



# The Legal Connection

where legal technology & people connect

2012-01

## It's A New Year – YEAH!

Welcome to 2012!

I'm certainly not sad to see 2011 go. It was a rough year – crazy weather; the passing of Mr. Z in June and coming to the realization that more than one “partner” was not really a partner at all were just a few of the items that were personally difficult for me. 2011 certainly taught me more than anything, you must have sheer determination to make it in this (or any other) business.

Thankfully, I have been bestowed with a very stubborn streak!! Of course, the fact that the numbers are better in 2011 than any other year in LegalTypist history certainly gives me reason to smile. LegalTypist is up to almost 500 users and our largest firm tops out at 86 attorneys. Not too shabby!

On the assistance side, are the growing number of Digital Assistants qualified to work on our client's documents and doings. These DAs are exceptional people who not only have significant experience in legal - must have 2 years but most have over 10 years in a traditional law firm setting – but they also take on learning the technologies used by LegalTypist and our clients.

2011 added several techs to the list these women (so far all women) learn to manipulate on behalf of our clients. Once I approve a tech as secure and appropriate for “legal”, the DAs of LegalTypist are only too happy to learn how to use it to make their assigned client's lives easier. This is especially helpful to our clients who know how to dictate, but not necessary wish to do the data entry and other work involved in populating/using tech. Win win win.

Looking forward I fully expect 2012 to be another banner year for LegalTypist. So much is in the works and much of it coming to life in the first quarter of 2012, including:

**Pay As You Go** option – existing clients of LegalTypist will be able to purchase Digital Assistant time at a flat \$35 per hour.

**Alliance-Partner Program:** The LegalTypist Alliance Partner Program is for Bar Associations and other companies/organizations in the legal profession who have attorneys/users in need legal secretarial, administrative and day to day digital assistance. Not everyone has need of a full time employee, but most attorneys could use the services of a qualified legal assistant on an as needed basis. APP Members receive that assistance through the APP Program. Visit <http://www.legaltypist.com/Alliance-Program> to learn more.

As for the Ezine, this issue brings back the familiar faces of Barbara Nelson, Ben Schorr, Allison Shields and the always entertaining rants of Steve O'Donnell. Joining the team we welcome three new contributors: Bruce M. Cameron, Joseph A. Bahgat and Katie Wilson.

With new contributors, programs, pricing and hopes in place – let's all rock 2012 shall we?!

til next month...

# 7 Tips To Getting Your Business Organized

1. Start with just one problem area.

Choose one single area to work on at one time. Incoming paper is a big problem for many businesses. By getting paper under control, immediately a lot of the clutter will be eliminated. Decide where to start based on the answer to this question: "The thing that bothers me most in my office is..."

2. Choose an organizational system that you know you will be able to work with easiest.

Simple is generally best; anything too complicated might become overwhelming. Remember that if paper management (or whatever area you are trying to improve) was easy for you, you would not be in this bind in the first place.

3. Put together the items needed in order to implement the system.

Organizing paper might require file folders, file cabinets, binders, etc. Establish an incoming mail center, take notes and carefully follow all directions in implementing any system.

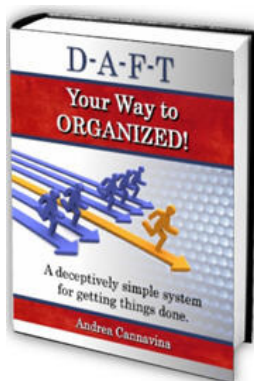
4. Decide on a suitable place for items which are waiting to be deferred, acted upon, filed or tossed and put everything in that spot.

5. Do not try to accomplish all the organizing your business needs at one time. First gather the tools you will need, understand the steps you are taking with each repetitive task and further break down and work on organizing the pile/box/to dos as you can throughout your day. You'd be surprised how quickly things get done in only 10 or 15 minutes blocks of time.

6. If you find that the system you are using does not address a particular need, make a decision about how to handle that need going forward and add it to your system. The beauty of organizing through systems, even those of others, is that you can easily change your system at any point and reorganize things as you need. Certainly do not wait for the perfect system to come along before you trying to get organized. The perfect system is the one you use.

7. Use your system like clockwork.

Make no excuses. That is the only way any system will work well for you.



**D-A-F-T Your Way To Organized!** is my own personal organizational system. I had hoped to find/buy a system I could use – only to find that the systems out there were created for those who authored them and did not fit my personal style of organization.

**D-A-F-T** is a combination of the systems I learned; with a lot of practical consideration on just how things in law offices really get done.

**D-A-F-T** works for me and I know it can work for you too! Give it a try – it's free and less than 20 pages! Grab a copy here: [www.legaltypist.com/D-A-F-T](http://www.legaltypist.com/D-A-F-T)



# New Rules : Tech 2012

I write here because it's always a challenge. My editorial direction from Andrea re the theme of January's issue was: Tech + New. I'm out of my comfort zone, but I hope you find value in what I've come up with.

**1. Use it or lose it.** Excluding technology that you can put in the "entertainment" category, technology should support you, not hinder you. If you're one of those people whose desktop is littered with icons for software you've tried but don't use - get rid of it. If you feel that you are using too many different applications, then spend the time to find out if they overlap and see what you can rationalize and eliminate. Streamline your technology. If you have technology that is a hassle to use, look for alternatives.

