareness and pride about the firm’s people and work.

A SHARPER FOCUS ON ENGAGEMENT AND COMMUNITY

As more employees work remotely or reduce their face time in offices, using a strategic mix of internal communications tools can help raise morale, connect people and projects, and launch efforts that can elevate social impact initiatives or new business opportunities.

“Fostering a sense of community has been a huge focus for us,” says Gibson. “We’ve emphasized virtual breakfasts and coffee gatherings, but we’ve also focused intensely on pro bono and social impact work. In particular, we’ve worked to identify projects where everyone at the firm can collaborate with each other, as well as with our clients.”

Sexton agrees. “Collaborating with marketing, leveraging great internal stories, whether on a firm intranet or on social media, can create mutual lift.”

TACTICS AND TOOLS FOR ENGAGEMENT

It helps if firms view internal communications as a critical form of public relations — one that requires the same effort, strategic thinking and staffing as outward-facing marketing and communications initiatives.

“Firms that leverage a combination of platforms, including internal intranets, push text messages, social media and video updates, have seen improvements in internal communications,” says Jocelyn Brumbaugh, Founder of Builden Partners, which provides marketing strategy to law firms.

With resignations increasing among attorneys and staff, it’s even more important to focus attention on the firm’s internal clients — namely, the administrative staff, department heads and attorneys — to improve retention and recruitment efforts. The extra effort can pay off.

“We’ve all experienced a lot of personnel movement lately,” says Gibson. “But so many colleagues have told me they don’t want to move because they connect with something at the firm that transcends the value of their paycheck.”

Communicating to everyone at the firm is critical in building a strong firm culture, conveying consistent messaging and working as a team.

“It reminds everyone of the firm’s purpose and what clients and others value when it comes to the firm and its services,” says Terry M. Isner, Owner and CEO of Jaffe, a legal PR and marketing company. “One of the biggest mistakes we have seen is the lack of sharing information. Too often, the majority of the people at firms simply don’t know what is expected or appreciated about them. The firm needs to act as a team, understanding the value of everyone in the firm’s success. Like a coach, firms need to share plays and practice them, leading everyone from the same playbook.”

INTERNAL AND EXTERNAL BENEFITS

Increasingly, the line between internal and external communication has blurred, especially with the rise of social media and podcasting. Clark Hill saw an explosive growth in podcasts, which mutually advanced employee engagement and business development.

“Everything we are pushing out externally also benefits the internal,” says Sexton. “We released 80 podcast episodes across an array of subjects, and our hosts used these opportunities to engage with Clark Hill colleagues, clients and prospects. When clients see a rich culture, they want to work with us. And talent wants to come work here.”

“It’s important to find your ‘Goldilocks’ spot for consistency and messaging avenues. To maintain momentum, firms should set a consistent cadence for regular leadership communication.”

GOING FORWARD

As increasing numbers of attorneys and staff return to the office or opt for hybrid arrangements, firms need to continue a steady level of internal communications.

“COVID has reinforced that no one wants to be surprised or left in the dark,” says Brumbaugh. “It’s important to find your ‘Goldilocks’ spot for consistency and messaging avenues. To maintain momentum, firms should set a consistent cadence for regular leadership communication. They also should continue to be upfront with both good and bad news. While some say there’s no such thing as overcommunicating, sharing information that isn’t relevant can make future messages get lost.”

Finding balance will always be tricky, and nobody wants to put out messages that ultimately get ignored. “Clarity and concision are critical, but tone is just as important. Our primary goal is to use people’s time well,” says Gibson.

Above all, treat your internal marketing equally to that of your external tactics, says Isner. “Build a team that understands, supports and champions the firm and the brand. The more staff understands and loves the firm, the more the clients will love the firm.”



A PRACTICAL APP DURING COVID

Internal communication apps are one tool that firms can use to navigate resources, unify teams and share information. Blank Rome developed their BReturn app — in just five weeks — to efficiently manage and inform attorneys and staff as they returned to in-office work during the pandemic.

After working remotely for an extended time, some attorneys and staff at Blank Rome were ready — or needed — to return to the office. Using BReturn, employees can check in and book time in the office, find up-to-date COVID guidance and receive real-time notifications.

Management also can determine capacity limits and quickly see who is in the office at any time throughout the United States and globally. And because the firm has offices in different geographic locations, the app lists unique office rules according to local public health guidelines.

