



September 2010 Vol. XXVII, No. 8

2010 Compensation Survey Presentation

September 14, 2010

We would all agree that ALAMN provides us a treasure chest of benefits ranging from educational opportunities to a *shoulder to cry on*. And everyone would agree our yearly compensation survey (which includes benefits every other year) ranks in the top three benefits our membership in this great organization provides. It gives us invaluable data regarding our competitive market, and assists us with annual budgeting, salary offers, salary ranges, benefit comparisons and answering that ever asked question: "What are other firms doing?" We could not do our jobs without that wonderful white three-ring binder called the "Compensation Survey".

The 2010 Compensation Survey Committee comprised of co-chairs Gloria Oanes and Ellen Drasin and committee members Tammy Warren, Stephanie Scheu, Karen Davis and Jodi Schmidt are pleased to present this year's ALAMN Compensation Survey at the September 14th general meeting. Our organization is very fortunate to have a group of such dedicated volunteers who have spent countless hours reviewing and refining the survey questions in advance of the data collection, and then spend countless hours reviewing the finished product.

Members of the Committee will present highlights of the survey. Surveys will be distributed to organizations who participated at the meeting between 11:00 and 11:30 a.m. Surveys will be mailed to those unable to attend the meeting.

You would be well advised to register now for this extremely well-attended and informative meeting.

COST: \$25 Members

\$35 Non-members

(checks payable to ALAMN – pay at registration table or register at www.ala-mn.org and pay by credit card) No shows will be

billed.

WHERE: Crowne Plaza Northstar Hotel,

7th Floor, 618 Second Avenue South,

Minneapolis

WHEN: Tuesday, September 14, 2010

11:00-11:15 - Distribution of surveys

11:15 - 11:30 Registration

11:30 - 1:00 Lunch and Presentation

MENU: Greek Salad with Grilled Chicken

Grilled Vegetable Wellington

Roasted Pork Loin

Click here to register.

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The Verdict Staff

Editor

Peggy Ellis Caplan Law Firm, P.A. 612.436.7028 612.341.0507 (Fax) pellis@caplanlaw.com

Advertising

Laura Broomell Greene Espel, PLLP 612.373.8395

LBroomell@GreeneEspel.com

Letters to the Editor

Letters to the Editor of <u>The Verdict</u> are welcome and can be e-mailed to <u>pellis@caplanlaw.com</u>. In your letter, please include your name, firm name, mailing address, daytime phone number, and e-mail address. Letters that do not contain full contact information cannot be published. Letters typically run 150 words or less and may be edited. Your letter can be on any topic. You will be contacted before your letter is published. Thank you.



2010 - 2011 ALAMN Officers & Directors



President

Shari Tivy 612.672.3211 Bowman & Brooke LLP

shari.tivy@bowmanandbrooke.com

Past President

Kim Ess 612.305.7619

Nilan Johnson & Lewis kess@nilanjohnson.com

President - Elect

Chong Lee 612.372.5217

Merchant & Gould, P.C. clee@merchantgould.com

DIRECTORS

Administration

Deborah Cramer, CLM 952.806.0428 Johnson & Condon, P.A. doc@johnson-condon.com

Communications

David Oxley 612.335.1472 Leonard, Street and Deinard, P.A. david.oxley@leonard.com

Finance

Wayne Schertler 612.335.1612 Leonard, Street and Deinard, P.A. wayne.schertler@leonard.com

Business Partnership

Michele Sauder 612.752.1920 McGrann Shea Carnival Straughn & Lamb, Chartered mas@mcgrannshea.com

Education

Jodi Schmidt 612.632.3321 Gray Plant Mooty Mooty & Bennett, P.A. jodi.schmidt@gpmlaw.com

Membership

Doug Sievers 612.333.3637 Lind Jensen Sullivan & Peterson, P.A. doug.sievers@lindjensen.com

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To improve the quality of management in legal services organizations; promote and enhance the competence and professionalism of legal administrators and all members of the management team; and represent professional legal management and managers to the legal community and to the community at large.



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Calendar of Events

September

- 2 System & Technology SIG will meet at Noon at Gray Plant Mooty
- 7 Corporate & Government SIG will meet at Noon at the Perkins off I-94 and Riverside Avenue in Minneapolis
- 7 Human Resources Section will meet at 11:30 a.m. at Zelle Larson
- 14 General Meeting 2010 Compensation Survey Presentation at 11:00 a.m. at the Crown Plaza Northstar Hotel
- 15 ALA Electronic Records Management: How to Manage Your ESI in the 21st Century @ 1:00 p.m.
- 15 Financial Management SIG will meet at Noon at Fredrikson & Byron
- 15 ALAMN Board of Directors Meeting from 8:00 a.m. to 10:00 a.m. at Bowman and Brooke
- Large Firm Administrators will meet at Noon at Lindquist & Vennum
- Small/Medium Firm Section will meet at 11:30 a.m. at the Town & Country Club in St. Paul
- 16 ALAMN Networking Happy Hour from 4:00 p.m. to 6:00 p.m. at Leonard Street & Deinard
- 21 Facilities Management SIG will meet at Noon at Oppenheimer, Wolff & Donnelly
- 30 ALAMN Fall Social from 3:00 p.m. to 7:00 p.m. at The Grand Hotel Minneapolis

October

- 5 ALAMN Leadership Breakfast from 8:30 a.m. to 10:00 a.m. at the Radisson Plaza Hotel
- 6 ALAMN Board of Directors Meeting from 4:30 p.m. to 7:00 p.m. at "Restaurant MAX"
- 15-16 ALA Region 3 Conference & Expo, Chicago, Illinois



From the President of ALAMN

By Shari Tivy

And Now, On to Our Next Season



I love summer. We deserve the warmth of the sun as we stoke up on solar power preparing for the frigid winter. But my favorite time of the year is the autumn.