**2. Know what your technology can do for you.** If you've been using the same practice management software, or doc prep, etc., for some time, chances are there is functionality you aren't aware of. Make a point of ensuring that you're fully leveraging the technology that you've already invested in. If you're wondering if your software will do something, get online, call, find out. Phone a rep, phone a friend.

**3. Know what your technology is costing you.** It seems simple, but often these costs add up in small increments and you aren't really aware of the expense. Make sure that you are classifying and monitoring your tech spending. Maybe that less-than-optimal package you sprang for is turning out to be more expensive than the higher-priced option you thought you couldn't afford.



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**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>

**4. Use appropriate software.** OK, my least favorite technology is highly complex ("I'm a wiz with macros and pivot tables") spreadsheets. They become beasts. No one can answer: "how is that number calculated?" Updates to formulas become risky due to unintended consequences. If the one person who knows all the analytical quirks runs away to Bali with the love of his life to start a diving business, you are sunk. Look at your mission-critical software and validate that it serves you well. Make sure that the technology you use supports your business processes. Note: this rule includes using appropriate back-up processes and technology as well. Yup. It can happen to you. Disaster and near-disaster recovery planning is a requirement.

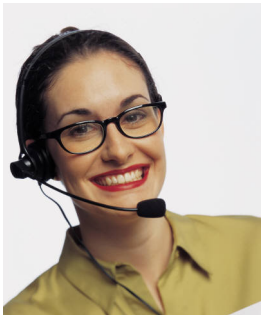
**5. Get help.** Have resources lined up to help with telecom issues, hardware/software issues, and process development. You might want to have a small business tech guru do periodic assessments for you. Technology is valuable, take care of it. Optimize. Get the right people involved in your technology decisions, implementation and maintenance.

And that's it for Tech+New. On the other hand, Happy New Year! May you be as automated as you can effectively be, and may the force of technology be with you in 2012.



A new Get Clients Now! program for lawyers will begin on February 7th, 2012. This program includes bonus material on goal setting and time management for lawyers. If you want a structured marketing plan and accountability for results- this is a great choice for you.

To learn more or sign up:  
<http://www.successfullysolo.com/blog/getclients/gcnforlawyersdates/>



# 5 Things to Consider When Choosing an Answering Service

As so many of us declare with gusto on January first, your New Year's resolution might be to be more productive this year. Phone calls can often be a drain on time, especially when they jar you out of an engrossing project. If you're considering having an answering service help you by handling your calls, you may want to consider the following:

**Flexible call handling options.** Typically, answering services can perform limited tasks such as taking messages. However, some services called "virtual receptionist services" can transfer calls live and let you know who's on the line before connecting. They can also do different things based on the type of caller; for example, they can take a short intake form from potential clients and immediately email and/or text that information to you, and if a judge or person from the court calls, they can track you down on your cell to transfer the call.

**Whereabouts updates.** Like giving your receptionist a tap on the shoulder, you can let your receptionist service know when you're going into a meeting, working on a deadline, or otherwise update your availability. It'll keep you focused for those times when you can't or don't want to be reached but has the flexibility so that you can take calls when you're able.

**Time frame.** Are you mainly looking for help during the day, or would 24 hour service be a deal breaker? Some virtual receptionist services answer live Monday through Friday, some with extended business hours,

and function like an in-house receptionist. After hours, these services may be able to set up a voicemail box (with messages emailed immediately as .wav files) that can also have an option to be transferred elsewhere in the event of an emergency (say, your cell phone).

**The ability to return your clients' calls.** Some services can save you even more time by placing calls on your behalf. Stuck in court and need to relay an update on a client's case? Or are you working on a project but would like to make some appointment reminder calls at the same time? Send a quick email and your virtual receptionist service can make those calls for you!

**Are they "people people?"** This could be the most important thing to look for in a new service. How can you find out? Give them a call! In fact, give them a couple calls! Often, the same receptionists that would answer your calls will answer theirs, and it's a great way to gauge how your clients will be treated. If they're friendly, helpful and professional, you may have found your solution!

If you're looking to be more productive in 2012, an answering service may help; hopefully the tips outlined here will give you a good idea of what to look for in just such a service.



**Katie Wilson** is a Sales and Marketing Associate at Ruby Receptionists. Harkening back to an era when every call to an office was answered by a friendly receptionist, Ruby Receptionists provides personalized live, virtual receptionist service to small businesses and professionals throughout North America. Visit: <http://www.callruby.com> to learn more.



March 29 – 31, 2012 Chicago Hilton

Meet LegalTypist CEO Andrea Cannavina this year at TechShow. Just as in past years, LegalTypist is putting together SuperPass groups. Email [techshow@legaltypist.com](mailto:techshow@legaltypist.com) to get added to the next group and get in to TechShow for less than \$500!!





- LegalTypist**  
Dec 17, 2011, 9:10am via HootSuite

Use a notebook. Each day open to a new page & add date. Write X down. X=names, ideas, to dos, notes. Transfer X to digital & then X off page
- LegalTypist**  
Dec 20, 2011, 8:00am via HootSuite

Protect your peeps and your biz: when setting up social media accounts do NOT load your full contact list.

