the Verdict

ALAMN
A Chapter of the Association of Legal Administrators

March 2011
Vol. XXVIII, No. 3

21st Annual ALAMN Educational Conference and Exposition

March 8, 2011
Minneapolis Convention Center

REGISTER NOW!

Remember to register for the 21st Annual ALA**MN** Educational Conference and Exposition to be held on Tuesday, March 8th at the MinneapolisCon-vention Center. The registration brochure can be found here.

New this year: Online registration and pay-ment –and– a later start time!

The ALA**MN** Conference is an excellent value and opportunity for you to step away from the office and focus on your professional and personal development. From the open-ing keynote speaker to the closing session and reception, you will not be disappointed by your investment.

Take time to explore the exhibit hall and visit our busi-ness partner sponsors and thank them for their support of our organization. Without their sponsorship, a conference of this quality would be beyond our chapter's reach. We are fortunate to have several new sponsors exhibiting at this year's conference. Perhaps their services are just what your organization is looking for.

The breakout sessions this year will be outstanding. If you are part of a smaller organization, don't miss Internal Controls for Small and Medium Firms. John Diehl will provide valuable tips on ways to prevent fraud and tighten your financial procedures. Also, Judy Hissong, a popular ALA speaker, will focus on Job Coaching and Accountability.

Finally, the ALA**MN** Community Service Committee will be "Bowling for Cereal" at this year's conference. A perfect score in bowling is 300, so our goal is to collect 300 boxes/bags of cereal for a local food shelf. Please help us reach our goal!

Join your fellow ALA**MN** members and our business partner sponsors for a fabulous day of education and networking!

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Letters to the Editor of The Verdict are welcome and can be e-mailed to pellis@caplanlaw.com. 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.

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ALA Mission Statement

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.

ALA Association of Legal Administrators

Your connection to knowledge, resources and networking

Calendar of Events

March

1 Corporate & Government SIG will meet at Noon at the Perkins off I-94 and Riverside Avenue in Minneapolis

1 Human Resources Section will meet at Noon at Fredrikson & Byron

3 System & Technology SIG will meet at Noon at Faegre & Benson

8 21st Annual ALA**MN** Educational Conference and Exposition at the Minneapolis Convention Center

9 ALA**MN** Board of Directors Meeting from 8:00 a.m. to 10:00 a.m. at Bowman & Brooke

15 Facilities Management SIG will meet at Noon at Dorsey & Whitney

16 ALA Webinar: *"Conflict Resolution: Why Can't Everybody Just Get Along?"* at 1:00 p.m.

17 Small/Medium Firm Section will meet at 11:30 a.m. at the Town & Country Club in St. Paul.

Note: Large Firm Administrators will meet in March but do not have a date or location secured as of press time. Please check with Karen Reynolds for an update.

Note: Financial Management SIG will meet in March but do not have a date or location secured as of press time. Please check with Annette Kojetin for an update.

April

6 ALA**MN** Board of Directors Meeting from 8:00 a.m. to 10:00 a.m. at Merchant & Gould *(note new location)*

21 Small/Medium Firm Section presents *"Why Good Client Selection is Good Business"* presented by Paul Alban & Danny Hughes starting at 11:30 a.m. at the Town & Country Club

May

22-25 ALA Annual Conference & Exposition, Orlando, FL

From the President of ALAMN

By Shari Tivy

President's Potpourri

There is so much to cover in this, my final President's Column, that it will seem like quite a hodge-podge of information. Stick with me; you will find something of value I'm sure.

- **ALAMN's Annual Conference – March 8**
  I know you have received several invitations to participate and perhaps you are already registered. But in case you haven't, or in case you haven't invited others from your firm to join you at this educational- and business partner-rich event, please do so now. Here's the link to registration: http://www.ala-mn.org/newsarticles/?article_id=272

- **ALA's Annual Conference in Orlando – May 22-25**
  The Early Bird Registration deadline is fast approaching. Be sure to login and register by March 14 to save $150! And when you make your flight arrangements be sure to arrive before dinner on Saturday so you can join your fellow chapter members at the ALAMN President's Dinner on May 21. Follow the theme of the conference and ***Imagine the Possibilities***. Here is the link to conference information: http://alanet.org/conf/2011/

- **Election of ALAMN Board Members for 2011-2012**
  Watch your email for the call to vote for our slate of officers. Please take the time to check out the roster of candidates and take the few moments to vote electronically. Outgoing and incoming board members take office on April 1, 2011 and will be recognized at the April monthly meeting.