In Minnesota we are lucky to have the last dramatic burst of color as our foliage prepares for dormancy, like a child's last frenzy of activity just before they go to bed. The chill in the air invites us to take advantage of those outdoor events which do not yet require snow boots and mittens. And despite no longer having school-age children I still consider the Tuesday after Labor Day as 'back to school'. It feels like it is time to cast off some of that joyful lollygagging we did during the summer and hunker down to the task at hand.

For most of us it also means it is time to start the burden of budgeting for the upcoming year and launch final projects that beg completion by New Years Eve. For ALAMN members it means marking calendars early for the September 14, 2010 monthly meeting when the annual Compensation Survey is presented to the membership. Requiring months of work and diligence, we need to send special thanks to the Compensation and Benefits Survey Committee. Led by co-chairs Gloria Oanes and Ellen Drasin, the committee includes Karen Davis, Steph Scheu, Jodi Schmidt and Tammy Warren. Their commitment to meeting all the highest stan-

dards in this deliverable gives our membership what is purported to be the best survey of its kind in the industry. They are our watchdogs for fairness, accuracy, avoidance of legal complications, and timely presentation of a critical piece to our budgeting process.

No matter what your role in your firm or organization it is likely you will be impacted by this compilation in a place close to home: your wallet. The data is used by over 70 firms in town for the analysis of fair wage application. Let's be very clear: it is not about controlling or fixing wages in our community. It is about providing useful information for our firms to craft what is an appropriate pay schedule in its own unique environment. It is not definitive in where any one firm's final salary ranges may fall. It is to be used as a check and balance on market forces that impact our operations.

You may not be aware of the scrutiny this survey gets before our firms are asked for reflective data. Following ALA's Antitrust Guidelines the committee must adhere to these stringent rules:

- a) participation is voluntary and open to non-members, and
- b) data should be of past transactions, and
- c) data should be collected by an independent third party, and
- d) confidentiality of each participant's data should be preserved, and
- e) data should be presented only in a composite form to conceal data of any single participant.



From the President of ALAMN (continued)

But once this information is so carefully gathered and prepared in a meaningful format each individual recipient of the information has obligations as well. We must take care to ensure that the purpose of the survey is to provide a tool for each firm's assessment of its own performance.

To all those who purchase the survey I caution you to take care when using survey details for discussion whether it be informally in small groups, during private conversations, at sanctioned ALAMN meetings, or in email queries or list serves not only when we receive the new survey but throughout the year. Please review the Antitrust Guidelines in full at this site http://www.ala-mn.org/about_ala/index.cfm?page_id=52 and if you have any questions contact any ALAMN Board member or ALA headquarters for further quidance.

The Antitrust Guidelines dovetail with the ALA Code of Professional Ethics. Brief and to the point, the Code demands we lead with the highest ethical standards. If you haven't looked at it in a while take just a moment to review it now at http://www.ala-mn.org/about_ala/index.cfm?page_id=40. I think you will agree the two ALA documents go hand in hand. The message regarding your obligations is clear: if your actions are founded in integrity you can't go wrong.

Two years ago Egil 'Bud' Krogh spoke at our Annual Leadership Lunch. History buffs and those of us old enough to remember Watergate know Krogh was found implicit in that illegal and unethical covert operation under the Nixon regime. After disbarment for five years and time served Krogh reentered the practice of law, now in his 30th year of practice. He has written of the lessons learned by his foray into the unethical and proposed that your decision making be guided by these three questions.

- Lay the foundation by asking: "Is it whole and complete?" We must think decisions through their second, third and fourth order consequences.
- Ask the moral question: "Is this the right thing to do?" Decisions should align with core values such as truth, fairness, respect, responsibility, and compassion.
- Ask the third intuitive and spiritual question: "Is it good?" Decisions should ben-



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From the President of ALAMN (continued)

efit others and at the very least do no harm.

If you answer yes to all three questions it is likely you'll be exhibiting the level of integrity required by our ALA Code of Professional Ethics and Antitrust Guidelines and I venture to say you'll be both respectful and respected. I'm confident your integrity is in place.

So here we are at my favorite time of year. It's time to turn to all things 'fall'. Football games in the chilly air, back to school shopping shoulder to shoulder with other bewildered parents in the Target aisles, and back to business with all the fourth quarter responsibilities filling our calendars. I hope your schedule includes attendance at the September 14 meeting.

One last very special note: Be sure to congratulate these fellow members on their *Minnesota Lawyer* **Unsung Heroes of 2010 Award.** They will be celebrated at a lunch presentation on Wednesday, September 22, 2010. Congratulations to all of them.

Laura Broomell, CLM Greene Espel P.L.L.P

Shirley Fetzich Leonard, Street and Deinard, P.A.

Jill Hardie, Mansfield Tanick and Cohen, P.A.