↩ 1 retweets
- LegalTypist**  
Dec 20, 2011, 12:46pm via HootSuite

Good resource: How To Set Up An Effective Filing System [ow.ly/85u0W](#) ± <-You need to organize the paper to go paperless.
- LegalTypist**  
Dec 14, 2011, 6:43pm via Web

Systems: Save Your Sanity Through Effectively Mapping Stuff [bit.ly/bujj66](#) ±
- LegalTypist**  
Dec 13, 2011, 9:06am via HootSuite

How To Run Almost Any Android App On the Kindle Fire [ow.ly/7XMwZ](#) ±
- LegalTypist**  
Dec 13, 2011, 5:12pm via HootSuite

Want to know who to follow on twitter? Find professionals in real life/from other sources; check out their timeline a few times; then decide
- LegalTypist**  
Dec 13, 2011, 7:10am via HootSuite

In case you missed last Friday's #legalchat - here's a transcript: [ow.ly/7WZHe](#) ±
- LegalTypist**  
Dec 13, 2011, 9:00am via HootSuite

11 Free Mind Mapping Applications & Web Services [ow.ly/7XLVQ](#) ± #TechyTues
- LegalTypist**  
Dec 12, 2011, 9:14am via HootSuite

Your desk is not a storage area - it is a work surface.
- LegalTypist**  
Dec 11, 2011, 10:46am via HootSuite

#ABATECHSHOW full schedule out: [ow.ly/7VFav](#) ± To get in on SuperPass pricing send email to techshow@LegalTypist.com
- LegalTypist**  
Dec 12, 2011, 3:00pm via HootSuite

Firesheep & Sidejacking: A Year Later, Lawyers Are No Smarter @jasnwilsn [ow.ly/7WZqN](#) ± HT @glambert
- LegalTypist**  
Dec 10, 2011, 11:18am via HootSuite

10 Technologies That Are Just Plain Broken @TechRepublic [ow.ly/7Vapq](#) ±
- LegalTypist**  
Dec 09, 2011, 1:46pm via HootSuite

HP today announced it will contribute the webOS software to the open source community. [ow.ly/7UvP7](#) ±
- LegalTypist**  
Dec 09, 2011, 1:43pm via HootSuite

My 2 Cents: Working On the Go – Security [ow.ly/7Uyyc](#) ±
- LegalTypist**  
Dec 08, 2011, 9:06am via HootSuite

I recommend both books but am not evangelical. RT @samglover: @carolynelefant E-mythers tend to be evangelical, yes. Kind of like GTD-ers.
- LegalTypist**  
Dec 08, 2011, 7:56am via HootSuite

Because being a blogger does not always mean you're a journalist. Judge Hits Blogger with \$2.5 Million Charge: [ow.ly/7SMfV](#) ±
- LegalTypist**  
Dec 20, 2011, 7:49pm via HootSuite

You can practice efficiently using inexpensive technology; but you should pay for your tech if you expect it to work.
- LegalTypist**  
Dec 22, 2011, 10:45am via HootSuite

LogMeIn Case Study: LegalTypist, Inc. [ow.ly/87NMK](#) ±

- LegalTypist**  
Dec 06, 2011, 8:44am via HootSuite

Morin! Good read. Thanks for sharing. MT @dhogwyn: Good morning. ... Ten Traits of Highly Successful People [tinyurl.com/22khvcu](#) ±
- LegalTypist**  
Dec 07, 2011, 9:54am via HootSuite

Honored to be listed as a resource by @LeeRosen: [ow.ly/7RBmZ](#) ±
- LegalTypist**  
Dec 06, 2011, 2:54pm via HootSuite

LOL RT @ernieattorney: Robin Williams speculates what Siri would be like if she had a "french attitude": [dld.bz/a4UJs](#) ±
- LegalTypist**  
Dec 06, 2011, 2:52pm via HootSuite

Oregon State Bar Formal Opinion re.Third Party Electronic Storage of Client Materials [ow.ly/7QJ20](#) ± <-link opens a pdf
- LegalTypist**  
Dec 05, 2011, 2:57pm via HootSuite

Sneaky Mobile Ads Invade Android Phones [ow.ly/7PnxN](#) ± <-Not just Carrier IQ you have to worry about
- LegalTypist**  
Dec 05, 2011, 9:22am via HootSuite

Carrier IQ Admits Holding 'Treasure Trove' of Consumer Data, But No Keystrokes [ow.ly/7OPm1](#) ±
- LegalTypist**  
Dec 05, 2011, 8:46am via HootSuite

Setting up Hootsuite to Rock Your Next Twitter #Chat [goo.gl/bR07S](#) ± @SociallySawvy4U RT @litigationtech
- LegalTypist**  
Dec 04, 2011, 8:17am via HootSuite

Ctrl+A=block all; Ctrl+C=copy; Ctrl+V=paste. Ctrl+V into Notepad (Start, Programs, Accessories) to strip coding from Word to WordPress
- LegalTypist**  
Dec 02, 2011, 9:02am via HootSuite

NICE! RT @LegallyErin Two RIM Executives Got So Drunk On An Airplane The Pilot Turned Around [ow.ly/1X3eF](#) ± @aliciakan @VeronicaLudwig
- LegalTypist**  
Dec 01, 2011, 9:59am via HootSuite

