



The Legal Connection

where legal technology & people connect

2011-10

LegalTypist Goes All i

There's been two big news releases lately for Apple: Steve Jobs' passing and the new iPhone 4S.

So sad when anyone dies – and Steve Jobs did change the way many people compute. While I certainly appreciate the contribution that he has had on the industry, I truly believe him to be a “genius” marketer. Steve Jobs didn't just make you want his products for what they could do (and plenty of other products could do exactly what his did), he made you want them to be cool. Of course, no device can do that, hence his genius status as a marketer. May he RIP.

Recently, you couldn't turn on the tv, go on line or listen to the radio without hearing about Apple's latest iPhone the 4S.

I'm not an iPerson. I have always been a Palm user. Recently, HP (who bought Palm) announced it was no longer making Palm equipment but that it would be supporting WebOS. So, I have decided that until my Palm devices become unusable, I will continue to use them (and hope and pray that Ms. Whitman over at HP sees the gold they have in owning all that is Palm.)

That said, for the first time in my life, I find I want an iThing – I'm going to add an iPad to my workflow. I'm just waiting for Sprint to release the iPad on their network, and then will scoop one up.

Now all this thinking of adding an iThing to my workflow got me thinking – if I can add it to mine, why can't any client with an iThing add it to theirs?

Guess what?! You can!!

Through an app called “Dictamus” – clients now create their document and delegation dictation files for routing to us.

From cNet:

Dictamus - Dictate & Send for iPhone

Record, rewind, overwrite and insert anywhere. Download recordings, send as e-mails, upload to Dropbox, MobileMe, FTP or WebDAV.

Dictamus is the most sophisticated professional dictation application for your iPhone, iPod Touch (2nd gen) or iPad.

Dictamus is available from iTunes for \$14.99.

If you're a client interested in integrating Dictamus in your workflow, get in touch with me or Tracy, Operations Manager to LegalTypist. There's a few steps involved in the set up, but once set – runs just as efficiently as every other capture process I have in place. ;)

I hope you enjoy this issue – comments, feedback and suggestions always appreciate!

Til next month...



Excerpts of **BYOB** podcast

Systems - Part 2

featuring **Ernie Svenson, Esq.**



Couple of people I noticed - they never let a call go to voicemail. They would always answer the phone. They would drop whatever they were doing to answer this one phone call.

If I were to tell them that didn't make sense, they would fight it - which I understand because I thought the same thing. What I learned was, it's actually better to let every call go to voicemail.

Most people calling you are calling you for a reason. The thing is if you let them tell you what the reason is, then you can decide if that is urgent and call them right back and deal with it or no this isn't urgent let me deflect it until later on when I can deal with it more appropriately.

If you have a system that allows you take something that comes in one input and shift it to a new input that is more efficient or appropriate then you should be able to do that. Letting a phone call come in and go to voicemail, allows that process.

That's the problem. Is that it things are going faster so we try to go faster to keep up with them and that's exactly the wrong thing to do.

You hear people talk who adopt a system and hear how important that is to them.

The most beneficial part of using a system isn't even the part we are talking about - managing the daily stuff - once you have that down, all of a sudden you have all this room and bandwidth in your brain to address things that require long range planning and tweaking and developing.

If you don't put the stuff in a system your brain will still try to process it.

It's all that other stuff that you have to do. Doesn't mean I don't feel stress - that I look at and think "OMG there's all these things I have to do". We all feel that that's not going to go away - because you take on a lot of responsibilities and there's gonna be a lot of responsibility for you to deal with.

It's the idea that at least you know what it is that you have to do. You're not sitting here thinking "let me make some phone calls. Gee I wonder what phone calls do I have to make?" If you have a system you click a button or you pull up the book and here are the people I need to call and here are the numbers.

You can shift from one project to another instantaneously as you need to and you know everything is in there. Now your brain can work on truly interesting problems.