Patricia Stender Cousineau McGuire, Chartered Andrea Markstrom Faegre and Benson, LLP

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Corporate and Government Special Interest Group

By Wendy Bartlett & Sue Johannsen, Co-Chairs

The Corporate & Government Special Interest Group will meet at Noon on Tuesday, September 7, 2010 at the Perkins in Minneapolis off of Interstate 94 and Riverside Avenue. Meetings are informal, and the topics for discussion are chosen by those in attendance. Please feel free to join us at any time.

The Corporate & Government Special Interest Group is co-chaired by Wendy Bartlett and Sue Johannsen, so if you'd like more information and/or want to be included on the email list, you may call either Wendy Bartlett at 612.726.8192 or Sue Johannsen at 763.494.2150, or email at: wendy.bartlett@mspmac.org and susan.johannsen@bsci.com.



By Laura Broomell, CLM, Chair

The Facilities group does not meet during the months of July or August. Our next meeting will be held at noon on Tuesday, September 21st. Our host is Jason Anderson at Oppenheimer Wolff & Donnelly. More information will follow by email as we get closer to the meeting. If you would like to be added to the meeting list, please contact Laura Broomell, CLM, at lb-roomell@greeneespel.com or 612.373.8395.





Financial Management Special Interest Group

By Annette Kojetin & Lynn Mattson, Co-Chairs

The Financial Management Special Interest Group met on August 18, 2010 at the offices of Gray, Plant, Mooty, Mooty & Bennett, P.A. Our host for the meeting was Robyn Gray.

The meeting format was an open table discussion on the following topics:

- Budgeting Software
- The different types of budgeting software were discussed. There are very few affordable packages available to law firms. The firms also discussed if and when they revise their budgets and forecasts.
- Matter Planning and Budgeting
- Clients are starting to demand matter plan-

ning and budgeting at the beginning of a case. The struggles, uncertainty and wide range of variables make it very difficult to plan and budget matters. The different cost allocation methods used by firms to provide this information to the clients was discussed.

The next meeting will be held on September 15, 2010 at Fredrikson & Byron, P.A.

If you would like to be included on the mailing list, please contact Annette Kojetin at adk@Johnson-Condon.com or Lynn Mattson at limatt-son@briggs.com.

Large Firm Administrators

By Karen Reynolds, Chair

The Large Firm Administrators committee did not meet in August. The next meeting will be hosted by Jill LaMere of Lindquist & Vennum on Thursday, September 16, 2010.

Please contact Karen Reynolds @ <u>karen.reynolds@gpmlaw.com</u> with any questions.

Do you like to utilize your Creative talents?

The ALAMN Communications Committee is creating a Graphics Team. We are looking for members who are creative and wish to be part of a team who creates graphics for association events. If you are interested, please contact Terri Stewart at tstewart@felhaber.com or 612.373.8450.



Human Resources Section

By Laurie Greenberg & Tracey Grill, Co-Chairs

The Human Resources Section met on Tuesday, August 3, 2010 at the offices of Briggs and Morgan. The meeting was hosted by Laurie Greenberg.

Laura Broomell, CLM, of the Membership Development Committee gave a presentation on the various resources and benefits provided through ALA and ALAMN. Afterwards, the group had a roundtable discussion on wellness. Attendees shared ways that their firm is encouraging and promoting health, fitness, and general wellness. While most firms do not have a formal wellness program or designated wellness budget, all are doing some type of

wellness activities and most use incentives to encourage participation. Many firms are focusing more attention on wellness as a way to help manage health care costs and premiums.

Our next meeting will be held on Tuesday, September 7, 2010 and will be hosted by Jennifer Welch at Zelle Larson.

If you would like to be included on the email list, please contact Laurie Greenberg at lgreen-berg@briggs.com or Tracey Grill at tgrill@gustafsongluek.com. We'd also love to hear your ideas for future topics/speakers.







Small/Medium Firm Section

By Katherine Hubbard & Linda Deering, CLM, Co-Chairs

The Small/Medium Firm Section met on Thursday, August 19, 2010 during which Ms. Tina Wisialowski, Retirement Plan Advisor, M & I Bank and Eric Fox, Regional Vice President of Sales in Minnesota with Transamerica presented: Retirement Plan Design, Fiduciary Responsibility, Current and Upcoming Legislation. The presentation was very well received and covered relevant legislative changes in the ERISA and other laws relating to 401(k) and other defined benefit plans. Additionally, the duties of a plan sponsor and plan fiduciary were discussed. Topics covered included: (1) the recordkeeping duties and information distribution requirements regarding plan fees, (2) formulas available for maximizing contributions by ownership while maintaining compliance with current laws, and (3) mandatory timelines for transactions in a defined benefit plan. Finally, trends in auditing by both the Department of Treasury and the IRS were discussed along with steps to take to minimize the probability of an audit and its severity.

The Small/Medium Firm Section's next meeting is Thursday, September 16, 2010. Ms. Sarah Fleegel and Mr. Thomas Marshall from the Minneapolis office of Jackson Lewis will be presenting: Employment Law Developments from 2010. This informative seminar will provide practical information regarding the recent developments in state and federal employment law, wage & hour laws, discrimination & harassment, medical leaves and disability regulations as well as the impact of social media on the workplace.