@njAtty Sadly, it's not just Google these days; telecomms have gone nuts on collating/indexing user data - they are all turning into Googles
- LegalTypist**  
Dec 01, 2011, 7:53am via HootSuite

Reading: What They Don't Teach Law Students: Lawyering [ow.ly/7KYWp](#) ±
- LegalTypist**  
Dec 01, 2011, 7:36am via HootSuite

The best approach to on line privacy is to assume there isn't any.
- LegalTypist**  
Dec 01, 2011, 7:23am via HootSuite

The secret to success on the social web is simple: be genuine; interact and connect, don't sell.
- LegalTypist**  
Nov 30, 2011, 3:00pm via HootSuite

HP LaserJet Printers Vulnerable to Attacks, Researchers Warn [ow.ly/7KgdR](#) ± <-ANYTHING connected to web has security considerations
- LegalTypist**  
Dec 22, 2011, 9:59am via HootSuite

Working the Web Wednesday: LinkedIn [ow.ly/870RV](#) ±

- LegalTypist**  
Dec 30, 2011, 9:18am via HootSuite

Interesting: The 21 Greatest PC Mysteries--Solved! @pcworld [ow.ly/8dVxB](#) ±
- LegalTypist**  
Dec 30, 2011, 9:14am via HootSuite

Still Awesome After All These Years: 8 Free Downloads @pcworld [ow.ly/8dVg3](#) ± <-I♥CCleaner Just downloaded Stickies
- LegalTypist**  
Dec 29, 2011, 12:24pm via HootSuite

23 Marketing Tips for Avoiding Small Business Failure @ericgilboord [ow.ly/8dcVy](#) ±
- LegalTypist**  
Dec 22, 2011, 7:36am via HootSuite

I♥ ToastMasters! RT @PegFitzpatrick: Most "12 Most Speak-tacular Reasons to Join Toastmasters" [twrt.me/bzw3](#) ± via @12Most
- LegalTypist**  
Dec 29, 2011, 8:35am via HootSuite

Five Things You Should Stop Doing in 2012 - [ow.ly/8cY87](#) ± HT @lauraleesparks
- LegalTypist**  
Dec 29, 2011, 8:34am via HootSuite

Reading: Lawyer Ethics: Is Ignorance an Excuse? [ow.ly/8cY87](#) ± <-didn't know what was on his own site for 2 years WHAT?!
- LegalTypist**  
Dec 28, 2011, 10:27am via HootSuite

Reading: 5 Things I Learned at the ABA Law Firm Marketing Strategies Conference [ow.ly/8c88p](#) ± <-No. 4 spot on cept the automatic part
- LegalTypist**  
Dec 28, 2011, 10:23am via HootSuite

+1 RT @bschorr: RT @WithinRafael: Skype (PC software) is my worst software of 2011 pick. :D < iTunes might be mine.
- LegalTypist**  
Dec 27, 2011, 4:00pm via HootSuite

Say that 10 times fast! RT @JDSupra: Top Ten Tax Tips for 2012 @Darrin\_Mish [bit.ly/t0n2Cl](#) ±
- LegalTypist**  
Dec 27, 2011, 8:15am via HootSuite

Here's my 7 Tips For Setting Up A Home Based Office from the blog archive [ow.ly/8b0Qj](#) ±
- LegalTypist**  
Dec 26, 2011, 3:52pm via HootSuite

3 Business Books Worth Your Time [ow.ly/8azUW](#) ±
- LegalTypist**  
Dec 26, 2011, 1:17pm via HootSuite

Timeline: A History Of Touch-Screen Technology [bit.ly/vz6yL](#) ± HT @InfusedWeb Palm Pilot introduced in 1997 #justsayin
- LegalTypist**  
Dec 23, 2011, 7:48am via HootSuite

Being connected all the time does not make life easier. It can; but it can just as easily make it much, much more stressful.
- LegalTypist**  
Dec 26, 2011, 8:56am via HootSuite

A Dispute Over Who Owns a Twitter Account Goes to Court [ow.ly/8aiDN](#) ± HT @tim\_baran
- LegalTypist**  
Dec 22, 2011, 7:58am via HootSuite

Reading: The Beginning of the End of the 9-to-5 Workday? [ow.ly/87B6r](#) ± HT @advocatestudio
- LegalTypist**  
Dec 22, 2011, 10:01am via HootSuite

Interesting comments/thoughts from long standing legal blogger/attorney on ghostblogging: [ow.ly/86vuE](#)
- LegalTypist**  
Dec 21, 2011, 10:03am via HootSuite

Oldie but a goodie! Great explanation of digital phone services - POTSVoIP/virtual PBX: [ow.ly/86vG5](#) ±



# Tech According To Ben

## 3 Tech Predictions for 2012

O.K., so I thought I should take a moment and make a few predictions for 2012. Since I don't have time to write these all up in one batch, I'll do them as a series of posts. Here's the first one...