“It’s a win-win for both employees and management alike and, most importantly, ensures the health and safety of everyone,” says Frank Spadafino, the firm’s Chief Information Officer.

ABOUT THE AUTHOR

Paula Tsurutani is a senior-level strategic communications writer and editor who works with organizations in the legal profession, the arts and higher education.

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ROSS FISHMAN, JD
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“The dissatisfaction rate among today’s lawyers is distressingly high; they’re looking for more, or better, or different. And if you showed them that you offer the thing they’ve been pining for and make yourself available to them, they’ll call you.”

Recruiting Is Today’s Hottest Marketing Topic

Recruiting is the legal profession’s hottest topic today and, if you think of it, recruiting *is* marketing — just with a different target audience.

I’d suggest that firms can achieve better lateral-hiring results using strategic and creative marketing tools than by seeking one-off hires from recruiters. And for the cost of just a couple headhunter fees, you can achieve both better results and long-lasting, firmwide reputational benefits. More on that in a minute.

Legal business is booming nationwide, and law firms are growing as fast as they can find the talent to bang out the work. I’ve spoken with many firms who lost hordes of lawyers immediately after they received their hefty year-end bonuses. *How are they going to replace them?*

I was talking to a senior partner at a national law firm that’s been turning down millions of dollars in interesting legal work, because they just don’t have the bodies available to do the work. They can’t keep piling more hours and more stress onto their existing associates. Firm leaders fear associates will simply quit, knowing they can promptly get hired by an equally desperate competitor down the street.

With stakes this high, why aren’t more firms supporting their recruiting with better marketing? What’s irked me for decades is that many firms see recruiting and marketing as fundamentally different activities. In my experience, the teams rarely understand the value of blending their skillsets and working together. That’s a squandered opportunity.

I’ve worked with some legal recruiting firms who are polishing up their own brands, desperate to attract more lawyers who might be persuaded to relocate to a new firm with the promise of more money, quality of life, better work, different work, work from home options — the recruiters don’t care why; they just need to shuffle people around. They’re playing “law firm musical chairs,” filling their open contracts by shoving willing

lawyers one chair/firm to the left and receiving hundreds of thousands of dollars in recruiting fees per seat.

Large firms willingly pay millions of dollars per year to headhunters to attract fresh laterals, half of whom won't last five years, according to a survey by Decipher Investigative Intelligence.

Typical recruiting efforts disproportionately reward the disloyal job-hoppers who are willing to pack up and leave every three to five years. You don't want them.

SEEK LIKE-MINDED LATERALS — DON'T JUST "BUY FROM INVENTORY"

The dissatisfaction rate among today's lawyers is distressingly high; they're looking for more, or better, or different. And if you showed them that you offer the thing they've been pining for and make yourself available to them, they'll call you.

If firms invest that headhunting money into building their brand within that lateral audience, they could attract philosophically compatible lawyers directly, without hefty fees. If you have something unique or valuable to offer, and you're a better option to a specific type of lawyer and have a better story to tell — then you need to proclaim that story.

For example, some years ago, when Levenfeld Pearlstein offered a more dynamic culture than other firms their size, they sought a specific type of lawyer who'd excel under that platform. They sought lawyers who felt stifled at their current firms and longed for an environment where they could look forward to coming to work every day.

We advertised boldly to the local Chicago legal community and quickly achieved their dramatic hiring goals. And Levenfeld's reputation as an innovative firm with a strong, positive culture, lingered for over a decade. That is what you should be striving to build. The entire initiative cost less than a single headhunter fee.

But so few firms understand why, or how, to play that game. One example of a firm that understands this is Sidley.

They are offering their associates an impressive-sounding leadership and executive-training program conducted through top universities such as Harvard, Columbia, Stanford, The University of Chicago, and Northwestern. Plus, it counts toward their billable-hour requirement.

I don't know if Sidley's program is credible, but I thought it was simply *brilliant* from a marketing and recruiting perspective:

First, it helps brand Sidley among clients and prospects as a progressive firm whose lawyers have greater understanding of real-world business than their competitors. Next, it will proactively attract the type of lateral associates they want, i.e., those who would value having a practical business education. And finally, it locks in the top Sidley associates who are participating in the program, increasing retention. (Oh, and presumably it'll teach them valuable professional skills too, but that's almost beside the point.)