***Ernie the Attorney** practices commercial litigation in New Orleans and believes that the practice of law is largely an "information processing business". Through his blogs and lectures, Ernie shares simple ways lawyers can process their information more easily and therefore be more efficient. To learn from Ernie, visit <http://www.PDFforlawyers.com> <http://www.DigitalWorkflowCLE.com>

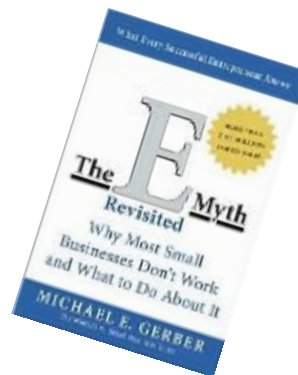


Systems - with Ernie the Attorney
Part 2 of 2 is posted:

www.legaltypist.com/2011-10TLCxn

Book Review: The E-myth Revisited

Michael E. Gerber



I think any of Gerber's books other than E-myth Revisited are a waste of time.

And I find the storytelling use of the baker and the Mickey D analogy annoying, though lots of clients disagree with me. However, I highly recommend the one book. Three things: "your work is not your life, your work exists to serve your life", the distinctions between the roles an entrepreneur plays (technician v. CFO, for example) and the general theme of using systems and processes. Seth Godin, who is my current favorite guru, points out that Gerber is advocating standardization, which contradicts the notion that it's your brain and artistry that will make you successful. I think in real life, in your practice, creating processes and templates frees you up to be brilliant and unique. (wow, I probably can't even call that paraphrasing, more like mangling...)

Everything I talk about re time management is based on Gerber:

- designing a practice based on what money and time you want it to return
- time blocking for different roles,
- prioritizing,
- delegating, etc.

If you're solo, the original book is worth the read. For the record, E-myth refers to the myth that many entrepreneurs start with, that if you're a good professional, lawyer, business coach, whatever, that you'll also be a good entrepreneur with a successful business.

Now, if that were true....



Barbara Nelson helps lawyers and other professionals learn the simplicity of action. She's grateful for the opportunity to show up here and share her unique perspective. Barbara is a huge fan of writing to improve productivity. To learn more, visit Barbara's blog: <http://www.successfullysolo.com/blog>

I like both the E-Myth and David Allen's Getting Things Done and recommend them often to clients.

I wouldn't credit either of them with being god-like, but I use many of the principles and techniques in my coaching/consulting practice with my clients - who eat them up and say they have been a tremendous help.

Some of the techniques you have probably heard of before, perhaps in another context.

Many of them you already "know" (but may not be so good at implementing).

Sometimes these books give another perspective, a better way of understanding, or a new way to implement.

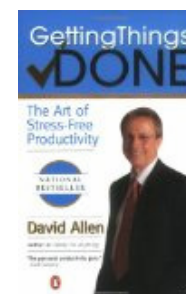
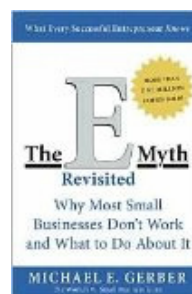
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Andrea's *frugal finds* ...



October

As long time readers know, I'm frugal to the bone so I've started this page to share my frugal finds and help you find some too.

This month I'm going to concentrate on frugal food. Hey, we all gotta eat! Here's 4 of favorite frugal foodie tidbits:

1. Split Chicken Breast (on the bone).

Generally, this cut of meat is around \$1.00 per pound and is extremely versatile.

I almost always buy two packages (for around \$5) and roast all 4 breasts at once, but you can also plunk two into the crock pot with the tops of the celery, a few carrots and an onion or two quartered (leave the yellow skin on for color) to make stock and then shred chicken for soup or other hot meals.

To roast the chicken breasts, I use another frugal foodie favorite:

2. Poultry Seasoning

I can't believe this is not a spice more chefs talk about – a mixture of sage, thyme and other spices, poultry seasoning imparts great flavor while locking in natural juices. A French chef taught me that - the spices on the skin lock in moisture.

First, always rinse and grab a few paper towels to pat the chicken dry. Place on a rack in a roasting pan and sprinkle liberally with poultry seasoning. Add a ½ inch of water to the pan then roast in a 350 degree oven for about an hour. For double duty, place a few celery stalks and carrots in the water so you can use the drippings to make gravy.

Once roasted, this chicken can be served just like it was sliced from a full sized bird. Leftover meat can also be shredded, cubed or what not for every type of chicken dish. FYI, chicken salad is Emily's favorite.