- **ALA as a Resource**
  In February, our firm had the good fortune of opening two offices in Dallas and Austin, Texas. These weren't acquisitions but new offices with a total of over 80 people joining the firm. Using our ALA friends in Dallas and Austin and the ALA job bank made it easier by far. Not only did we find our new office managers through the local and ALA job banks, we used each chapter's business partner program to select services we needed for start up and ongoing business relationships such as local movers, placement agencies, caterers, and equipment providers. I worked with the local chapter Presidents for insight on the job market and secured salary surveys to use in setting salaries on all those new employees. I made connections with other local members to help cement

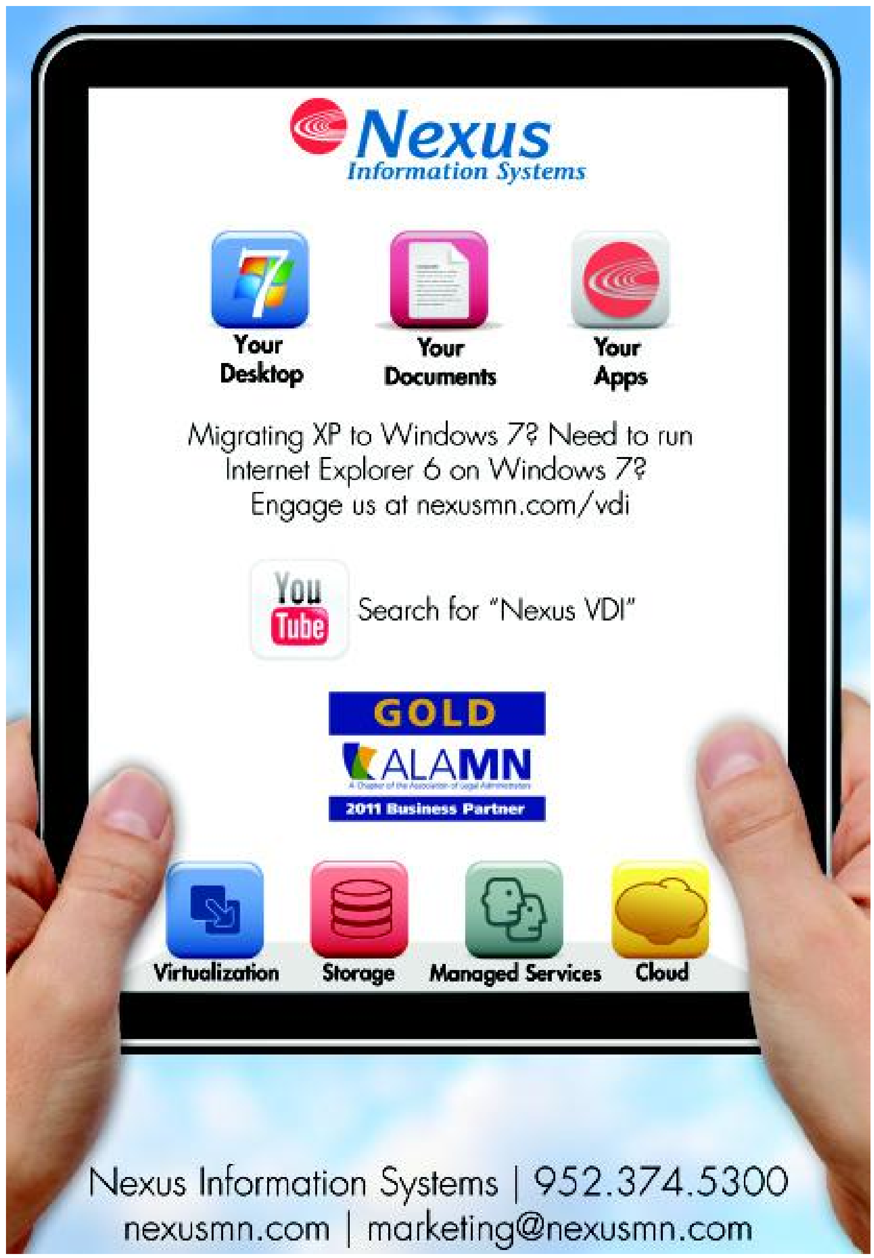
From the President of ALA**MN** (continued)

our entre' to those two legal communities. I'm confident I have recouped my ALA membership fees for several years in just these services I received from our colleagues in Texas. You may not be in the market to open new offices but I'm sure if you peruse the ALA website you'll find several services your firm can use and save time and money to boot! (Boot: that's my Texas talk, y'all.)

- **Membership Renewal**
  Membership renewal for ALA ended February 28. I hope you made sure to renew but if it slipped between the cracks hurry and re-enroll. And don't miss your membership renewal for ALA**MN**.