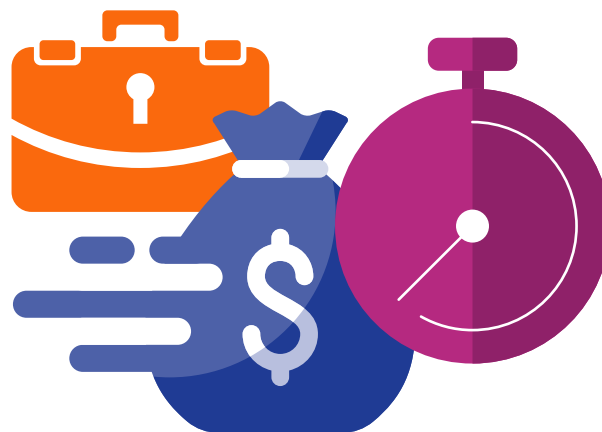
DO SOMETHING GREAT. THEN TELL EVERYONE.

Sidley cranked up their talented public relations machine to persuade prominent publications to write about their new program. *That's* the type of initiative I'm talking about! There are so many innovative new recruiting ideas to explore — low-hanging fruit just waiting to be plucked off the tree. If only firms would execute.

I predict that within a year, other firms will start offering their own leadership programs, but Sidley will have earned first-mover advantage — an 8- to 12-month head start and all the publicity.

Other firms are making moves like this, too. Kirkland & Ellis made its own bold move toward associate recruiting and retention, shortening the firm's partnership track by a year. Orrick and Sheppard Mullin give billable time to unplug and recharge.

It's a simple idea really, but one that might help refresh some of the firms' stressed-out, burned-out associates, many of whom could be seeking some light at the end of the tunnel before they stagger away to a competitor or out of the profession entirely. The firms are not paying additional cash out of pocket — they're just giving the associates 40 hours of billable credit for the time they spend off duty.



But a one-week paid sabbatical in these extraordinary times might just keep some of them from leaving. That's cheaper than paying a 20% headhunter fee on every \$300,000 associate — and much less disruptive.


Most importantly, building a persuasive brand that will linger for many years is an investment in the firm's future. That requires an innovative strategy, followed by an effective use of marketing and branding tools to spread the word. And in my experience, if done right, you're also attracting the right lawyers — the ones who best fit your culture and are most likely to succeed within your system.

Headhunter fees are costly one-offs. Building your brand lasts for years.

ABOUT THE AUTHOR

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

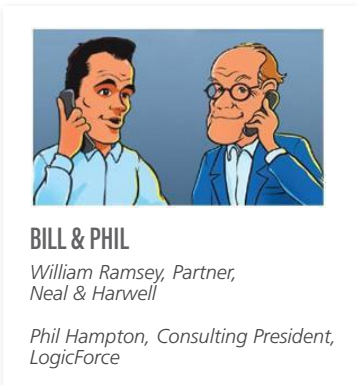
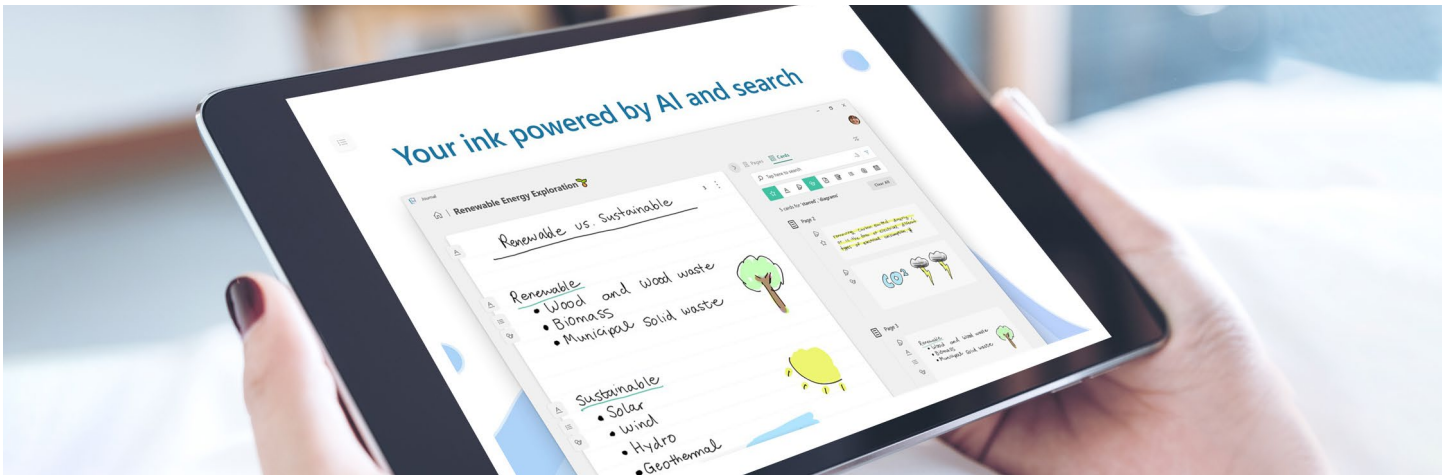
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Microsoft Journal: Excellent for Note-Taking; No Shiny Objects to Distract