3. Country Style Spare Ribs

Another frugal cut of meat that can be simply prepared and roasted/BBQed for ultimate yummy goodness.

My favorite is to mix equal parts BBQ sauce (Open Pit Original) with Dai Dae Duck Sauce and toss in a little teriyaki.

To prepare, rinse and pat dry the meat (and these you really have to rinse well due to so many cuts in the bone). Place meat in zip lock bag, pour sauce/marinade over to cover. If need be, massage the meat after the bag is closed to make sure every surface is covered. You now have options.

You can let marinate on counter for an hour or so before throwing on hot coals or roast in hot oven; or you can freeze for future use. I make double batches and cook one/freeze the other.

4. Beef Hot Dogs

I'm very particular about my hot dogs. I buy Kosher Beef hot dogs only. Generally, for about \$4.00 I get 8 hot dogs.

Hot dogs are great because they are quick and not that bad for you health-wise (if you get the good beef hot dogs that is).

You can grill, boil and even nuke them – and they taste great.

For lunch, I will heat up a hot dog and throw on some mustard and ketchup <-yes, I like ketchup on my hot dogs! I have also been known to make chili dogs, add sauerkraut and/or baked beans. <-dunno where that came from!

Not really a meal I can serve to my hubby (he loves the Country Style ribs though) but hot dogs and a box of macaroni and cheese is my daughter's favorite dinner.



Tech According To Ben:

Email: POP vs. IMAP

IMAP and POP3 aren't really account types, they're protocols. Which means that they're just different ways to access a mail server where a mailbox/account exists.

SUMMARY: If you have the choice you'll almost always want to use IMAP. IMAP is more robust, has more features, can be faster on large mailboxes and supports read/unread as well as other flags. On mobile devices and/or with limited bandwidth, POP3 can be a little faster. Most modern servers (Gmail, Exchange, etc.) support both. Most modern e-mail clients (Outlook, Eudora, Thunderbird, etc.) support both.

POP (Post Office Protocol) came first. Since the current version is POP3 you might have guessed that there have been a POP1 and POP2. There were, but they're so obsolete these days you don't really have to be concerned with them - these days virtually any time somebody says "POP" (in the context of e-mail at least) they're referring to POP3. No news on SNAP6 or CRACKLE4 yet.

POP3 is a pull technology - which means that it connects to your mail server and pulls the mail down. The mail is only checked when it's requested by the client (i.e. Outlook, Windows Live Mail, Eudora or whatever); the server has no way to push mail to a POP client. Now some of you are probably thinking "But my POP client gets my e-mail automatically for me! I don't have to click the 'send/receive' button!"

Yes, that's because almost all modern POP clients can be configured to check for new e-mail automatically on a regular schedule. You can configure it to check every 10 minutes, every 15 minutes or whatever and anytime that e-mail software is running it will poll the server on that schedule and pull down any new messages.

NOTE: there is a temptation in this "gotta have it 2 minutes ago!" world to set your polling interval to be as small as possible. "I want to check for new e-mail EVERY 8 seconds." Don't! POP3 is one of those protocols that can get upset if you initiate a new session while a previous session is still trying to download e-mail. I don't recommend you set your polling interval to less than 5 minutes as a general rule. Polling too frequently is one way you can get duplicate messages or "stuck" messages in a mailbox.

I've stood and watched people click "Send/Receive" on their e-mail client about every 10 seconds. It's a little disturbing.

POP3 by default will download all of your messages from the server and remove them from the server. That's good and bad - if you have a mailbox quota removing the messages each time keeps it lean and tight. If you want to check your mail from multiple locations (home computer and mobile device for example) removing them from the server means that messages will only be available to the device that downloaded them first. When the other device connects to the server the messages downloaded by the first device will already be gone.

Most POP clients can be configured to leave a copy of messages on the server, however, so they are available to other devices.

Advantages of POP:

- Clean, mature, technology that is widely supported by a LOT of mail clients, servers and devices.
- Simple, low-bandwidth, generally reliable.
- Well-suited to limited bandwidth situations: dial-up or poor connections.

