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Client Relations

Bloomberg Podcast

Deutsche Bank's Walker on Law Firms' Client Needs

Richard H. Walker has seen several sides of the legal profession. After practicing at Cadwalader Wickersham & Taft LLP for ten years, he spent another ten years at the Securities & Exchange Commission, eventually running the Division of Enforcement. After leaving the SEC in 2001, Walker joined Deutsche Bank, where he now serves as Global General Counsel. Having seen the legal community from a variety of angles, Walker has formulated opinions with respect to how lawyers and law firms must adapt to the changing needs of their clients. In this Bloomberg Law Video Podcast, Walker sat down with Bloomberg Law and shared his thoughts on the changes he's witnessed.

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Diversity

Diversity Beyond the Body Count

Contributed by Joan Williams, University of California, Hastings College of the Law

Many diversity initiatives, little progress. It's time to take a science-based approach to improve the effectiveness of law firm diversity initiatives. This approach starts with implicit bias. If you haven't already, go to www.projectimplicit.org and take the Implicit Association Test (IAT). Studies show that while *explicit* bias ("this is no job for a woman"; "Asians lack social skills") has fallen sharply in recent decades, *implicit* bias has decreased very little. Despite all of our efforts, stereotypes still drive the automatic assumptions we all use to get through the day.

The IAT, despite its popularity and intellectual allure, has some signal limitations as a tool for *eliminating* bias. This is not what it was designed for. It was designed to measure the strength of bias in a given individual, not to provide guidance on how to spot bias, or how to design institutions to interrupt bias.

Moreover, research shows that the best way to improve diversity is not to give a bias training. A 2006 study by Alexandra Kalev, Frank Dobbin and Erin Kelly¹ found that organizations that give a single training and then call it a day actually tend to *decrease* diversity.

So what is an organization to do?

Diversity Beyond the Body Count

The deeper message of the IAT is that most of us are influenced by automatic assumptions. Racial bias shows up in 70% of IAT respondents.

If giving a quick training on bias is not the answer, what is?

A key point is that *automatic bias will influence behavior unless organizations put in place processes to check bias*. What these processes are have received too little attention. The Project for Attorney Retention (PAR) has developed an approach we call "Diversity Beyond the Body Count," which is designed to address not only the limitations of the IAT, but also to remedy the limitations of the traditional approach to diversity: the "body count," which simply consists of counting the number of women, people of color, and other under-represented groups and then resolving to do better.

The body count is a good measure of the existing state of affairs. But, though it tells you there's a problem, it doesn't give you the first clue about how to solve that problem.

PAR's approach does. Diversity Beyond the Body Count brings together the extensive literature in experimental social psychology (including, but not limited to, the IAT) with the extensive literature on organizational development. If automatic bias is driving everyday workplace interactions, then the way to interrupt that bias is to design organizational systems more effectively.

Redesigning Three Basic Systems

PAR's approach highlights three crucial organizational systems: the performance evaluation system, the work allocation system, and the compensation system. These are not the only systems that can affect the ability of diverse attorneys to survive and thrive. But they are the most important ones.

Performance evaluations. Picture a major rainmaker. What springs to mind for most is a (straight white heterosexual) man. Lawyers who don't fit this image typically find they have to provide more evidence of competence in order to be judged as equal in competence to lawyers who do fit this image.

This translates into a number of specific patterns. One is that women's mistakes tend to be remembered longer than men's. (The same pattern emerges in the context of race.) To control for this, performance evaluations should require that supporting examples of relevant behavior be drawn *only from the period covered by the evaluation*. That way, one negative experience will not tail women and diverse attorneys year after year.

Another pattern is that in-groups, but not out-groups, tend to benefit from "halo effect," in which one positive trait is interpreted as evidence of overall competence. A performance evaluation system that allows supervisors to register a global rating (say a "5") without providing back-up evidence opens the door to the halo effect. "He has the whole package—I hear that all the time," said one woman.

The American Bar Association Commission on Women's *Fair Measure: Toward Effective Attorney Evaluations* (written by myself and another PAR lawyer) has been widely used by firms to redesign performance evaluation systems to control for gender bias. Its procedures will go a long way towards interrupting bias against minority and other diverse

attorneys as well.