We are always on the lookout for good note-taking apps, so we're not sure how we didn't know about the Microsoft Journal app sooner. The app has been around for quite some time, but it was hidden away in Microsoft Garage, a sort of start-up development sandbox where Microsoft works on new app development.

“Of course, the integration with other Microsoft modules — such as Contacts and Calendar within Outlook — make Journal a very natural way to take and keep notes attached to other important data that we work with.”

Microsoft recently elevated the Journal app from the Garage environment to a full-fledged app in the Microsoft Store. That's where we found it and downloaded it to take for a test drive — and we were impressed. There is a lot to like about this simple, but feature-rich, note-taking application.

Unlike OneNote, Microsoft's super-connected and versatile note application in the Office suite, Journal is really designed for one task — taking notes with a digital pen or stylus. This singular focus makes the app a great tool for notetaking without a lot of distractions. (We get distracted easily with software that has a lot of bells and whistles.)

We downloaded the Journal app for free from the Microsoft Store. After a brief on-screen tutorial, we were taking notes with a digital pen on our two-in-one laptop/tablet hybrid. The interface is simple: You can choose a blank sheet of paper or lined, the color ink you want and the type of pen width you want to use. All these options are fairly standard on most note-taking apps.

It's the extras in Journal that we learned from the brief tutorial after installation really make the application shine. For example, you can erase a word or block of text simply by scribbling over it or make a phrase a header by underlining the text. Additionally, you can flag a section of your notes that you deem important by drawing a star beside

the text. These actions create digital bookmarks that allow you to go back and search or filter your notes based on these categorizations.

If you have a Microsoft Office subscription (which we do), you can link to contacts and calendar entries in Outlook within Journal. For example, by selecting a meeting entry from a calendar side panel, you can begin creating a journal (handwritten notes) that are attached to that meeting, which makes it extremely easy to go back and reference the notes for a specific meeting.

Journal also allows you to email or copy contents from your handwritten notes directly to another application or to a printout. You can select a block of handwritten text simply by drawing a circle around it with the digital pen. Then the app will convert that handwriting to actual text that you can paste into a Word document, for example. It worked really, really well in our testing.

We were able to import PDF documents into a Journal file and then mark up the pages with colored ink and digital highlights; however, the markups did not save to the original PDF file.

The PDF markups only exist in the Journal file that contains the imported PDF pages. Of course, we could print those marked-up pages or email them directly from Journal.

We still like the reMarkable 2 tablet that we have reviewed previously as our favorite note-taking device. However, this Microsoft Journal app makes taking notes on our tablet incredibly easy and convenient.

Of course, the integration with other Microsoft modules — such as Contacts and Calendar within Outlook — make Journal a very natural way to take and keep notes attached to other important data that we work with. We expect that now Journal is an official app within the Microsoft Store, there will be future updates to the app to enhance functionality even more. But we're already sold on it as is!

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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LEE W. FREDERIKSEN, PhD
*Managing Partner
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“
 High-growth law firms increased their annual growth by 43% over last year’s figures — achieving an average of 37% growth in 2021 compared to 25.7% in 2020. In contrast, no-growth firms suffered an average growth rate of -3%.”

How High-Growth Law Firms Achieved an Average Growth Rate of 37% in 2021

Despite last year’s hopeful release of functional COVID-19 vaccines, full economic recovery has evaded many law firms. But that’s not the case for every legal services industry firm. A select group of high-growth law firms still managed to achieve a high growth rate in 2021.

What are these firms doing differently that sets them apart from their peers? Are there lessons to be learned that will help law firms navigate the years ahead?