Thomas E. Marshall is a Partner in the Minne-

apolis office of Jackson Lewis. Mr. Marshall has represented employers in trials, appeals, mediations, arbitrations, administrative hearings and all other aspects of litigation in Minnesota and other parts of the country. Mr. Marshall has tried over 30 jury cases to verdict in state and federal courts and is a member of the Million Dollar Advocates Forum. He received the Minnesota Defense Lawyers Association's 2002 President's Award in recognition of his contributions to the organization and the Minnesota defense bar. Mr. Marshall received his undergraduate degree from the University of Minnesota and is a graduate of William Mitchell College of Law, cum laude, where, as an adjunct, he taught trial advocacy for eight years. During law school, Mr. Marshall earned recognition as a trial competition champion and a finalist in the ATLA national trial competition. He has also attended the Insurance Counsel Trial Academy, sponsored by the International Association of Defense Counsel. Mr. Marshall often speaks to employer and attorney groups about employment matters and litigation techniques. Mr. Marshall is licensed to practice in Minnesota Supreme Court; United States Supreme Court, United States District Court - District of Minnesota; United States District Court - Eastern District of Wisconsin; United States District Court -Western District of Wisconsin; and the Seventh and Eighth Circuit Court of Appeals.

Sarah M. Fleegel is an Associate attorney in the Minneapolis office of Jackson Lewis. She has litigated a broad range of employment disputes including not only traditional discrimination and wrongful discharge claims but class actions, including wage and hour cases, in courts



Small/Medium Firm Section (continued)

around the country. Ms. Fleegel advises and represents employers on various employment matters, including discrimination, harassment, wage and hour claims, class and collective actions, wrongful termination, retaliation, FMLA, ADA, employment contracts, employment compliance matters. She received her Bachelor of Arts degree in psychology from the College of Saint Benedict and her Juris Doctor from William Mitchell College of Law.

Ms. Fleegel is licensed to practice in Minnesota Supreme Court; United States District Court - District of Minnesota; United States District Court - District of Colorado; United States District Court - Western District of Wisconsin.

The cost to attend the luncheon/meeting is \$20 for MLAA members and \$25 for non-members. The meeting/lunch runs from 11:30 to approximately 1:00 PM. An email reminder is sent to all Small/Medium Firm Section members at the beginning of the month, with meal selections and subject matter.

If you are interested in attending and not currently on the Small/Medium Firm Section email tree, please contact Linda Deering, CLM, at Linda.Deering@zimmreed.com. If you would like to be included on the email list, please contact Laurie Greenberg at Igreenberg@briggs.com or Tracey Grill at tgrill@gustafsongluek.com. We'd also love to hear your ideas for future topics/speakers.







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*Visit www.alanet.org/clminsurance.html for a complete list of participating states



Systems & Technology Special Interest Group

By Molly Hoeg & Terry Pressley, Co-chairs

The Systems and Technology SIG met on Thursday, August 12, 2010 at Winthrop & Weinstine, hosted by Craig Wilson. There were 15 attendees representing 12 different firms.

Craig Wilson gave a presentation on their Virtual Desktop Infrastructure (VDI) rollout, and a demo of the system. They have implemented the PanoLogic box, which has its own server on the backside, which is also virtualized. They use the View Client for remote access. They are using NetApps storage for the images, and storing full images for each workstation.

The goal of the project was to eliminate Citrix for remote access and use VM as a single solution. The primary focus was to provide this for attorneys. The attorneys are very happy with it for working at home, particularly since it allows them to pick up their connection exactly where they left off at the office. The whole image can be cached on a laptop, if there is a need to work offline, and it re-synchs when it is back online.

Next month's meeting will be on Thursday, September 2 at Gray, Plant Mooty, hosted by Molly Hoeg. The meeting topic will be posted on the ALAMN website calendar.

If you have questions or would like to be included in the System and Technology meeting email list, please contact Terry Pressley (612-335-1738 or terry.pressley@leonard.com) or Molly Hoeg (612-632-3336 or molly.hoeg@gpmlaw.com). We look forward to seeing you at our next meeting.

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ALAMN Nominating Committee

** Volunteers Wanted! **

Serving on the Nominating Committee is a great way to get involved without having to make a year long commitment.

The Nominating Committee has the important responsibility of selecting and presenting a slate of officers for the 2011/2012 term of office. Members of the committee will meet up to three times between November and January. Some work will be required outside of the meetings (approximately 2-4 hours). Committee members must have been ALAMN members for at least one year and cannot have served on

the Nominating Committee last year.

If you would like to be considered, please contact Kim Ess at <u>kess@nilanjohnson.com</u> or at 612.305.7619.

If you are interested in serving on the Board of Directors in 2011/2012 or learning more about it, please contact Kim Ess using the above contact information. If you would like to be considered for a Board position then you would not be eligible to serve on the Nominating Committee this year.

THANK YOU!

Enhancing Your Membership Through Networking

The ALAMN Board of Directors and Membership Committee invite our newer members and their "mentors" to a happy hour networking event.

What is this event? An opportunity to meet and mingle with other ALAMN members in a casual and fun atmosphere!

When will it be? Thursday, September 16 4:00 – 6:00

Where will it be? Leonard, Street, and Deinard, P.A. (150 South Fifth Street, Suite 2300, Minneapolis)

Who is Invited? If you joined ALAMN in 2009 or 2010, we would love to have you join us. If you joined earlier than that, but still don't feel a part of the group, we would also like you to join us!

How do I RSVP? Please register here: Enhance Your Membership Through Networking; or email Doug Sievers, doug.sievers@lindjensen.com.

Anything else I need to know? Refreshments will be served and one lucky "new member" attendee will win \$100!