Work allocation systems. Of course, even a perfect performance evaluation system will penalize women and diverse attorneys if they are unable to land career-enhancing assignments. The work flow system is the second major system firms need to redesign if they don't like their "body count." As firms move towards competency-based evaluation systems, focusing attention on work allocation becomes particularly important: if attorneys can't advance unless they demonstrate certain competencies, it becomes crucial for all attorneys to have equal access to the assignments necessary to develop those competencies.

Yet the institutional incentives for law firm partners run counter to this goal: if a given associate already has performed a certain task well, the partner's natural tendency will be to give the next assignment—and the next—to the same associate. If this process continues unchecked, other associates will find it more difficult to develop the required competencies. PAR is beginning to study work flow systems, and will soon release an issue brief on the subject on its website (www.attorneyretention.org).

Compensation systems. A final issue concerns an even more uncomfortable topic: compensation. *New Millennium, Same Glass Ceiling?*, co-authored by PAR and the Minority Corporate Counsel Association with the assistance of the American Bar Association Commission on Women, found that implicit bias often affects firms' compensation systems. The report contained, among other things, a survey of nearly 700 women law firm partners.

The report's first finding was a high degree of dissatisfaction with firms' compensation systems. Less than half of women equity partners, and about a third of income and minority partners, reported themselves satisfied. Only women were surveyed, but an earlier study found that about half of women, but three-fourths of men, said they were satisfied with their compensation systems.

Another finding was that disputes over origination credit are commonplace. Half of minority, and one-third of equity and income, women partners reported that disputes over origination credit happened "often or occasionally"—a gap between minority and majority partners that was one of the strongest racial differences to emerge in the survey. Only a third of minority, 44% of income and 46% of equity, women partners reported that such disputes occurred rarely.

In addition, a quarter of white equity, and a third of white income and minority, women partners reported feeling bullied, threatened or intimidated out of claiming origination credit. One respondent noted an "[i]mplicit threat that if they had to share credit on this matter, they wouldn't come to you with another." Another commented, "I know I will be punished for raising my concerns, and yet know that I'll be mistreated if I don't."

A common claim is that the real reason for the large gap between men and women partners—\$66,000 for equity partners, according to the National Association of Women

Lawyers' 2009 survey—is that women don't have time for rainmaking. Many survey respondents begged to differ, and said they lacked equal access to rainmaking opportunities. For example, 70% minority income, 58% minority equity, 55% white equity, and 48% white income, women partners reported that they had attended successful pitches for work where they didn't end up billing a substantial number of hours.

Finally, only one-third of equity, and one-sixth of income and minority, women partners were satisfied that their firms' compensation systems recognize the right combination of partner contributions. Firms tended to reward individual cash flow measures such as origination and hours billed, and to overlook institutional investment measures such as development of the firm's human capital. These findings confirm analyses by influential law-practice management consultants who feel that billable hours and origination credit often are over-valued and that long-term investments in the firm's future often are under-valued. Some respondents noted a substantial gap between what firms said they valued, and what actually seemed to count when comp time came.

New Millennium, Same Glass Ceiling? contains a list of ten best practices to help firms improve their compensation systems. A first step is benchmarking, to establish baseline data about the distribution of women and of partners of color within the partnership. PAR recently posted a best-practice compensation baseline metric on its website.

Another best practice is to involve the firm and/or clients in deciding who will inherit origination credit when an originating attorney leaves the firm: survey respondents felt that women and partners of color were disadvantaged by current systems, which typically allow the departing attorney to decide who will inherit his origination credit. Other proposals are to improve diversity on the committee in charge of setting compensation, and to appoint a diverse committee to handle disputes over origination credit. In addition to these modest proposals, the report contains suggestions for a more thoroughgoing redesign of origination credit, and of the way various individual cash flow and institutional investment factors are weighted.

So here's where we stand: During the Great Recession, the number of female equity partners actually fell. Currently it stands—as it did more than a decade ago—at 16%.

Long gone are the days when all we could do was to lament the body count. Diversity Beyond the Body Count seeks to help organizations committed to achieve their diversity goals tap the latest research to fuel effective organizational change.

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¹ 71 Am. Socio. Rev. 589 (2006).

Law Firm Finance

The Law Firm Decision — Cash Versus Accrual Accounting?