- **Another Year Bites the Dust**
  As the fiscal year of ALA**MN** closes and your Board of Directors changes hands at the end of the month I would be remiss if I didn't thank each of them for their service. So to **Kim Ess, Chong Lee, Michele Sauder, David Oxley, Deb Cramer, Doug Sievers, Jodi Schmidt** and **Wayne Schertler**: thank you from your membership for your many hours of service to this chapter. It didn't just start this year and it won't end abruptly at month end, but in addition to regular Board assignments your extraordinary leadership efforts over the last eleven months helped us accomplish this list of tasks:

1. Changed the name from MLAA to ALA**MN**, no easy task as any of you know from changing a name of a law firm or business;
2. Celebrated ALA**MN**'s 30th Anniversary with members, alumni and business partners;
3. Launched the new and improved ALA**MN** website;



From the President of ALAMN (continued)

4. Transformed our newsletter, ***the VERDICT***;
5. Evaluated and revamped the budgeting process, improving our revenue stream and trimming costs to ensure continued financial success and ability to provide the level of services our members have come to expect…and deserve;
6. Ensured fiscal responsibility to our business partners who fund our scholarship program, the chapter's largest source of revenue;
7. Continued to invest in superior and varied educational opportunities;
8. Continued to build bridges with other professional organizations through the development of LPACC (Legal Professional Associations Collaboration Consortium), gaining ALA**MN** members, sharing resources and connecting with others in the legal community;
9. Leveraged technology for improved communications with our members including on-line registration and payments, and semi-monthly news alerts on important issues as well as finding ways to improve the management of ALA**MN** documents as a shared resource; and
10. Increased membership with our total now at 265 members.

- **And a Final Note**
  Thank YOU for the privilege of serving this organization. As most of you know, I'm an ALA and ALA**MN** junkie so you won't be rid of me. Let me assure you the saying is true that you receive more than you give when you volunteer. You, my friends and colleagues, teach me something new every day and I thank you.

From the Editor

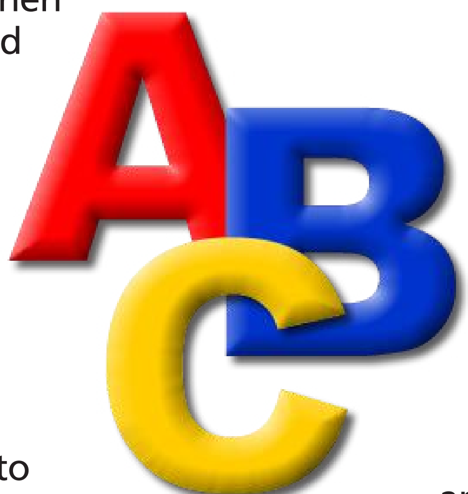
By Peggy Ellis

You have a new Editor! Sheila Hoff, Operations Coordinator at Lind, Jensen, Sullivan & Peterson, P.A. will become the new Editor and lead an editorial committee to bring you the monthly newsletter beginning with the April issue. I have truly enjoyed my nearly six years as Editor and happily pass the torch to Sheila and her committee. Sheila and I worked together this month to prepare the March issue and she is very excited for the opportunity to take on the Editorship and volunteer her time to our association. Please pass on your thanks to Sheila when you see her at the March 8th Educational Conference or at the next meeting! And thank you for allowing me to be your Editor for these many years!

ABC's of Administrator Arithmetic

This is the second installment of "ABC's of Administrator Arithmetic" from the Financial Management Special Interest Group.

C: Cash Basis Accounting:



Revenue is recorded when the cash is received and expenses are recorded when the bills are paid. The opposite of this is Accrual Accounting, which is when revenue is recognized when it's invoiced and expenses are recorded when the resource is consumed, without regard to when cash is received or bills are paid. Most law firms operate on a Modified Cash Basis, which utilizes the cash basis accounting system while incorporating some accrual basis concepts.

D: Debt/Equity Ratio:

Calculated as Long-Term Debt divided by Shareholders' (Partners') Equity, this statistic is used by banks and other creditors to measure risk.

E: Equity:

The equity of a firm is the Assets minus the Liabilities and is shown as the third section of the Balance Sheet. In a partnership this represents the partners' undistributed income plus any contributed capital; in a corporate law firm the equity is the retained earnings plus any paid-in-capital.

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, March 1, 2011 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. And remember, you need not be a member of ALA**MN** to attend meetings.

The Corporate & Government Special Interest Group is co-chaired by Wendy Bartlett and Sue Johannsen. If you would 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.

Facilities Management Special Interest Group

By Laura Broomell, CLM, Chair

The Facilities Management Special Interest Group met on February 15, at Foley & Mansfield. Thanks very much to Mary Laschansky for hosting the meeting.

We had interesting and lively discussions on a host of different topics, including software for tracking CLEs and attorney licenses in different states; troubles with time-and-billing systems; green initiatives; space reduction with a LAA team approach; and security—panic buttons, emergency pages, etc.

Our next meeting will be held on Tuesday, March 15, at Noon. Our hosts will be Marlene Curtis and Leslie Frye at Dorsey & Whitney (50 South 6th Street, #1500). Facilities professionals, administrators, HR managers, etc. are welcome to attend. We always have fascinating conversations that cover many topics.