The Hinge Research Institute recently investigated the answers to these and other questions in the Law Firm and Legal Services Edition of the High-Growth Study 2022. The study surveyed executives from 115 law firms to explore their biggest challenges, successes and priorities — and more importantly, to pinpoint the technologies and strategies that were their secrets to success during these difficult times.

This article examines the four factors that helped law firms achieve remarkably high levels of growth last year.

43% INCREASE IN AVERAGE ORGANIC GROWTH IN 2021

High-growth law firms increased their annual growth by 43% over last year’s figures — achieving an average of 37% growth in 2021 compared to 25.7% in 2020. In contrast, no-growth firms suffered an average growth rate of -3%.

Surprisingly, last year’s high-growth firms did not achieve this growth by sacrificing any profits: Nearly 80% of them were highly profitable, which was a 100% increase from

last year's figures. Meanwhile, only 29% of no-growth firms managed to churn a high profit.

Also, high-growth firms did not achieve their growth from merger and acquisition (M&A) activities. In fact, growth attributed to M&A declined by 18% last year for the high-growth firms.

Instead of these usual explanations for growth, the 2022 study found that high-growth firms are currently achieving their success through the following:

- High-growth business development and marketing technologies
- Specific digital marketing techniques
- Third-party contractors to fill talent gaps

Let's review the specific technologies, techniques and contracting strategies that brought high-growth firms so much success last year.

1. High-Growth Marketing and Business Development Technologies

As the economy continued to suffer in 2021 — and more firms deepened their reliance on remote teams due to the pandemic — high-growth law firms doubled down on their use of advanced digital marketing technology that allowed them to boost their efficiency and effectiveness during lockdowns.

For example, high-growth law firms used customer relationship management (CRM) software twice as much as their no-growth peers in 2021. This helped them establish better client relationships despite social distancing and fewer face-to-face interactions. CRM tools also helped high-growth firms sell a wider range of services to existing clientele while reducing their business development costs.

Another big difference was seen in the use of marketing automation technology. High-growth law firms were 5.3 times more likely to use a marketing automation platform.

In addition to using more digital marketing technology, these law firms are also realizing greater impact from this technology when they use it. They understand how to harness the data within their digital marketing stacks to track key performance indicators (KPIs) and other metrics that help them run their businesses better. For example, high-growth law firms are 76% more likely to monitor the health of their sales pipelines and 47% more likely to leverage ROI calculations to determine the effectiveness of their marketing strategies.

2. High-Growth Marketing Techniques

High-growth law firms are also putting a greater emphasis on different marketing techniques than no-growth firms, and they're achieving better results when they use them. The top five most impactful marketing techniques of high-growth firms include:

- Networking at targeted conferences, trade shows and events
- Public relations (earned media)
- Providing assessments and/or consultations
- Pursuing industry award opportunities
- Networking on social media

Except in the case of "providing assessments and/or consultations," when no-growth firms use the above techniques, they're receiving dramatically less impactful results. This means that they are usually not recognizing — or realizing — the tremendous benefits these techniques can bring when executed appropriately.

No-growth firms most likely receive such poor results from these techniques because they lack the right talent on hand to execute them. Unfortunately, today's climate of the Great Resignation is making it more and more difficult to source the right talent, but some firms are finding an easy solution to fill their talent gaps. That solution involves working with third-party contractors.

3. Third-Party Contractors to Fill Gaps in Top Talent

High-growth law firms often have more financial resources available than no-growth firms. This helps them pay for the talent required to effectively use the latest marketing and business development technology and techniques. Compared to no-growth law firms, for example, the Hinge Research Institute found that high-growth firms tend to benefit from the following skills advantages:

- 21% more likely to benefit from PR and outreach
- 14% more likely to benefit from search engine optimization (SEO)
- 13% more likely to benefit from social media
- 13% more likely to benefit from strategy development
- 10% more likely to benefit from research

Unfortunately, the ongoing Great Resignation is making it increasingly difficult for no-growth firms to simply hire their way into a more competitive skill set. Even when firms are willing to pay top dollar for top talent, it could take

months to fill a position. To overcome these talent sourcing challenges, high-growth firms tend to work with third-party agencies.

Compared to no-growth firms, high-growth law firms are significantly more likely to outsource tasks related to SEO, graphic design and strategy development. Therefore, no-growth firms may want to start focusing on outsourcing these tasks first to receive the highest ROI.