Contributed by Pat Daly, CPA, Citrin Cooperman

The cash method and the accrual method of accounting are the two main methods for keeping track of a business's income and expenses. A law firm's management must make a decision concerning which method their firm should report financial activity to the Internal Revenue Service. A clear understanding of the differences between the two methods is critical to making an informed decision for the firm's success.

With the accrual method of accounting, law firms will recognize income when services are rendered and invoiced to the client; expenses are recognized as a tax deduction when they are incurred. The cash method of accounting, on the other hand, records income when the cash is actually received from clients. It does not matter when the invoices are sent out. Expenses are recorded as tax deductions when payments are made to the vendor and the cash is disbursed.

Generally, at the time for filing the law firm's first tax return, management will choose which accounting method, cash or accrual, they will use to report their income and expenses to the Internal Revenue Service. The cash method of accounting is easier to administer. The goal of many law firms is to properly plan to minimize taxes. Oftentimes, a law firm ends up financing a client's business by carrying large receivable balances that are deferred for tax purposes until the cash is collected. As the accounts receivable balances increase year by year, the deferral will continue to grow. These large receivables can create a cash flow problem, with the firm having to pay income tax on outstanding balances before the cash is received. The cash method of accounting will also allow for law firm management to adjust the books and records to a break-even point at year-end for tax planning reasons. This can be accomplished by pre-paying vendor expenses to increase the deductible expense for a given year. In addition, law firms tend to delay client billing in November and December, which will allow for the collection process to fall within the subsequent year, thus creating the taxable event.

Cash-basis accounting can potentially pose some problems and issues for management. By using this method, there is a misalignment of income and expense which does not give management an accurate picture of the firm's profit or loss. Consider a month in which a firm has a big case and its associates and partners put in extremely long days with enormous billable hours. Expenses will be higher due to the increased productivity; however, the income will not be billed or collected for some time. This may distort the firm's financial numbers by showing losses when productivity is higher and a larger profit when the cash is ultimately received. This misalignment does not let a firm accurately know how they are performing financially each month.

Alternatively, the accrual method of accounting gives a law firm a better snapshot of the firm's financial outlook because it accounts for the ebbs and flows of business income and debt more accurately. The failure to evaluate and consider accounts receivables, work in process, and contingent and future liabilities can have an adverse affect on the firm's long-term success. Without the proper analysis of accrual accounting, the impact of lost productivity and declining profitability could adversely affect the firm.

Thus, it is very important to have the best of both worlds in keeping track of the business's income and expenses. The cash method of accounting is most often the best choice for law firms to minimize taxes. However, management must still focus on the accrual basis numbers for the financial health of the firm. Proper monitoring of both methods will allow you to recognize issues and problems if and when they may arise.

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Marketing & Business Development Prospecting

Legal Sales Training by the Numbers: It's As Simple As "3-4-5"

Contributed by Allan Colman, The Closers Group

The Power of 3

As a business development consultant, I have often pondered why there is a rule that keeping your name in front of a client three times a year works. Or, why is it that new business only comes from three sources, clients, referrals and new prospects? And who invented that old marketing bromide about developing contacts that has only three components: go where they go; know who they know; read what they read?

There is magic in "3." For example, if you listen to an ad on the radio, the phone number is always repeated three times; in sports, there is the triple threat; and "the third time is the charm." This rule holds true for legal business development as well. When firms send articles, legislative updates, unusual verdicts, or a simple note to their clients and prospects 3 times a year, their profile remains high and the likelihood of receiving a call is tripled.

The 4-Stage Offensive Strategy

Using a football analogy, there are four steps to get attorneys into the RED ZONE, win new clients, and keep them:

- Find 'em
- Meet 'em

- Get ‘em
- Keep ‘em

In attorney marketing, “Find ‘em” refers back to the three sources of new business: clients, referrals, and new prospects. Combined with research on the company or agency, identifying its senior counsel or chief executives, and understanding their business, pressures, competitors, etc., helps identify where the contacts are coming from.

“Meet ‘em” repeats the second trio, go where they go, know who they know, and read what they read. This is known as the RED ZONE, when you are directly face-to-face with clients or prospects. If you go to their industry conferences, not bar association meetings, you are much more likely to encounter in-house counsel, business executives, or human resource administrators who have significant problems to solve.