If you would like to be included on the meeting list, please contact Laura Broomell, CLM, at lbroomell@greeneespel.com or 612.373.8395.

Human Resources Section

By Laurie Greenberg & Tracey Grill, Co-Chairs

The Human Resources Section met on Tuesday, February 1, at the offices of Gray Plant Mooty. The meeting was hosted by Janelle Loven.

Our guest was Julie Donovan, from Robert Half International, Human Resources Services. Julie gave a presentation on “Consulting as a Career”. The session focused on current market trends in workforce and talent management. She covered trends in hiring consultants today, the benefits to firms/companies, why consulting continues to grow, and the attributes of a successful consultant.

The HR Section group welcomes a new co-chair as Laurie Greenberg’s term comes to an end. Abby Hollander, from Gray Plant Mooty has volunteered to fill this position, effective April 1.

Our next meeting will be held on Tuesday, March 1 at Fredrickson & Byron, P.A.

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

Litigation Support Special Interest Group

By Wade Peterson

The focus of the new Litigation Support SIG meeting on February 22 was "*Forensics, the Basics*". Zubin Medora, a certified Forensic Examiner who works with Shepherd Data Services, and independently, provided a great overview of the mysterious world of forensic science. While it isn't CSI, it was interesting to hear about the real "CSI Effect" that affects juries these days. According to Zubin, jury members who have grown accustomed to high profile forensic shows like CSI, expect far more than what real life forensic examiners do in their day-to-day role.

Zubin explained the real-life workings of forensics; what we should be thinking about as we step back and assess the needs of the case; what a forensic examiner does with computers and ESI (electronically stored information); and why it's important to hire someone qualified to translate "geekese" to "legalese" and turn it into "commonese". Zubin stated *"90% of all business data is electronic and will never be printed*". Therefore, any case will ultimately involve eDiscovery of electronic data. Interviewing custodians about ESI, forensically collecting data properly, hash values, analyzing that data, and discovering smoking guns inside "unallocated disk space" and "the registry" all became clearer for us.

The meeting was attended by 14 people in litigation support roles at various law firms. The SIG has focused on moving through the EDRM reference model (a standard for ESI handling) with topics covering: an overview by the founders of EDRM; Magistrate Judge Jeffrey Keyes discussing issues the court faces with ESI; and this meeting to discuss the collection and preservation aspects of ESI. Future meetings (such as one to be held in April) will continue this theme by moving further into the EDRM model, including early case assessment, review, etc.

If you would like more information about the Litigation Support SIG, please contact Wade Peterson at Bowman and Brooke LLP (phone: 612.672.3283; email: wade.peterson@bowmanandbrooke.com).

Small/Medium Firm Section

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

We hope to see all of you at the ALA**MN** Annual Educational Conference and Expo on March 8, 2011 at the Minneapolis Convention Center. The following is a link to the brochure with all the interesting details: http://www.ala-mn.org/files/pdf/Final_2011_Registration_Brochure.pdf.

We are very excited about the Small/Medium Firm Section's meeting on March 17, 2011. Not only will you be able to enjoy the company of descendants of Ireland such as Kathy (McMullen) Hubbard, but your pot of golden information will be found with the dynamic and informative Anne Pryor, M.A., from Meaningful Connections presenting **Leveraging LinkedIn**. In this session, Ms. Pryor, will share techniques, tips and strategies to help you determine your LinkedIn Strategy for business development, to brand your firm and to ensure that your attorneys are found as experts in their specialty areas. Additionally, Anne will share her proven strategies for setting up profiles, searching techniques to find people, companies, groups, and business opportunities - all people who come recommended by your network. You'll leave amazed at the value of LinkedIn.

Anne lives a Portfolio Career life as Career Coach, Online ID Brand Strategist, Networking and LinkedIn Trainer. Anne has held business leadership positions with highly-regarded companies in the Twin Cities. As a former director with Carlson Marketing, she designed corporate wellness and innovation solutions for Fortune 500 clients. Previously, she served as Sr. Director of Marketing with Lifetouch Portrait Studios, held the title of VP Business Development with Learning Strategies Corp, was proud to be the first Minnesota employee on the grand opening team of Mall of America's Knott's Camp Snoopy and led the sales group at Valleyfair. Anne holds a Master of Arts degree from St. Mary's University of Minnesota and a BS degree in Business from Southwest Minnesota State University where she was a letter-winner in intercollegiate basketball and tennis. She is passionate about sharing quantum energy, through her Lovitude® online business, Nordic walking, and soul watercolor painting. You can find out more at www.linkedin.com/in/annepryor, or www.meaningfulconnections.net.

The cost to attend the luncheon/meeting is $25 for ALA**MN** members and $30 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 at Linda.Deering@zimmreed.com. Thank you.