ALA Management Encyclopedia

Overview

The ALA Management EncyclopediaSM was specifically developed for legal administrators, managing partners, or anyone who needs concrete information on legal management issues. Available online, the Encyclopedia is filled with carefully indexed, highly searchable answers to your financial management, marketing, strategic planning and human resources questions. A powerful tool, the Encyclopedia turns theory into practical tips and provides suggestions you can easily implement to get results. The articles:

- Cover a subject in depth and completeness, pulling together many additional materials
- Are written by authors solicited by the ALA for their expertise and experience
- Reflect actual experiences of legal administrators or subject matter experts with law firm experience who know what you are facing

Sample Articles

Explore the coverage and depth of the Encyclopedia with four **free** sample articles. You can read, download and print these articles to introduce you to the value of the entire collection.

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Legal Management Resource Center

Do you have a legal management problem, question or issue that you need to resolve? The Legal Management Resource Center (LMRC), created and hosted by the Association of Legal Administrators (ALA), is designed to immediately provide the information you need or to quickly direct you to other resources, most on the Internet, where the knowledge you seek can be found. If you need quick personal assistance, ALA members can use the ALA's Management Solutions Management Desk, where our expert group of researchers will help you find the answer to your legal management question.

The LMRC's New Look

The Legal Management Resource Center is now part of ALA's website. Don't worry, we still have all of the same information that you need but with a new look and improved functionality. Visit one of our new and improved features:

- <u>Document Directory</u> resources on a number of topics designed to help you, the Legal Administrator.
- ALA Management EncyclopediaSM Concrete, practical information on legal management issues.
- <u>Peer Consulting Directory</u> ALA Members can locate the experts they need.

Communities - members of our <u>Leadership Community</u> and <u>LFA Community</u> can access them here.



ALAMN Leadership Breakfast

Save the Date

October 5, 2010

ALAMN Leadership Breakfast

Legal Trends in a Changing Economy
Blane Prescott, Senior Vice President at
Hildebrandt International

The legal industry has not been immune to the effects of the economic downturn. As a result, law firms must adjust their business strategies

in order to respond to the changing economics and build for the future. Blane will highlight the trends and changes facing the legal industry such as the rate of mergers and acquisitions, the shift in certain practice areas and growing geographic diversification.

Please plan to join us for this very timely session. Registration details will be available soon.

> 8:30 a.m. - 10:00 a.m. Radisson Plaza Hotel 5 South Seventh Street Minneapolis, MN

> > An attorney

withdrawal

checklist

My Managing Partner just walked into my office and needs:

Where do you begin?

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Information on

"green" office

practices



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ALAMN Fall Social

What: ALAMN Fall Social

When: Thursday, September 30, 2010

3:00 – 4:00 PM Speed Networking with Business Partners & Members

4:00 – 7:00 PM Socialize while enjoying light refreshments

Where: The Grand Hotel Minneapolis

615 Second Avenue South

RSVP: You will receive an email invitation in early September

Come and spend some time with your fellow ALAMN members and our business partners. This is a great opportunity to renew old acquaintances and make new connections after a busy summer. Every attendee will be given two complimentary drink tickets and light refreshments will be served. A cash bar will be available throughout the evening.

New this year: try Speed Networking from 3:00 – 4:00. A similar event was held at the ALA Conference in Boston last May, and four of our ALAMN members participated. Feedback was fantastic.

Here is what one business partner said: "This event gave me a better perspective of how to better communicate with ALA members."

Here is what a ALA member said: "This was a great opportunity to have face time with business partners and listen to what is important to them."

This "Building Connections" event is a great way for participants to learn about the daily challenges faced by administrators and how business partners can help. In a "speed dating" for-

mat, 4-6 business partner sponsors will meet with 2-4 administrators. Business partner sponsors will be invited to ask "anything you ever wanted to know about working with legal administrators." Administrators can share what is most important to them regarding building relationships with current and potential business partners. Every ten minutes, the administrators will change tables for more questions and additional perspectives. This is a great way to learn from each other in a fastpaced and engaging environment.

Over the years, administrators have learned how important it is to partner with our ALAMN sponsors. We rely on them to make us better administrators. Any questions about Speed Networking should be directed to Laura Broomell, CLM, at lbroomell@greeneespel.com.

The Fall Social is brought to you by the Business Partner and Conference Committee. We hope to see many of you on September 30th.

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ALA Webinar - September 15, 2010

Electronic Records Management: How to Manage Your ESI In the 21st Century

With the explosion of electronic communications – social media sites, twitter, regular "old" e-mail – managing the law firms' electronic records is becoming a significant challenge. While it's true that a law firm cannot fully address electronic record management unless you manage your paper records well, join this Webinar to learn the important issues in managing electronically stored information ("ESI"). The issues involve electronic discovery, firm storage archives, retention, backup tapes and more. If you can begin to address the issues surrounding ESI, you can start to build some processes to more effectively manage ESI in your firm. Learning objectives:

- Examine the key issues and best practices of managing ESI
- Summarize some of the legal and ethical issues surrounding ESI
- Apply successful retention tools and implementation strategies

Dana C. Moore is the National Records & Information Compliance Manager for Foley & Lardner LLP. She has more than 20 years of records management experience, developed records management systems solutions, works on RIM legal compliance issues such as electronic evidence discovery and document holds, and oversees protocols and processes associated with electronic record keeping and the migration of electronically stored information ("ESI"). She has particular expertise in records management

systems conversions.