The term “know who they know” has multiple options for attorney business development. Ask your clients to introduce you to their colleagues, business unit executives, or others that they know at non-competing organizations. Invite prospects to sit on a conference/seminar panel with you as a method of cultivating them as future clients. Arrange a luncheon with several clients and prospects to brainstorm about the future, the economy, the industry, etc.

“Read what they read” implies that you read the industry journals that your clients read, not just your own legal journals. Understand the issues in-house counsel deal with and ask clients and prospects if these same concerns are shared at their companies. Ask a client to co-author an article and have it published in their industry journal. And then suggest a joint presentation on this very same topic at one of their in-house meetings.

The list of tactics is endless. But the basics are simple and direct.

5 Steps to Greater Business Generation

Would it surprise you to learn that so called individual marketing plans only need five lines? At the beginning of a quarter, require each attorney to commit to no more than five meetings, speeches, articles, or follow-up calls, etc. At that rate, a firm of 100 would have 2,000 contacts, leads, and opportunities generated in just one year. How does this compare to your current efforts?

To be honest, the second quarter would have ten lines in each Business Generation Commitment. Note we have dropped the title of marketing plan. Most firms that have marketing plans acknowledge there is little response and even less follow up to the unwieldy, time-consuming documents that are often circulated and rarely completed.

The objective here is business development, not just marketing. The first five lines would review what was accomplished on the original targets, and the second five lines outline the actions for the new quarter. The firm’s management would actually have a simple way to review, support, and advise

each attorney on their actions or non-actions. For example, below are a few action items that can easily be deployed:

- holding meetings with new prospects or current clients who may need additional services
- writing and submitting articles for publication
- performing follow-up via phone or in writing
- attending conferences
- participating on a panel discussion

Again, there is an endless list of tactics to employ. The results are direct and measurable.

Time Commitment – 5 Minutes per Week

It will only take a dedicated five minutes a week to get all of this action moving. That’s right, five minutes a week to make that call, send that email, set that meeting, agree on speaking, commit to writing an article, etc. The actions themselves will take longer, but will have been set on course by true efficiency and converting marketing into business generation actions.

Allan Colman, CEO of the Closers Group, has spent more than two decades helping law firms and professional service firms generate more revenue. He is a legal sales specialist who has brought in millions of dollars of new business and built business development structures that continue to perform. Allan can be reached at acolman@closersgroup.com.

Social Media

What Lawyers Need to Know About Social Media

Contributed by Asha Blake and Andrew Scott, Goldenheart Media; and Bradley P. Boyer, Ropers, Majeski, Kohn and Bentley

Walk in the business section of any bookstore and you will see that the social media section is rapidly growing. In a period of several hours you can learn the basics about how to use Facebook, Twitter and other social networking platforms. You can even understand how the search engine Google can be used to increase the visibility and public perception of your business. Despite the extensive information available, very few professionals, including lawyers, take the time to understand these platforms and how they can be used as part of a marketing plan.

Lawyers have been traditionally averse to marketing. This may have grown from the perception that marketing is unseemly and not something that a professional, with so much education, should be required to do. It may also have to do with the fact that lawyer marketing has been prohibited or limited by rules of ethics to a certain extent at times. To generate business, lawyers traditionally have relied on their reputation, referrals from their clients, family and friends. Lawyers also put together firm materials and send those to targeted potential clients to sell their expertise. These traditional approaches, while tried and true, are limited in their

reach. Newsletters, ads in magazines or billboards are another tactical approach lawyers may use from time to time. However, you very infrequently see lawyers doing any type of "new age" marketing other than maybe updating their profile on their firm website (which a number of lawyers do not even have). The use of social media in marketing is not "low brow", but is simply the way business is being done and how people are connecting in a 2.0 world.

Social media is not just for high school and college students. The new medium is changing the way people interact and conduct business. Indeed, as people who have grown up with social media as their "normal" advance in their careers and become decision makers in the purchase of legal services, these social media tools will be an essential way of bringing your name and expertise to their attention. If you want to expand your business and increase your network, you should know the following and consider implementing these tips into your marketing plan.