I am personally thrilled to announce that beginning April 1, 2011 Patti Ploehn of the firm Henningson & Snoxell, Ltd. will be joining Linda Deering as co-chair of the Small/Medium Firm Section. I have thoroughly enjoyed co-chairing this important group of professionals and thank you for allowing me the opportunity.

Bowling for Cereal

ALA**MN** members and business partners are invited to participate in a game of bowling for breakfast with the ALA**MN** Community Service team. We are aiming to knock down hunger and score a perfect game by collecting 300 bags/boxes of cereal for Second Harvest Heartland.

Bring your cereal donations to the registration table at the ALA**MN** conference on March 8, 2011 and get a strike. Pick up a spare by having your cereal delivered to Tracey Skjeveland at Merchant & Gould P.C. To score a "Turkey", you can bring your financial contribution to the ALA**MN** conference or mail it to the attention of Tracey Skjeveland, 80 South 8th Street Suite 3200, Minneapolis MN 55402. Please make all checks payable to Second Harvest Heartland. To learn more about Second Harvest Heartland visit their website at www.2harvest.org.

Systems & Technology Special Interest Group

By Molly Hoeg & Terry Pressley, Co-chairs

The Systems and Technology SIG met on Thursday, February 3 at Lindquist & Vennum, hosted by Suzette Allaire. There were 10 attendees, representing 9 different firms.

The topic was a presentation on Email Archiving using Mimecast by Molly Hoeg, IT Director at Gray Plant Mooty. The presentation covered the entire project from defining the problem and vendor selection through implementation. It included the detailed steps that their project team took, walking through establishing the problem statement, developing requirements for the archiving solution, defining the objectives of the project, vendor selection process, decision criteria, implementation and current status.

The firm narrowed its selection to two final vendors, Symantec Enterprise Vault, which is a local software installation, and Mimecast, which is a hosted archive solution. Mimecast was determined to be a very cost effective solution when bundled with its email continuity capability, enabling the firm to discontinue several additional services. It was also favored for reducing the burden on IT staff and reducing the on-site storage for archived emails.

Mimecast is now serving as the firm's email continuity solution, and the email archive has been fully loaded and rolled out to users. Work continues on testing the Outlook plug-in and Outlook folder synching features in Mimecast. The firm has begun deleting older Sent Items and older Received email from select groups of users in Exchange, but is awaiting further Search enhancements from Mimecast before being able to achieve its full email deletion goal.

Next month's meeting will be on Thursday, March 3, at Faegre & Benson hosted by Andrea Markstrom. The meeting will be a roundtable discussion on cloud computing.

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.

ALA Webinar for March 2011

March 16, 2011

Conflict Resolution: Why Can't Everybody Just Get Along? (CM)

Date: Wednesday, March 16, 2011
Time: 1:00 PM Central (2 hours)

The economic environment is challenging and creating stress among our employees, lawyers and staff. Add to that problem the already-stressful legal environment that's just part of firm life, and you have fertile ground for conflict. Learn how legal administrators can find ways to manage difficult situations and difficult people to create an environment that supports and strengthens agreement among employees.

Learning objectives:

- Analyze situations that give rise to conflict among coworkers
- Identify and apply strategies to foster communications within your law firms
- Recognize situational challenges and opportunities in which you can use coaching and mediation models to achieve win-win results

Speaker:
Rachel Schaming, ALA Past President, is the Director of Human Resources for Radiology, Ltd., a 500-employee medical entity in Tucson, AZ. Schaming has more than 25 years of human resources experience in law firm administration. She teaches conflict resolution, change management design, culture analysis, and performance management, and is certified in corporate coaching.

CLM Credit:
This program meets the requirements of 2 hours of credit in the category of Organizational Development for those seeking to fulfill the CLM application; 2 hours in Communication & Organization Management (CM) for CLM Recertification.

This Webinar has been approved for recertification credit toward PHR and SPHR recertification through the HR Certification Institute (HRCI).

March 2011

HCBA Connection

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

Annual Fundraiser for the

Hennepin County Bar Foundation

An exciting evening featuring:

Presentation of the
2011 Pro Bono Publico Awards

Silent Auction with 100+ items
Hors d'oeuvres • Cash bar

Honorary Chair
Jerry Lane,
Executive Director, Legal Aid Society

2011 Pro Bono Publico Award Recipients
For Distinguished Service: Thomas W. Tinkham
From the Private Sector: Keith S. Moheban
From the Public Sector: Roderick J. Macpherson, III

Proceeds from the Bar Benefit support the Hennepin County Bar Foundation—the charitable arm of the Hennepin County Bar Association—and Volunteer Lawyers Network. Through grants, the HCBF funds programs that provide direct legal services to the disadvantaged, legal education to the community, and improvement of the administration of justice.