4. Strategy: Where High-Growth Firms Are Headed Next

High-growth law firms have their sights set on specific topics and challenges for 2022 and beyond, and these differ from what no-growth firms are focusing on. For example, the best-performing law firms are particularly interested in artificial intelligence (AI), blockchain, big data analysis and virtual law firm technology. Meanwhile, no-growth firms have shown significantly less interest in these topics.

Finally, high-growth law firms are nearly twice as likely as no-growth firms to focus on alternative billing models. If there's one area that could help no-growth firms overcome their challenges, alternative billing models could be extremely important in an increasingly competitive marketplace.

A FINAL THOUGHT

Having achieved an average organic growth of 37% in 2021, high-growth firms clearly did something right last year. Thus, it can be extremely valuable for no-growth firms to examine what their high-growth peers are doing differently.

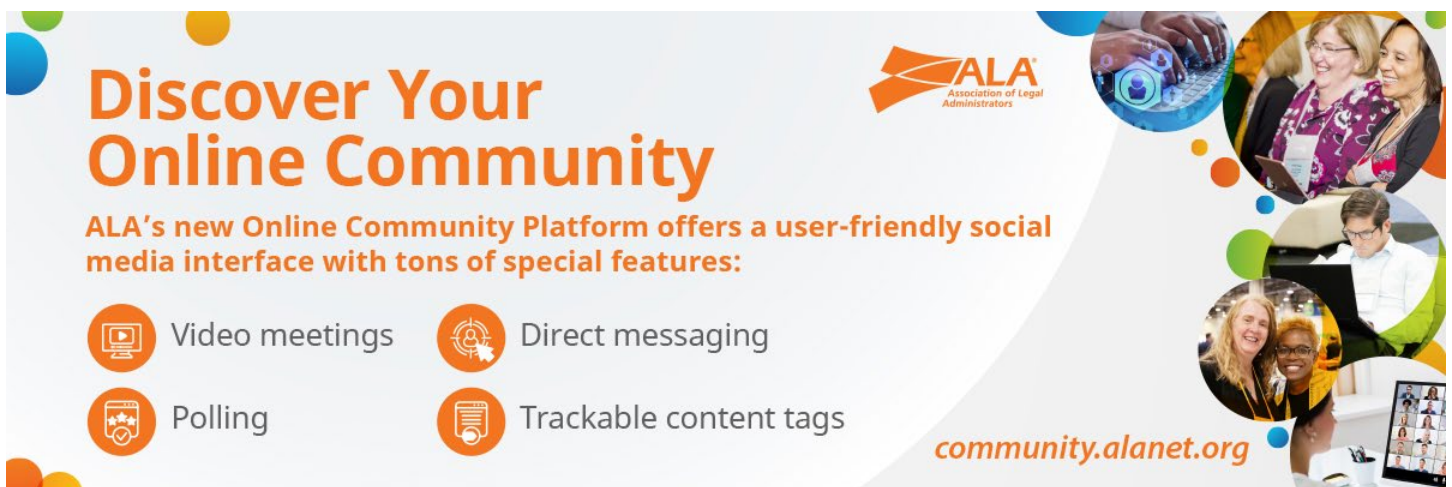
Ultimately, with the Great Resignation likely to continue throughout 2022, it won't be entirely easy for no-growth firms to copy everything that high-growth firms are doing. That's because they may find it more difficult to source the top talent they need. Therefore, no-growth law firms may want to consider doing what high-growth firms are doing when they face sourcing challenges — work with a seasoned third-party expert with a track record of success.

ABOUT THE AUTHOR

Lee W. Frederiksen, PhD, is Managing Partner at Hinge, a research-based branding and marketing firm for the professional services. Hinge conducts research into high-growth firms and offers a complete suite of services for firms that want to become more visible and grow.