This program meets the requirements of 1.5 hours of Legal Industry/Business Management (LI) credit towards CLMSM Recertification and the additional hours required for the initial CLM application of Functional Specialists.

Webinar Information

Time: September 15, 2010 1:00 PM Central Estimated Length: 1 hour, 30 minutes

ALA Member Price: \$169.00 Non-Member Price: \$189.00

Register Now:

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HCBA Connection



Updates for Legal Administrators and Law Office Managers from the Hennepin County Bar Association

We're Bringing the Bench to the Bar:

Don't miss the Judges Social - September 30



The Hennepin County Bar Association invites the bench and bar to come together on **Thursday**, **September 30**, for this year's Judges Social. The event takes place at the **Radisson Plaza Hotel** (35 South 7th Street, Minneapolis, 55402) and runs from 5:00 - 8:00 p.m.

This always popular evening provides attorneys with a unique opportunity to meet, mix, and mingle with judges from the county, state, and federal levels in a purely social setting.

This year's Judges Social will also include recognition by the HCBA and Minnesota Women Lawyers of the new ABA Secretary, the Honorable Cara Lee Neville, from Hennepin County District Court.

More than 60 members of the bench and over 250 attorneys attended last year. Call Joy Hamilton at 612-752-6614 today to register your firm's attorneys. Register by September 17 for discounted pricing.

Golf Classic raises over \$17,000 for the Bar Foundation



Thanks to our golfers and generous sponsors for making this year's Charity Golf Classic a success. Over 100 members of the legal community came out to the Burl Oaks Golf Club in Minnetrista on August 9th to support the Hennepin County Bar Foundation—the charitable arm of the HCBA.

Through grants, the Bar Foundation supports programs that: provide legal services to individuals of limited resources; educate the public about the legal system; and contribute to the improvement of the legal system and the administration of justice.

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ALA Question of the Month

Question: Do you have any resources that will help with conducting performance reviews?

Answer:

Sample Forms and Guidance for Effective Performance Reviews

Regardless of whether one is the reviewer or the employee being reviewed, performance reviews are generally viewed as either incredibly critical or incredibly intimidating: critical for the employee because the future of his/her position depends upon a good review, and intimidating to the manager because pointing out an employee's poor performance can invite loss of incentive, or worse, defensive anger that may lead to non-productive behavior. Therefore, the employer / employee relationship can be: (1) strengthened, (2) weakened or (3) rendered unworkable by the style and tenor of the performance review.

If the manager has followed good performance evaluation practices, nothing that is said in the review will come as a surprise and the encounter will end on a productive note. However, if the employee has not been informed of any problems or inadequacies throughout the performance period in question, this session can be devastating to both the reviewer and the employee.

Performance Evaluation for Legal Administrators

Evaluation, as a practice, is a continuing, ongo-

ing, sophisticated process involving both the administrator and the evaluator. It is an opportunity to formally assess performance and work behaviors, and at the same time, identify areas for improvement and set goals for the future. The evaluation is an important part of job satisfaction, for both the administrator and the firm. It must be handled professionally and carefully.

Points to consider:

- The primary purpose of an evaluation is to document performance and to identify any areas for improvements in performance and/ or behavior.
- Every employee wants to know how well he
 or she is performing. The closer the evaluation is to the performance, the more effective the evaluation. It is more effective,
 therefore, to have more frequent evaluations.
- Performance evaluations should be separated from compensation reviews. When combined, the person evaluated tends to focus only on the compensation, which neutralizes the evaluator's efforts to improve his or her performance. Though separate, the compensation review should be tied to the performance review. This relationship should be explained well before the evaluation.
- Evaluations should be based on previously determined and clearly understood expectations. It is not appropriate to evaluate someone on a task or responsibility that the person did not know was his or her responsi-





ALA Question of the Month (continued)

bility. However, no job description or evaluation form is comprehensive enough to identify every possible skill and responsibility. In every job, certain duties and responsibilities are assumed. For instance, for a financial manager, instituting adequate safeguards in the accounting area is assumed, even if it has not been specifically identified. The administrator needs to understand that he or she will be held accountable not only for the specifically identified tasks and responsibilities but for the assumed areas that are integral to the job. In setting goals for the next review period, therefore, only special or added responsibilities and/or duties need to be defined.

- The more the person being evaluated participates in his or her own assessment, the more effective the evaluation will be. However, the evaluation session should not be solely self-evaluation. The firm has an obligation to identify clearly and communicate its assessment of the administrator's performance.
- The evaluation must speak with a single voice from the firm. For example, a compilation of individual partner assessments, reflecting a range of opinions on each skill item, is not a clear indication of how the firm assesses the administrator's performance.
- When creating evaluation forms, it is important to consider the environment and include certain basic components. Evaluation forms should take into account the following:
 - The evaluation time period.
 - A distinction between results and mana-

gerial skills/attributes/characteristics. One can, for instance, achieve short-term results, (e.g., reorganize the file room) but do so in a way that alienates and eventually causes some valuable people to leave the firm. Include space to identify the satisfactory accomplishments during the evaluation period as well as space to indicate the skill or proficiency levels in managerial characteristics.

- If the performance of the administrator is unsatisfactory, include space to clearly identify what the firm expects of the administrator to bring performance to satisfactory levels and the time frame in which this is to be accomplished.
- Include space for the evaluator and the administrator to date and sign the form.
 As good practice, the evaluator is encouraged to provide the administrator with his or her own copy of the completed form. Also, the administrator should be allowed to comment or provide his or her own statement (supplement) to the form as part of the evaluation. The supplement should be attached to the document so the evaluator may respond to statements made in the supplement.