### 1. RIM Will Get Acquired

Let's face it, RIM is swirling around the drain. They had a DISASTROUS 2011. How disastrous? The guys at Borders are saying "Wow, you guys are in trouble." Not a real shocker if you look at it objectively:

- Blackberrys are preferred by companies and IT departments; but increasingly it's end users selecting their portable devices and end users usually want iPhones and Android devices.
- BlackBerry Enterprise Server is a pain in the rear to administer and companies running Exchange Server (which is most of them) have realized that most of the other smartphones on the market will integrate natively with Exchange ActiveSync. Cleaner, simpler, more reliable (though less secure - we'll hit that in a moment)
- The BlackBerry Playbook is a business-oriented tablet that doesn't (natively) do what business users on the go MOST want to do: e-mail. In order to get e-mail on your Playbook you have to have a BlackBerry phone. So basically they've limited their potential sales to companies that already have Blackberrys deployed and they were never going to get 100% of those. Releasing the Playbook without e-mail was either naivete or arrogance - and I suspect it was the latter. Watching their marketshare on smartphones plummet they released a tablet that required their smartphone in order to get e-mail...expecting that users would gladly buy BOTH devices because...hey...they're BlackBerry! They made their fortune on mobile messaging.

Well, hey at least BlackBerry Messenger runs natively on the Playbook right? Umm....

At \$499 it was playing in the iPad's sandbox and the iPad just ate its lunch in almost every respect. Why would you choose a Playbook over an iPad - especially if you weren't already a BlackBerry user?

Find out **Why** and **Who** Ben thinks may acquire RIM on his blog:

<http://www.rolandschorr.com/blogs/index.php/tech-predictions-for-2012?blog=6>

### 2. The Cloud Will Continue To Gain Momentum

Hey, I told you some of them would be obvious. There are a lot of things to like about the Cloud (and a few things to be concerned about). Among it's attractive features:

- Lower cost of entry
- Less hardware to maintain on-premises
- Less on-premises support
- Regular upgrades (double-edged sword)
- Relatively easy remote/mobile access
- And there are a lot of evangelists out there pimping the Cloud.

Reality is, for a lot of firms the Cloud makes sense, at least for some applications. Another reality is that when pitched with the promised cost savings of the Cloud a lot of firms are just going to blindly jump for it without really giving it a lot of thought. In some cases that's because they don't have the technical background to give it a solid evaluation; in other cases the promised savings to their operational budget will override any legitimate concerns they might have.

My advice to firms considering the Cloud:

- Evaluate it not just on a yes/no basis but on a use-by-use basis. E-mail in the cloud? Often a good idea. Accounting system in the Cloud? Maybe not. Documents in the Cloud? For the wills/trusts guys it's often a good idea. For the patent/IP guys...really need to think about that. Case management in the Cloud? Maybe.
- Don't mistake price with cost. And don't overlook the CUMULATIVE price. One of my clients got pitched a system that was going to cost them about \$170 a month. Not bad, but that's \$170 a month every month. In three years that's more than \$6,000 - 50% more than the projected cost for them to buy their own server and host themselves in-house. And if you're going to be reliant upon the Internet for a mission-critical application you'll probably want to invest in redundant Internet connections. Don't look at the "\$40/user/month" price tag and see it only as a super bargain. There can still be other costs.
- Make sure if you host your data with an outside provider that you can get a copy of your data, in a portable format, ANY time you want at no cost. Otherwise you're effectively held hostage if your relationship with that provider goes bad.



## Ben's Tech Predictions for 2012

- Ask where your data will be located. You probably don't care too much if your data is being hosted in Oregon or Iowa. If your data is being hosted in Venezuela, Egypt or China that could give you pause.
- Consider if you need the data/applications you're considering to move to the Cloud to integrate with anything else. Integrating Cloud-based apps with on-premises (or other Cloud-based) apps is often tricky. For example: if you want to integrate your document management system with your time & billing system but one is in the Cloud and one is on your server...that may not be so easy. Doubly-so if each is hosted with a different Cloud-based company.

The Cloud \*IS\* a good solution in many cases. But not in every case. Give it careful thought and see which category you're in before you make a move.

### 3. Somebody Will Get Burned in the Cloud This Year

My less-obvious Cloud prediction for 2012...somebody is going to get burned. What does that mean?

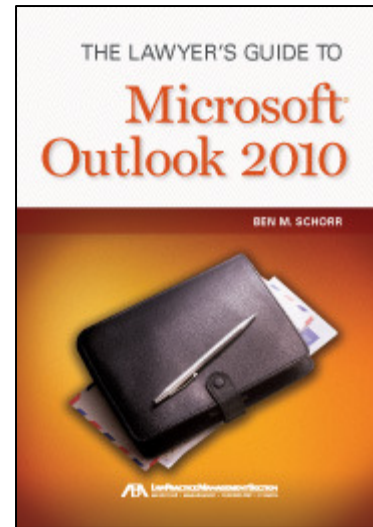
It means that some law firm(s) in America is going to suffer a serious problem related to their Cloud-hosted applications or data. Perhaps a big embarrassing data breach. Perhaps the business failure of a Cloud provider that causes the firm to lose (or at least lose access to) mission-critical data or applications. Perhaps some infrastructure failure that causes them to lose access to critical systems at a critical time - maybe they'll miss a deadline or be shut down just when they're supposed to be in court.