Tickets and Inquiries:
Contact Joy Hamilton
612-752-6614 or joy@hcba.org

Come One. Come All.

Bar.Benefit.2011

Don't Miss the Hennepin County Bar Foundation's Event of the Year — A Gala Night of Fun and Fundraising.

Tuesday, March 8

5:00 - 8:00 p.m. **Radisson Plaza Hotel Minneapolis • 35 South 7th Street, Downtown**





The annual Bar Benefit fundraising gala is a night that the legal community always looks forward to being a part of. Join us on March 8 for this year's event—an evening of fun and fundraising that you won't want to miss.

Catch up with colleagues, enjoy great food, peruse the silent auction tables, honor this year's Pro Bono award recipients, and much more. Don't miss the 2011 Bar Benefit! Please call Joy Hamilton at 612-752-6614 for tickets for your firm's attorneys.

Thank you for your support

2011 Underwriters ($7,500 and above):
Dorsey & Whitney • Faegre & Benson Foundation • Leonard, Street and Deinard
Nilan Johnson Lewis • Robins, Kaplan, Miller & Ciresi

2011 Co-sponsors ($5,000-$7,499)
Best & Flanagan • Briggs and Morgan • Gray Plant Mooty

2011 Partners ($3,500-$4,999)
Anthony Ostlund Baer & Louwagie • Bassford Remele
Fredrikson & Byron Foundation • Lindquist & Vennum • Schwebel, Goetz & Sieben

ALA Question of the Month

Question: Do you have any information on the pros and cons of a centralized file or records room?

Answer: For a good starting point on records management, please review the ALA research study on that topic. Research studies are available on the ALA website (this page is part of the members-only area, so make sure you're logged in for access). Choose the Facilities Management topic area, then scroll down to "Records Management and Retention" - click on the title to open or download the study. The study will provide links to a number of external pieces on good records management practices, sample policy language, and other material.

You'll note from the study that our ALA Management Encyclopedia offers several articles on records management. Following is an excerpt from the article "ALA Guide to Active Client File Creation and Organization" (by Nemchek, Barr and Chiaiese) on centralized and decentralized systems. We are not aware of any actual research that would be more definitive, although the ARMA materials suggested in our research study may offer additional insights.

Centralization vs. Decentralization

"Active client files are maintained in centralized records centers or closer to end-users in decentralized locations throughout the firm. In a centralized system, RM [Records Management] staff — as opposed to secretaries or legal assistants — usually are responsible for maintaining files. The fewer the number of people responsible for filing and retrieval, the fewer the opportunities for misfiled or lost files. For a

ALA Question of the Month (continued)

centralized environment to work properly, staff must learn and follow designated rules for file arrangement. Lawyers and secretaries are reluctant to relinquish files if they cannot be quickly located and delivered when they are needed. A centralized approach to active file storage provides the highest likelihood of meeting these expectations.

In a decentralized environment, active files are placed and maintained at workstations, in workrooms and/or in other designated areas close to individuals or practice groups. When file locations are decentralized, it is harder to maintain order, which adversely affects timely retrieval. In addition, end-users are likely to develop individual approaches to file arrangement rather than to follow procedures prescribed by firm management. Consequently, staff must learn different file arrangements implemented by users, and this may further delay locating and delivering files.

Decentralization works best when files are arranged by area of law and when practice group representatives or RM staff maintains files according to set rules. Decentralization is less successful when multiple practice areas share file space, or when files are kept on shelves or in cabinets in or outside of lawyers' offices. In the absence of assigned staff, local users determine file arrangement, and, inevitably, folders are misfiled or lost.

Many firms use both a central records center and decentralized space to balance the need for control against the access needs of users, and to maximize the use of available file storage space throughout the office. Automation is helpful in a mixed-use file storage environment, because portable bar-coding equipment can be used to track file locations. Regardless of where active files are stored, there is no substitute for consistent arrangement to promote easy retrieval and timely delivery of files."

You may wish to contact one or two of ALA's Peer Consultants - members who offer their expertise to other members. Peer Consultants are listed by subject specialty online in our Legal Management Resource Center. Look for listings under Facilities Management - Records Management / Bar Coding. Sometimes a conversation with a member experienced in a specific area can help clarify your own thinking, and provide alternatives you hadn't been aware of previously.

The ALA Management Encyclopedia℠ has two articles by Lee R. Nemchek, Jean Barr and Beth Chiaiese: "ALA Guide to Active File Creation and Organization," with detailed guidance on processes and techniques to help the law firm achieve accurate and efficient file retrieval, and "ALA Guide to Active Client File Management," discussing file management responsibilities. The *Encyclopedia* is available at no charge to all current ALA members.

The ALA Legal Management Resource Center (LMRC) has a number of articles from associations, consulting firms and government agencies, as well as ALA sources on general management. Review the materials in the Facilities & Operations Management area of the Document Directory, under the heading "Records Management."