ALA Region 3 Conference & Expo

It isn't always easy to get consensus to attend an ALA regional conference, or any conference for that matter. To that

three short one-page lists that will help attendees get the necessary approvals in a relatively organized way.

- Top 5 Reasons Your Managing Partner Needs You to Attend an ALA Regional Conference
- Attending an ALA Regional Conference: Help Your Managing Partner
 Make an Informed Decision
- The Power of One Idea

ALA Region 3 Conference & Expo

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In Praise of Failure

By Eileen McDargh



As counter-intuitive as this sounds-given the massive failure of global financial institutions and the despicable revelations about executive payouts in companies like Lehman Brothers and AIG, much can be learned from failure. In

fact, our very reluctance to admit that something is NOT working is one of the reasons for our current protracted wars, severe financial meltdown, and no wide and deep commitment to develop alternative energy sources.

British author J.K.Rowling pushed the failure envelope in her 2008 speech to the gradating class of Harvard. She admitted that it was at the lowest point of her life (single parent, no job, one step away from being homeless) that she decided to stop pretending to be anyone else but herself and throw all her energies into writing. The Harry Potter series and a fortune of \$1.1 billion testify to Rowling's belief that "you will emerge wiser and stronger, secure in your ability to survive."

ABANDON EGO but NEVER YOUR INTEGRITY

Integrity can be translated as faithfulness to one's self and one's ability whereas ego is viewed in terms of what others think. Some of the world's most impressive successes started out as failures. Beethoven's teacher told him he was hopeless as a composer and then, even as he became deaf, Beethoven wrote ravishing music. Churchill suffered numerous defeats in WWII and was kicked out of office. Yet, he is still regarded as England's greatest wartime hero.

Michael Phelps astounded the Olympic swimming world, and yet his childhood was marked by failures to fit in. As Churchill stated, "Success is the ability to go from failure to failure with no loss of enthusiasm." Or perhaps Henry Ford who went bankrupt many times before getting Ford Motor Company off the ground said it best. "Failure is the opportunity to begin again, this time more intelligently."

DON'T HIDE FAILURE. FOCUS ON LEARNING

Throwing the same strategies and tools at a failure is destined to only get more of the same. The research conducted by Stanford University psychologist Carol Dweck confirms that when failure is viewed as a learning experience, people respond with greater effort. Those who believe they have only a finite talent for learning report that they stop trying and might even consider cheating to get ahead. In the business world, risk –and possible failure-is essential for success.

Companies like Apple and Xerox encourage ef-



In Praise of Failure (continued)

fort and innovation and see failure as a steppingstone.

One of the bigger leadership mistakes would be to use social systems to bail people out of their failures rather than use systems to help people learn from such failures. No excuses. Just lessons learned and next steps to take.

THE OPPOSITE OF SUCCESS ISN'T FAILURE BUT MEDIOCRITY

Failed companies are rarely the fodder for case

studies. That's unfortunate because we have much to learn from the failure. In his book, The Strategy Paradox, Michael Raynor, a professor at the Richard Ivey School of Business in London, Canada, looks at the Sony flop of its Betamax video-cassette versus Matsushita's VHS technology. Sony lost because it maintained an iron grip on licensing and high cost whereas Matsushita used opposite strategies. Although Sony lost, no one would regard Sony as a failed enterprise. WHY? Because Sony continued to take big risks and learn from them. The firm COULD have sunk into mediocrity.





In Praise of Failure (continued)

LOOK BEYOND THE RESULT

In the world of science and technology, amazing innovations have come as a result of what might be termed "failure". The ability to see beyond the obvious has given rise to everything from rubber tires and post-it notes to Viagra and wine-in-a-box. A great example is failuremag.com. This is an online breakup service founded by Ren and Deanna Thompson. The Thompson's encountered so many online dating mis-matches that they started a Web-based "breakup service" that delivers bad news to the rejected party.

Faced with failure in many of our organizations and our national systems, we have two choices: hunker down, hide and live a mediocre life. Or-we can participate in our own leadership spheres of influence to learn from these failures and create something stronger, durable, and equitable for all.

Eileen McDargh, McDargh Communications. All rights reserved.

Since 1980, professional speaker and Hall of Fame member Eileen McDargh has helped Fortune 100 companies as well as individuals create connections that count and conversations that matter. Her latest book is Gifts from the Mountain-Simple Truths for Life's Complexities. Her other books include Talk Ain't Cheap...It's Priceless and Work for a Living and Still Be Free to Live, one of the first books to address the notion of balance and authentic work. A 59 year-old grandmother, she recently returned from climbing among the highest mountains in the world. Find out more about this compelling and effective professional speaker and join her free newsletter by visiting http://www.EileenMcDargh.com.





2010/2011 ALAMN Scholarships

By Deb Cramer

Each year ALAMN regular members have the opportunity to win one of many scholarships that are available. Regular members of ALAMN are eligible to use the scholarship to pay for expenses at the designated conference only, otherwise the funds are forfeited. Drawings for these General scholarships will occur as outlined below.

August 10, 2010 General Meeting Scholarship Drawing ALA Region 3 Conference

The Region 3 scholarships are funded by ALAMN's Platinum and Gold Business Partners. Each scholarship is \$1000, and can be used to pay for conference related expenses. There are six of these scholarships available. The conference will be held October 15 & 16, 2010 in Chicago, Illinois.