It'll be a big enough deal that Monica Bay and the Law Tech news people will be talking about it for a while. It'll be embarrassing and very damaging to the firm(s) affected. And like many disasters it'll be quickly forgotten/dismissed by many in favor of continued cuts to the operational budget.



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**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](http://www.rolandschorr.com)



Outlook is the most used application in Microsoft Office, but are you using it to your greatest advantage? The Lawyer's Guide to Microsoft® Outlook 2010 is the only guide written specifically for lawyers to help you be more productive, more efficient and more successful.

More than just email, Outlook is also a powerful task, contact and scheduling manager that will improve your practice. From helping you log and track phone calls, meetings and correspondence - to archiving closed case material in one easy-to-store location, this book unlocks the secrets of "underappreciated" features that you will use every day. Written in plain language by a 20 year veteran of law office technology, this book will help you:

- Sort and group messages to de-clutter your inbox
- Find old e-mails quickly
- Create an effective to-do list
- Master your calendar
- Work with journal entries
- Add, organize, and share contacts
- Utilize long-term storage when you're done with a case or client
- Back up your data
- Track and log phone calls, meetings, and correspondence
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## The Rural Lawyer Take on New Tech

Out here on the now frozen prairie (yep, our unseasonably warm weather took a drastic turn towards normality this last week) just about any reasonably modern technology could be considered “new” - in my small town, most folks are still using dial-up and most of the “innovators” are looking at 256K DSL as being where the cutting edge starts - so, from my perspective, writing about new technology is a fairly broad topic.

Rather than present the 10,000 foot view of technology since the turn of the century, I thought I'd look at a couple of new technological additions to my practice - one that was a real winner right out of the box even if the idea is decades old and one that has real potential just as soon as I figure out how to leverage the information it gives me.

The something old that's new to me is my virtual receptionist service. In 2011, I made the switch from an auto-attendant service (you know the old “you have reached the law firm of ... please press 1 to ...”) to a virtual receptionist service. I know, I know, big hairy deal it's still just a way to manage that bog-standard, 20th century communication medium, the POTS. The big deal is that when I switched from an automated greeting, to an actual human voice attached to a actual, thinking human being my hangup rate went from 50% to less than 2% - basically I doubled the number of potential clients I talked to over the course of a month.

As for the something new that's new there is my referral management system (and my first venture into SaaS). An outgrowth of customer relations management systems, referral management systems create and evaluate the strengths of your professional contacts - winnowing out the profitable relationships from the casual. Right now, I'm using my system as a type of tickler system, having the system remind me to periodically touch base with those contacts that send me business. Given the potential power of the system, this is a bit like using a chainsaw to cut butter - way too much tool for the task, but then I'm still learning what the software can do. I'll have to see if I get any ROI from the system, but it does seem to make my weekly “it's time to do the marketing thing” chores go a bit faster - having a focus is almost as good as having a plan.



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**Bruce M. Cameron** Having decided that going to law school and opening a solo law practice would be a sufficient response to the male midlife crisis, Bruce now practices Collaborative Family Law and Estate Planning in rural Minnesota. When not in the law office, he can be found on his small farm where he and his wife are at the beck and call of a herd of horses, a couple of cats, a few dogs and one extremely spoiled parrot. <http://www.rurallawyer.com>



# Tech Resolutions for 2012

This New Year is a little different for me: it marks the end of my first year in solo practice making it important for me to reflect upon the past year, identify the positives and negatives and put together a plan to capitalize on the former and reduce the latter.

As a new solo my primary focus is business development, but my very next focus area is workflow, efficiency, and resource management. For me that translates to: Which tech purchases and implementations from 2011 (or perhaps earlier) were worthwhile? What's helping me to work more efficiently, reduce my overhead, or spend less time doing mundane tasks? On the flip side, I look at what tech isn't working—what am I spending too much time doing, what's not functioning the way I expected, or not saving me the money that I'd planned it would?

Once I identify those things, I can incorporate my findings into my 2012 business development plan: What, if any, applications or devices should I look to invest in (i.e. update) when new versions become available? Are there any tasks that I should be delegating or outsourcing?

Here are some of my observations and solutions, or resolutions if you will:

1. **Online Backup.** I spent too much time messing with online backup services in 2011. Also, I wasted money by subscribing, first, to Carbonite, and after discovering how lousy it was, jumping to Spider Oak. Lesson learned? Don't jump on a service or application just because you're having problems with a current service or application, even if somebody (or even two or three somebodies) wrote a good review about the second service or app. You have to step back and evaluate these things objectively. Don't make big tech decisions when you're mad or frustrated.
2. **Local Backup.** I'm spending too much time thinking about data backup, period. As a result of my obsessive-compulsiveness in that regard, I have a half dozen external hard drives that all have (close to) the same data on them. Sounds good, right? Actually no. What I meant by "close to the same data" is that these are not all clones of each other – they are a bunch of randomly backed up copies of my laptop and desktop hard drives, with a whole lot of duplication within each copy. Lesson learned? I am getting rid of my RAID backups this year. I use Time Machine, which I will continue to do (though I don't fully rely on it), and in addition I will keep two encrypted copies of my iMac hard drive—one local, and one remote. I will rotate them on a set schedule (which I'll put into OmniFocus).
3. **Contact Data & Syncing.** This was also a huge time suck, and I'm over it. I think I've finally found a system for keeping my business and personal contacts in sync between my iPhone, iMac, MacBook, and Clio. As much as I didn't want to put all this data into Google, I finally succumbed to it. The next step is to clean them up, and make me a master .xls file that I can keep separate, and only update at regular intervals. I'll use that master file to build separate databases of past clients, conflicts, various referral sources, etc. This will be super handy for marketing purposes. Lesson learned? You can definitely overdo it with syncing. Don't attempt to sync everything just because you can, or because this says it can sync with that. Syncing should be done out of necessity - I need this data here as well as here. Before you decide to sync two different databases, ask yourself why you're doing it, and then BACKUP the old databases before attempting to combine.
4. **Cloud Services.** I absolutely love Evernote, Dropbox, and my Livescribe Echo smartpen. I'm also starting to dig Clio, and Dictamus, the iPhone app that lets me dictate voice memos, which it then automatically converts to .wav files, and with one touch, upload to Dropbox, so LegalTypist can grab the file and place it in my secure workflow account and get to work on whatever task I've just dictated. There's only one problem here: Between Evernote, Dropbox, and Clio I have a lot of duplicated data, and although it's not a huge issue right now, over time this could grow into a significant problem, which could slow down my devices, cost me more for backup, and could even lead to data loss (because of inadvertently purging the original file when cleaning out the dupes). Lesson learned? This is a problem that I don't have an immediate solution to, but it's something that I know I need to address, so I'm going to be watching my RSS and podcast feeds closely for on-point discussions. These are the two most consistent resources I've found to have reliable and forward-thinking material regarding advanced tech issues.




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**Joseph A. Bahgat** counsels clients on, and helps them to resolve disputes involving contracts, licensing, the Internet, and intellectual property both in and out of the courtroom. Joe uses his his past experience as a professional musician to provide counsel specially tailored to the entertainment and sports industries, and he writes The Sports & Entertainment Law Playbook for the LexBlog network.

# Lawyers, Technology and Practice Management

A recent study conducted by Andrew Adkins of the Legal Technology Institute (LTI), the **Case, Matter and Practice Management System Study**, takes a detailed look at lawyers' use of technology. Technolawyer subscribers can obtain a copy for free here: <http://www.technolawyer.com/tll-4.asp>.

As noted by Bob Ambrogi, lawyers who do not use practice or case management software generally don't do so because they think their current system is working just fine - essentially, they subscribe to the 'if it ain't broke, don't fix it' mentality. See: <http://www.lawsitesblog.com/2011/02/new-survey-profiles-lawyers-use-of-technology.html>

The problem with this mentality is that these lawyers don't know how much better or more efficiently they could be working if they had better systems in place. In my experience, the lawyers who are the most resistant to technology and the most insistent that their systems work well are the very lawyers who complain that they work too many hours, are overwhelmed, or have clients who are overly demanding.

The most popular complaints lodged against lawyers involve a lack of responsiveness, poor business management, failure to return telephone calls, billing problems, lack of proper control of finances or failure to keep track of calendar and to do items. Many of these problems can be reduced or eliminated through proper use of technology.

More and more legal business is being conducted through the internet and email. Lawyers now need to keep track of electronic documents *and* paper documents, which has led to a reduction in productivity; many firms are now juggling two separate file systems - a 'hard copy' file and the electronic file, neither of which is fully complete or fully reliable.

The use of the internet and electronic creation of documents means most documents include some metadata, and yet according to the LTI study, less than 40% of small firm and legal department respondents use metadata cleanup software, and

only 25% of respondents overall use encryption software although almost all lawyers send sensitive documents and information to clients via email.

One of the most popular objections I hear from lawyers about using Saas (software as a service or cloud-based software solutions) is security of data - and yet those same lawyers think nothing of sending their clients' sensitive data over the internet through unencrypted email, or fail to install firewalls or other security protections on their existing technology systems.

Survey respondents said that the biggest obstacles to their adoption of case management solutions were the costs involved (both at startup and for maintenance) and the learning curve of integrating such a system into their existing business, and yet one must wonder how many of these same firms have calculated the costs of failing to implement this kind of technology.

The electronic mail program used most widely by survey respondents (over 83%) was Microsoft Outlook - and yet, in my experience, most lawyers barely scratch the surface of Outlook's functionality.

The results of the study reinforce the idea that lawyers who embrace technology are still ahead of the curve - more lawyers need to see the value of not only implementing available technology, but maximizing the functionality of their existing technology. A breakdown isn't the only reason to make a change or try something new - a horse and buggy can still get you from one place to another, typewriters still type and carbon paper can still make copies - but how many people are still using them?



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**Allison Shields, Esq.** Formerly a litigator and partner, Allison is now the principal of LegalEase Consulting, Inc. a company devoted to helping lawyers avoid lawyer meltdown by creating productive, profitable and enjoyable practices.



# Free Consultations

I don't give free consultations. Well, I do, but I don't advertise that. There are reasons to do it and reasons not to, and I really don't care what you do.

I used to advertise free consultations and got too many people that wanted me to really do work for free. They didn't understand that the free consultation is primarily meant to get people in the door so they can be convinced to go with the up-sale. "Now that we've discussed your personal injury case that is a real dog, when was the last time you had your will revised?"