[Cont'd next page](#)

Disadvantages of POP:

- Inbox only. No support for mailbox subfolders, calendar, contacts, etc.
- If you're leaving messages on the server, performance can really suffer on large mailboxes.
- By default most POP implementations transmit passwords and logins in clear text, leaving them vulnerable to sniffing/detection. Most can be configured to encrypt that information and POP is often supported over SSL/TLS but out of the box, most POP implementations are not that secure.
- POP doesn't recognize state information - in other words if you download and read a message on your desktop but leave a copy on the server so you can also download it on your laptop, the laptop won't recognize that you've already read the message.
- Only one POP client can connect to a particular mailbox at a time. (see: Don't poll too often, above)

IMAP (Internet Message Access Protocol) came along in the late 80s and has gone through a few revisions since then. The current implementation of it, if you care, is IMAP4rev1.

Like POP3, IMAP is a protocol for pulling e-mail from a server. Though it does have some limited support for notifications, like POP3, there isn't any widely accepted push technology so generally it only gets mail from the server when the IMAP client (like Outlook, Thunderbird or whatever) requests it. Like POP3 all modern IMAP clients can poll for new mail on a schedule. Unlike POP3, IMAP is much more robust about server access - which means that if you really insist upon having your mail client check for new mail every 60 seconds - IMAP is less likely to disintegrate in a flaming mess.

By default IMAP generally leaves a copy of the messages on the server and removes them from the server when they are deleted from the IMAP client and then "Purge Deleted Items" is run.

Purge deleted items can often be configured to run automatically on a schedule or when you exit your e-mail client.

Advantages of IMAP:

- More robust; supports server-side subfolders and multiple, simultaneous, accesses to a particular mailbox.
- Support for flags such as read/unread and user-created flags on messages.
- Support for mailbox subfolders.
- Tends to be faster than POP3 on large mailboxes.
- Better native support for encryption - especially for logins. (still can have issues here though)

Disadvantages of IMAP:

- A little more complex than POP. Can be a little more temperamental if not well-done.
- Not quite as universally available (but almost)
- Can use more bandwidth.

Both of these technologies are primarily for receiving e-mail. No matter which technology (POP or IMAP) you use to receive mail you're almost certainly going to use Simple Mail Transfer Protocol (SMTP) to send your mail.



Ben Schorr is a legal IT guy, Microsoft MVP, author of several books to help attorneys better utilize Outlook and is a valued member of the Solosez list. Visit Ben's website and be sure to sign up for his Monday Morning Technologist. www.rolandschorr.com

There are two things I really love about Halloween: roasted pumpkin seeds and the dead rising to feast on the living.

I can't be the only one to notice a rebirth in the popularity of zombies over the last couple years. It seems to have started with 28 Days Later, then there was the remake of Dawn of the Dead, from there it's just grown. Now it seems you can't swing a dead baby without hitting a zombie show. There were a few more George Romero movies, 28 Months Later, Shawn of The Dead, Fido (comedy, worth looking for), World War Z (soon to be a movie starring Brad Pitt) and of course, the hugely popular Walking Dead series on AMC. Hell, Anthrax's latest single Fight 'em Till You Can't is zombie-themed.

Of course, zombies, vampires, werewolves, ghosts, etc are all imaginary creatures. They're stories that older kids tell younger kids to make them cry, which is fun, and is a great motivation to do anything. Therefore, there isn't much point in applying logic to the stories and point out things like how changing from a 300 pound werewolf to a 200 pound man would require the sudden release of energy equal to a zillion suns exploding (actually, it's somewhat less than that, but $E=mc^2$ still yields a lot of energy when the mass is 45 kilograms).

Still, that's not going to completely stop me.

I have no interest in trying to explain away any of these myths. For one thing, they're fun. For another, there is almost a contract we have with entertainment providers to suspend disbelief. Meaning, we agree to overlook certain inconsistencies or impossibilities so we can enjoy the movies. I'm not going to risk my bar license by failing to adhere to a social contract. OK, that might not be a reasonable fear, but it's probably no less reasonable that thinking I need an IRS disclaimer at the end of every email even though I don't even know enough tax law to be a danger, and plenty lawyers do that.

Anyway, the obvious scientific problems about the dead coming back to eat the living aside, there is one thing that has always bugged me about zombie movies -- they're so damn many of them.