The winners of the Region 3 scholarships will be required to either submit an article for The Verdict, or sign up to be a Session Manager during the Conference.

In a 2010 only, there will be two additional scholarships given out for \$500 each to attend the Region 3 Conference. The 30th Anniversary Scholarships were made possible by a gift from Merrill Corporation. This gift was given in recognition of our 30th Anniversary.

The names of all eligible regular members were entered into this drawing. The names were drawn before our August General Meeting, and I am confirming attendance with each of the winners

September 14, 2010 General Meeting Scholarship Drawings

Drawings for ALAMN's 2010/2011 General Scholarships occur during the September meeting. There are several scholarships awarded, as outlined below.

\$1,000 ALAMN Extraordinary Law Firm Scholarship (2)

All eligible, regular members are entered into this drawing. In the event ALA does not host the Extraordinary Law Firm Conference in a given year, the scholarship may be applied to another ALA sponsored conference, with approval of the ALAMN Administrative Director. This conference is not scheduled for 2011, so the winners will be able to use these scholarships for another ALA sponsored conference.

\$2,000 ALAMN Platinum Business Partner National Scholarship

This scholarship is funded by ALAMN's Platinum Business Partner as part of its agreement. All eligible, regular members are entered into this drawing.

\$2,000 ALAMN Membership National Scholarships (2)

All eligible, regular members are entered into this drawing. There are two of these scholarships given out on a yearly basis.

\$2,000 ALAMN Past Presidents National Scholarship in Honor of Richard J. Nigon, CLM



2010/2011 ALAMN Scholarships (continued)

This scholarship honors the many contributions of Dick Nigon, an ALAMN member who, following his term as Chapter President, went on to serve nationally as President of the Association of Legal Administrators. The names of eligible Past ALAMN Presidents are entered in the annual drawing.

Conference Scholarship and the First Time Attendee ALAMN Conference Scholarship, you must apply. Please contact me in writing at doc@johnson-condon.com or call me at 952-806-0428.

In order to be considered for the ALAMN Opportunity National Conference Scholarship and the First Time ALAMN National Conference Scholarship listed below, you must apply. If you are interested in applying for either of the scholarships, please contact me.

\$2,000 ALAMN First Time Attendee National Scholarship

Regular members who have never attended an ALA Annual Conference are eligible to the drawing for this scholarship. The winner will be required to submit an article about the conference to The Verdict.

\$2,000 ALAMN Opportunity National Scholarship

Regular members who do not have employer funds available to them to attend a conference are eligible to enter the drawing for this scholarship. The winner will be required to submit an article about the conference to The Verdict.

As stated above, in order to be considered for the ALAMN Opportunity

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New ALAMN Members

Reminder: Please forward any firm or individual contact information changes to Doug Sievers, Membership Director, at <u>doug.sievers@lindjensen.com</u>.



ALAMN New Member Profile



Kim M. Nelson Director of Client Technology Services Oppenheimer, Wolff & Donnelly, L.L.P. (110 Attorneys)

TIDBITS ABOUT CINDY:

- a. Home town? Savannah, GA
- b. High school & mascot? Woodbury High School Lion
- c. College & major? U of MN Child Psychology & Pre-Law
- d. Family? Engaged No children
- e. Pets? 3 Dogs (Squirt, Scrappy & Pete) & 1 Cat (Elmer)
- f. Hobbies? Traveling, Entertaining, Scuba Diving and Reading

KIM'S THOUGHTS...My favorite responsibility is: defining and implementing department goals and procedures. My most challenging responsibility is dealing with data processing and EU data privacy issues.

Why/how did you become a legal administrator.... I spent 15 years at Faegre & Benson as a

Complex Litigation Project Manager and, when presented with the opportunity to take on the role as Client Technology Services Director at Oppenheimer, I jumped at the chance to take on a new challenge.

A major issue you/your firm is facing today... Finding the right in-house data processing/database product and determining the appropriate volume of data to process in-house.

The best advice I have ever received... Listen carefully.

I joined ALAMN because... of the networking and education/training.

One thing I try to do each day at work is... Spend time/interact with each person on my team.

Others describe me... As honest, a team player and hard working.

Someday I would like to... Buy a winery in Tuscany.

People would be surprised to learn... I used to ride my own motorcycle.





ALAMN proudly congratulates the following members celebrating membership anniversary milestones in 2010!

Thank you for your continued membership!

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Heidi Burton Human Resources Manager Leonard, Street and Deinard

D. Brad Frederiksen Chief Information Officer Faegre & Benson, LLP

Amanda Lynn Fuchs Manager of Human Resources Fulbright & Jaworski, LLP

Chris V. Guzman Records & Conflicts Information Manager Leonard Street and Deinard

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Kevin C. Tracey Director of Finance Faegre & Benson, LLP

10 YEARS

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Congratulations! (continued)

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Job Bank Note:

ALAMN members interested in new positions are encouraged to regularly review postings on the ALAMN website. Jobs are posted on the website as soon as they are received; they are not always published in The Verdict. The Job Bank is only for those management posi-

tions that meet ALA and ALAMN membership criteria. To post a job opening with the ALAMN Job Bank or to place your name on the contact list for future openings, please contact Sarah Taylor, Member Placement Service, at 612.672.8288 or email at sarah.taylor@maslon.com.

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