There are a number of books on records management topics, including *Retention Management for Records and Information* (ARMA International) and *The Lawyer's Guide to Records Management and Retention* (ABA). Available in ALA's online bookstore.

Increasing Staff Morale Begins with Communication

By Jodi Schmidt

As I listened to Dick Nigon's presentation on "Where is the Tipping Point When Cutting Expenses to Increased Profits?" I quickly realized that we are not only dealing with managing to tighter budgets, but we are all faced with the results of cost saving measures that have been put in place over the past two years.

Mainly – staff morale. When an average firm spends 60% of their budget on compensation, people are going to feel it when it's reduced, and they have.

Implementing pay freezes, furlough days, and reduced schedules were just some of the cost saving measures that directly impacted employees. While many of these have been lifted, employees still feel the results. It's time to look at the long-term effects and determine how we move ahead and regain the trust and loyalty of our employees.

I had an opportunity to talk to a number of administrators and solicit their thoughts and feedback regarding improving morale. It was no surprise to find communication at the top of the list. Employees want firm management to be honest and communicate as often as possible. Building trust is all about communicating openly with employees. I completely agree with one of my colleagues who said "hearing some news is always better than no news, even if it's the same old news." If employees don't hear anything, they fear the worst, and think that the news is so bad no one wants to tell them. It starts and ends with regular and open communication.

To rebuild trust, firm administrators and firm management also need to emphasize the value that each employee brings. It is important to reassure employees that they are valued not only by their manager, but the firm as well. It will be critical as we move further into 2011, that we pay special attention to our high performers by emphasizing their value, providing support and encouragement and, when possible, opportunities for promotion. Take a good look at your staff now. Be proactive, communicate often and let them know they are appreciated.

Mark Your Calendar!

The Small/Medium Firm Section will be hosting “Why Good Client Selection is Good Business”, presented by Paul Alban (President, Professional Liability Group, OneBeacon Professional Insurance) and Danny Hughes (Vice-President, Thompson Flanagan & Co.) on April 21st beginning at 11:30 a.m. at the Town & Country Club in St. Paul.

Performance Evaluations that Work!

By Marylou Steeden, CLM

We all dread giving performance evaluations to our employees. It doesn't matter whether we think they are great employees or we really wish they would improve in some areas. It is hard giving good feedback. We are concerned that they will not get the right message; that they will take our words and twist them to mean something we did not intend. We are concerned that they won't hear what we are trying to say. Why is it so hard to communicate clearly?

Most of us have put good performance evaluation tools in place, starting with a performance evaluation form that rates the essential functions of the position. This is a key element as it is important to clearly identify those functions which make an employee successful in the job. It is also important to use neutral evaluation language, such as "meets expectations," "exceeds expectations," and "does not meet expectations." Use of any other language which can be interpreted as derogatory in some manner, like "average", does not help to get a clear performance message across. A good performance evaluation tool also solicits input from everyone who has had significant work interactions with the individual evaluated during the period of evaluation and encourages examples to support either the "exceeds" or "does not meet" expectations rating.

What seems to be missing in most performance evaluation meetings is a consensus among the evaluators on the message that should be delivered to the employee. In my opinion, there should only be two messages to choose from.

Performance Evaluations that Work! (continued)

Either the employee is someone you value and want to keep employed, or the employee needs to make significant changes in their performance in order to keep their job. Regardless of the ratings on individual elements, the key is to be clear on your message in your own mind and to deliver that message in such a way that the person being evaluated hears that message.

The best way to deliver the message is to say it directly at least three times. First, as you open the evaluation meeting it can sound something like this, "John, first I just want to say that we really value your contributions to the firm and we hope that you hear this evaluation as a reflection of how much we value you as an employee." You can then dive into the individual details of the evaluation, but pause somewhere in the middle, particularly around either a high point or a point that might reflect some criticism. Reiterate your essential message. It might sound something like this, "John, when we point out that we would like you to improve your communication style, we mean that it will help you to be an even better employee than you already are. We really value you as an employee and want to see you grow in your career within the firm." Then the last thing the employee should hear before they leave the room is the essential message; "John, I hope in all of our discussion you heard that we really value you as an employee and hope that you enjoy your job here as much as we enjoy having you at the firm."