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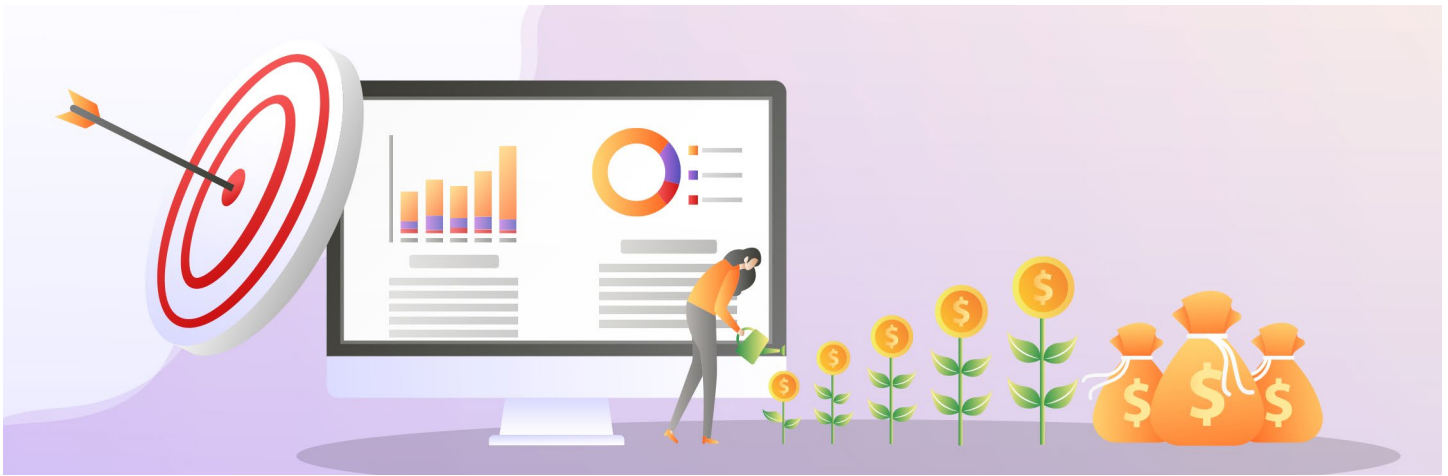
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The advertisement features a collage of images showing people interacting with technology, including a hand using a laptop, two women smiling, a man working at a computer, and a group of people in a video conference.



4 Tips for Sound Financial Practice for Your Tech Spend

Law firms increased their technology spend by 7.1% in 2021, the second largest overhead expense increase of the year, second only to recruiting increases as a result of the unprecedented war for talent. This uptick comes as no surprise as the pandemic transformed how and where work is performed — and is powered by — technology.

“Data breach costs increased from \$3.86 million to \$4.24 million in 2021, the highest in the past 17 years.”

There were also some unintended consequences that accompanied the shift to work from home, namely, a sharp increase in cyber threats. Data breach costs increased from \$3.86 million to \$4.24 million in 2021, the highest in the past 17 years. The logic is straightforward: When employees work from home, there are more attack vectors made available to hackers, such as phones, tablets and PCs.

So it's more important than ever that remote staff are equipped with the latest technology that not only helps them be productive from remote locations but is up to date and running the latest hardware and software. That provides the best defense against an increasingly threatening cyber landscape.

The question then becomes how do you best manage not only the increasing technology needs of your firm, but also its increasingly short refresh cycle to ensure your firm's technology is up to date? Leasing and financing a firm's technology needs is a sound financial practice that helps the firm accomplish both. The firm can intelligently increase investments in technology while creating a refresh cycle that optimizes its spend and ensures that it's secure. Even more so now, leasing provides an opportunity to secure fixed rates in an increasing rate economic environment to keep costs low.

Here are four areas illustrating how leasing and financing can help your firm create a sound financial strategy for your technology needs.

1. TECHNOLOGY REFRESH TO ENSURE PRODUCTIVITY

For starters, leasing and financing helps ensure the firm has the right technology for the right amount of time. This is the key point. The right technology is an essential building block to successful adaptation in today's market, but the useful life of technology is decreasing, platforms are proliferating, and the need to adapt has accelerated.

This means it may not be strategic in the current environment to own equipment, as the depreciable life will most likely outlast the equipment's useful life as well as its security protocols. Instead, your legal organization should put together a workable disposition plan combined with a technology refresh mechanism that will protect the firm from keeping outdated equipment in use that doesn't adhere to new and increasingly high-security standards. This points to leasing as the optimal option to procure technology and equipment over its useful life.

2. ASSET MANAGEMENT TO IMPROVE SECURITY

Leasing and financing also come with the additional benefits of asset management — a powerful tool in any firm's security efforts while reducing costs. With modern asset management, IT can know in real time the location and chain of ownership tied to any piece of equipment. Finance can manage all contract expirations and lease language from a single place, putting them in an optimal position to proactively manage terms and conditions and reduce costs.