In rare instances is it even possible for a lawyer to give meaningful advice during an hour long meet and greet. But it is the exception and not the rule.

Lawyers are expected to know all there is to know about every type of law. If I tell someone that I don't practice criminal or Constitutional law so I can't give them a quick answer about whether or not something constitutes a legal search, they get all huffy. Physicians get the same thing, probably all professionals do, but I'm not one of them, so I don't care.

Like I said, I don't advertise free consultations, but I still give them. Sometimes someone will call and really just have a quick question, like a price for something, or they want to know if their idea can be copyrighted. In those cases, it's easier for me to get rid of them on the phone than to drag them in for a 10 minute office visit that they're not going to want to pay for anyway.

Worse yet, I work from a home based office. This works out great for me as I do mostly IP work which means I never meet to meet face to face with most of my clients. It also means that if someone wants an in person consultation, I have to pick my ass up, shower, put on a tie, drive out for a house call or meet them somewhere for coffee. I know it doesn't sound like a lot, but a single hour long meeting can kill half a day.

So, I pre-qualify callers and use that to gauge what to do with them. Someone calls and asks me what a patent will cost, I'll ask them what they have, then give them a rough price. Sometimes the price scares people away (most people seem to think the cost is in the range of getting their name changed) or they ask if I'll take a cut in their invention (the answer is no). If the caller has some crazy idea I can shut them down long before I have to get myself all gussied up.

Some of the more memorable free consultations I've scheduled:

Caller says he has an idea for a kitchen device that already has an established market, it just needs to be exploited. Sounds good, so I ask him to tell me what it is in vague terms. He refuses to over the phone. He wants to meet and check my bar card first. OK, I guess I understand, people should be touchy about disclosure. I tell him a rough price range and he says that won't be a problem. Well, alrighty then! Finally, someone that sounds willing to pay. I schedule the meeting at his house, which

is about a half hour drive away from me, because it's convenient to him. I show up and his idea: patent toasters. He looked and couldn't find any patents covering toasters, so he thought that by patenting them he'd be able to get licensing revenue from every toaster sold. I explained why that wouldn't work under US law (although what I really wanted to do was tell him that if his idea would have worked, it would have already been done, but I didn't).

Another wanted to discuss his small business needs: incorporating, registering, trademarks, etc, etc. He had been working with another lawyer that just retired and knows that it will cost something. I go to his place of business, which is in the corner of a cafe (which I prefer because then I can get a cup of coffee and a muffin to concentrate on when the client bores me). I meet him, and he has most of the work done already and just wants me to look over it to make sure it's in order. I didn't have much going on that the time, and it is a one-man shop so there wasn't much to look at, so I told him what it would be and he's shocked. "I already did it, I just need you to look at it, this should be part of the free consultation." I told him that I couldn't pull the things I needed to reference or get the information I needed while sitting in the cafe and that it would take me maybe an hour to go though it and get back to him. He decided he'd have to think about that. Then, he started to ask me about his brother's problems with the IRS and with his wife, and what advice could I give him about that within the free hour-long consultation.

My favorite was the time someone scheduled a consultation via email, and I agreed to meet with them before finding out what it was (they told me that a former client had referred them). When I met with him, he handed me a few forms (will, medical POA, employee contract, renter's agreement) that he picked up at OfficeMax, filled out, and wanted me to read them and fix anything that needed to be fixed so that they "were iron-clad and couldn't be challenged in court." He said he was going to sue for false advertising when I told him I wouldn't edit legal documents for free, but it was still worth the laugh to shake my head and leave.

So, I do give out free short phone consultations to weed out the people that either are hopeless or are just looking to pump me for free work, but those are mostly for my benefit. I will answer questions with what I call "blog-answers." If I can answer something generally as I would in a blog post, I'll say it on the phone. Usually that is something like "well, it's a fact-intensive issue and it's hard to say what would happen if..."

I don't tell people about the free consultations, because then they'll want one, and fuck 'em, I have other things to do that I don't get paid for.



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**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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## Calendar

Jan-Feb 2012

<b>Fri Jan 20</b>	11:00am – 12:00pm	#legalchat - twitter
<b>Wed Jan 25</b>	9:00am – 11:00am	2012 ETHICS 20/20 - NYC Hilton
<b>Fri Jan 27</b>	11:00am – 12:00pm	#legalchat - twitter
<b>Mon Jan 30</b>	All day 10:30am – 11:45am	LegalTech NY - NYC Hilton iLove for iPads with @bburney at #LTNY - LegalTech NY Hilton Hotel Mercury Suite
<b>Tue Jan 31</b>	5:30pm – 8:00pm All day	NYC Solo/Small Firm LTNY Dinner - Bann Restaurant LegalTech NY - NYC Hilton
<b>Wed Feb 1</b>	All day	LegalTech NY - NYC Hilton
<b>Thu Feb 2</b>	1:00pm – 1:30pm	DAFT Your Way To Organized - Webinar
<b>Fri Feb 3</b>	11:00am – 12:00pm	#legalchat - twitter
<b>Wed Feb 8</b>	12:30pm – 1:30pm	Lunch with LegalTypist - Live