The same three-point delivery system should occur if the message is that the employee needs to improve. Hopefully, they have already heard this message before the annual performance evaluation so they are not surprised. If the employee needs to improve, the message should be given in such a manner as to encourage them to improve their performance and not to discourage or crush them. The essential message can be, "John, you bring many good qualities to the job, but there is one thing you must change in order to be effective, and that is your communication style." Give one (or two at most) example of the ineffective performance and then give one or two examples of how the performance could be more effective. "John, when Betsy asked you to catch up the filing on the XYZ file, you responded in a harsh tone, something to the effect that you were not an octopus." A better response would have been, "I am sorry Betsy, but I am working on the ABC motion and I won't have time to get to it today. Would tomorrow work for you? If not, can I get someone else to assist you?" Then make

Performance Evaluations that Work! (continued)

sure that you emphasize that the performance needs to be improved within a specified time period. Make sure you say it three times and make sure it is the last thing they hear before leaving the room. If this conversation is not a part of the annual performance evaluation process, make sure to follow up in writing in order to document the conversation, and follow up within the prescribed time period. The entire message, both verbal and written should include, "you bring many good qualities to the job but there is one thing you must change".

Remember, there are only two essential messages to choose from, the employee is someone you value and want to keep employed, or the employee needs to make significant changes in their performance in order to keep their job. Be clear on your message before the meeting and deliver it three times during the meeting. Make sure you deliver the performance message in a kind, caring and respectful tone, <u>especially</u> when you need the employee to make changes, and you can turn the painful performance evaluation process into a positive experience for everyone.

Marylou Steeden, CLM has managed law firms and corporate legal departments of various sizes for 20+ years in the Twin Cities. She is a past President of the Minnesota Chapter of the Association of Legal Administrators.

New Members

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ALAMN Member Changes?

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

ALAMN New Member Profile

Cynthia Davies
HR/Benefit Manager
Meagher & Geer, P.L.L.P.

Getting to know Cynthia…

- **Home town?** Hoyt Lakes, MN on the Iron Range
- **High school& mascot?** Aurora-Hoyt Lakes Blackhawks
- **College & major?** University of North Dakota, MS - Business/Vocational Education
- **Family?** Daughters Amanda (24), & Caitlin (19) and son Michael (19)
- ***Pets?*** Gramma to Zoey (Amanda's Chihuahua)
- **Hobbies?** Reading, visiting wineries, sporting events

Quick facts about your firm:

- Size? 80 attorneys + 60 employees
- Your main responsibilities:
  - i. Favorite? Employee/Management Coaching
  - ii. Most challenging? Compliance

Why/how did you become a legal administrator? It was a relatively easy and logical transition from a clinic setting of fiercely independent, highly entrepreneurial specialists.

A major issue you and/or your firm is facing today? I'm too new to comment at this point.

What is the best advice you have ever received? The only thing I have true control over is my reaction to the situation.

I joined ALAMN because? I enjoy the opportunities and camaraderie that professional associations such as the ALAMN provide.

One thing I try to do each day at work is? Smile and laugh.

Others describe me as? Professional, humorous and calm.

Someday I would like to? Travel to Paris.

People would be surprised to learn that I? Used to drive a motorcycle.

Important Calendar Reminder!

By Doug Sievers

Outlook calendar reminders have to be the greatest invention since sliced bread. The little notification fifteen minutes in advance of an appointment faithfully and surely reminds me of all the important things that I must do in my busy day. Not only do they remind me while in front of my computer, but in case I'm not, my blackberry takes charge and also reminds me. In the upcoming month, I would like to add a calendar reminder to all of my ALA**MN** friends of a very important event in our professional lives….the renewal of your ALA**MN** membership!

As the current Membership Director for the ALA**MN**, it has been my pleasure for the last year in getting to know lots of new members, staying acquainted with long term members and mentors, and bearing witness to the largest number of ALA**MN** members that this group has ever seen. The milestone of 265 members is something that all of us should take great pride in. We are all part of one tremendous organization that, I can testify to this, does not come easily or maintain itself automatically. This organization thrives not solely because of great leadership, or 30 years of existence, but rather it thrives because all of us, in our own special way, contributing our time, talent and passion to each event that this organization offers to each of its members. Through specialized committee and special interest groups, to our full and half-day conferences, to our monthly meetings, and educational sessions, to email chains full of information, to the expertise offered by our valued business partners, and most importantly to the trust and friendships that this organization allows each of us to experience and develop on a daily basis, there is no greater source of knowledge and fulfillment found for legal professionals than the ALA**MN**!

Many years ago as I was contemplating joining the MLAA, my mentor informed me that I would get back double the amount that I put into this group. Well, she was right! Meeting new people and attending new meetings was very scary for a new administrator (along with a few hundred other things that goes with the job). The beauty of this group and its members is that everyone is very friendly. Fitting into the group has proven to be very easy and I can honestly say that without this group, I probably would not be in this business today.

My second calendar reminder to all of my ALA**MN** friends and colleagues is to go to one new meeting, join one new committee, tell one friend about the ALA**MN**, or introduce yourself to one new member during the course of this year. I promise you that the return on one simple new act within this organization will return itself two-fold and the experience will be addictive!

Please watch your inbox for an email with renewal information, and please do not hit "snooze" too many times on these very important calendar reminders!

Advertisers in this Issue

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 positions 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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