In light of today's hybrid operations, asset management needs to be taken to the next level including mobile and remote capabilities with a mobile app to enable barcode scanning of both in-office and off-site assets. IT and finance will have the same capabilities working remotely as they have in the office.

3. 100% FINANCING OF SOFTWARE AND RELATED SOFT COSTS SUCH AS TRAINING, IMPLEMENTATIONS AND CONSULTING

Firms can manage the cost of a software implementation or upgrade in several ways, but the fundamental decision is purchase versus financing. Firms can benefit from 100% financing of software — and that includes soft costs such as training, consulting and implementation fees. It is important for firms to avoid fair market value leases for software, but rather to work with a lessor who can provide financing with these benefits:

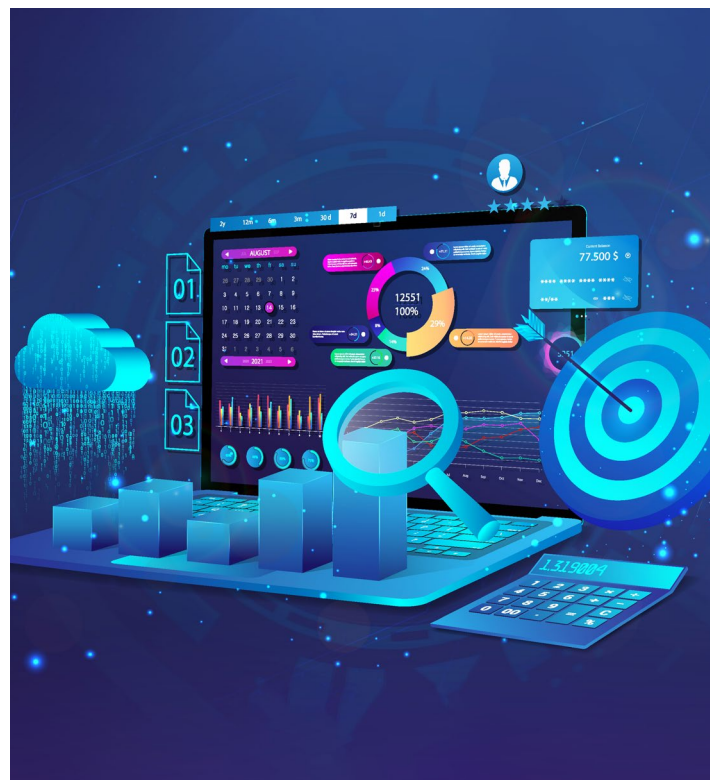
- » Monthly expense verses total cost — monthly payments may secure a more cost-effective solution over the life of a lease.

- » Spreading costs over a 36-to-60-month lease is less taxing on cash reserves, allowing partner distributions to proceed regularly.
- » Software costs also carry associated soft costs that may not be factored into an outright purchase price.
- » Financing terms may offer more flexibility and incorporate upgrades that would otherwise pose additional after-purchase costs.
- » A fixed-rate financing in an interest rate increase environment

4. AVOID ONEROUS TERMS AND CONDITIONS IN LEASE AGREEMENTS

Any sound financial practice requires due diligence — and when it comes to leasing and financing, due diligence means uncovering any hidden terms that increase your firm's costs overall.

The total cost of your master lease agreement (MLA) is not solely determined by the lease rate. Some MLAs and supporting documents may contain onerous terms and conditions that significantly increase the true total cost to your firm. Some companies proactively educate the market about many of these leasing land mines, including potentially onerous terms and conditions.



Look for tools that help calculate the cost impact of your terms and conditions to the over cost of the agreement.

Here are a few of which to be aware:

- » Fair market value purchase option for software and services
- » Extended pro-rata rental periods
- » Difficult or tricky end-of-term notice provisions
- » Late return equals notice cancellation
- » No return provision at end of term

Great challenges are always met with great opportunities. Ensuring the firm has financial and operational flexibility, a continuously up-to-date equipment technology fleet to improve security and productivity, and an intelligent approach that reduces costs is a sound financial strategy that supports these requirements.

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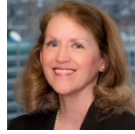
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As this issue goes live, ALA's 2022 Annual Conference and Expo is kicking off in Kissimmee, Florida. Be sure to check back in June for complete coverage of the week's events.