If you think about it, what does a zombie do? Does it run around scratching and biting people like a poorly behaved 3 year old? No. Zombies eat people. The best scenes in zombie movies are of an undead corpse chewing on a bloody arm or something. That's they're whole thing, their raison d'être. They exist to feed, not to breed (or in this case reproduce through pseudo-viral transmission, but that doesn't rhyme). If a zombie grabbed you, it would eat you. Maybe not all of you, I mean, that's a lot of a person to eat, that's like a couple hundred Big Macs, but they'll eat the best parts of you certainly. What are the best parts, brains of course, followed by eyes. They're nice and fatty, although it can be hard to get them out of a skull.

Since zombies are slower than the living, it's hard for them to catch us, therefore I would think they'd share with each other when they did take down a person. Just like lions do when they take down a bear, or whatever it is lions eat. What I imagine would happen in a real-life undead situation, would be the dead grabbing people they could catch, eating what they could, and then being good zombie-citizens and sharing with their other

zombie-buddies. There isn't any reason not to share, it's not like they have refrigerators that they're going to pop a torso into and save for later. If they don't finish the person, it's just going to go to waste, or worse yet, become another zombie mouth to feed.

Certainly, there are going to be more zombies created because there are always going to be people that get bitten and get away somehow, but for the most part, people that get caught are not going to be coming back because they're going to get pooped out of a zombie.

If you think about it, lets say a zombie takes down a 200 pound man. We know from zombie movies that they're not particularly concerned about cleaning their kills or are discriminating in the parts they eat. In a man that size, I'd guess around 60 pounds of that is bone, leaving 140 pounds of flesh. That's a lot of flesh. Joey Chestnut ate 62 hotdogs at the last Nathan's Famous contest. Assuming each hotdog and bun weighs 4 ounces, that comes to roughly 15 pounds of food. Few people are going to eat that much in a sitting, but lets be overly generous and say each zombie can eat 5 pounds. A 200 pound man would then be able to feed as many as 28 zombies. The actual number of zombies is probably less than that, but it's still a surprising amount of food from one victim, certainly more than I've seen in any zombie movie. I'm not even counting sides in there, imagine if the zombies also served potatoes and broccoli, we could easily get 50 entrée-sized servings out of one guy. A single meal that size should be enough to keep all but the most gluttonous zombies happy for a day, especially if they have a mid-day candy bar as a pick-me-up.

Does socializing the dietary/hunting habits of the undead make them any less scary? I don't think so, they're still hunting the living, just being more judicious about it. It's also better for them, because they won't exhaust their food source that way. They're still rather hard to kill so the living still would have a hell of a time trying to get rid of them, even when they are huddled around the table. Also, like I said, we'll always have the problem of the constant influx of new zombies as they infect people that are able to escape before becoming a meal. In some canons, such as Romero's movies, the dead become reanimated, not necessarily just the infected, so even if grandma never gets near a zombie, she's still going to get up and attack when she passes away quietly some night. In that case, she'll probably be a good one to spread the infection since most people are going to be able to beat up an old woman, even if she is the living dead. It's not like some zombie-fairy visits the corpse just before it rises and shoots it up with steroids. That would just be silly.

Oh, and a side note: if you're going to rent some zombie movies don't make the mistake and rent 28 Days. You'll spend 100 minutes watching Sandra Bullock go through AA, which is even less fun than it sounds, but still scary in a way.



Steve O'Donnell protects ideas. Based in Lancaster, PA, Steve's practice focuses on helping clients protect their ideas and intellectual property through the use of patents, copyrights and trademarks.



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Fall-Winter 2011

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Calendar

Wed Nov 2, 2011	12:30pm – 1:30pm	Lunch with LegalTypist ·
Wed Nov 16, 2011	12:30pm – 1:30pm	Lunch with LegalTypist ·
Wed Nov 30, 2011	12:30pm – 1:30pm	Lunch with LegalTypist ·
Wed Dec 14, 2011	12:30pm – 1:30pm	Lunch with LegalTypist ·
Wed Dec 28, 2011	12:30pm – 1:30pm	Lunch with LegalTypist ·