Your online presence is your new business card. Potential clients can obtain enough information to determine if they want to hire you in a matter of minutes by searching the internet. Based upon what the potential client finds during their search (or doesn't find) they can decide whether you have the skills, knowledge, or expertise to assist them with a matter. They can also find out information about your firm, your partners, and in some cases, what your former clients say about you. Furthermore, social media has become the new "word-of-mouth"/referral program – meaning, if someone is searching for a lawyer, they can find one whose profile meets their criteria.

When potential clients are looking for lawyers, they will often look at the websites of many firms. The information that a firm's website provides is limited. It may list your practice, where you went to school and maybe a case study or two, however, if a potential client finds you on LinkedIn, Twitter, Facebook (or even YouTube), they will learn a lot more about you. For example, if you look at your profile on LinkedIn, a potential client can view your connections in the business world and the world in general. If you have a number of connections that can be useful to them, they may want to surround themselves with you to generate additional value from the transaction. In the world of Facebook, clients can view your page finding mutual friends which may provide them with additional comfort. Social media allows them to learn about your interests outside of the office creating a more personable approach than just reading a bio. Likewise, on Twitter, the potential client can see what you write about and what you follow. If there are a number of people following you, it may make you appear as an Influencer. All of these things can make the difference in who gets the phone call – you or your competitor.

The main objective in marketing is to get your name out there, remind people about you and to connect with the potential client. If your current or potential clients are connected with you through social media, your name can be a constant conversation starter. These tools are a great way to expand your circle – within a number of minutes you

can reconnect with your high school friends, college roommates, former employers, business associates, etc. – these are people that you already know and if you reconnect with them could be a great source for generating business.

Social media is an easy and time effective way to reach your targeted audience. Ask yourself this: What is more impactful to a potential client? You sending them a firm newsletter or you commenting on how great a picture of their children are on Facebook? It is easier to drop someone a message on Linked In or Facebook, than it is to call them on the phone? It is often said that on average it takes a number of meetings with someone before you can earn their business – social media is one way to maximize your chances.

With the vast options and terminology used in the social media world, it's easy to become overwhelmed. If you are new to social media, just start slowly – one application at a time. The more familiar you are with the features on one platform, the more it will help you on the others because many of the functions are the same. When you get more experienced, you can do more than one application, you can eventually link them all together allowing you to be more efficient with your time.

Social media provides a cost effective alternative to traditional media tactics. What separates traditional media from social media is the fact that social media provides actual answers and dialogue between you and potential clients. With traditional media, results are based upon variables meaning media opportunities have the "potential" of reaching a targeted audience – your impact is not always concrete. Social media provides a channel where businesses can monitor who their product/service has reached, who is purchasing their services and more importantly how successful their service is performing against competitors. Most traditional law firm websites have a menu of their services and personnel that isn't interactive. Social media allows you to engage with potential clients and hear their wants and needs.

In this 2.0 world, you don't have to go on Larry King or CNN to have influence. Social media allows you to share your day-to-day expertise in your field thereby establishing you as an "influencer" on the web. Sharing information, commenting on posts, linking articles and bylines with your targeted audiences helps create a trust between you and your potential clients. The goal is to create a web persona.

Social media is taking the world by storm. Companies have seen dramatic increase in revenue and production by utilizing the multimedia platform. As with all revolutions, those who choose not to conform are usually left behind. With new social networking platforms increasing daily, it is evident that social media is only beginning. Be ahead of the curve and remember, your network is your net worth!

Asha Blake is a former national network news anchor for ABC and NBC news. The five-time Emmy award winning journalist is also the CEO of Goldenheart Media, a power media placement firm that specializes in mobile application development and digital publicity for athletes, businesses and entertainment clients in film, television.

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Legal Project Management

Legal Project Management: It's About Time

Contributed by Steven B. Levy, Lexician

Hourly billing or not, an attorney's most precious resource is time.

An hour, once spent, cannot be reclaimed. If you use it doing work that's valuable to the client, to the firm, or to you—e.g., spending time with family—it's an hour well spent. If you spend it poorly, no one benefits.

Legal Project Management, simply put, is about the conservation and valuation of hours: make the best use of the hours you have to deliver as much value as possible.

A project is another name for a case, file, or matter. Thus, attorneys are already managing projects. They're managing projects whether they think of the work that way or not. They're managing projects whether or not they do so in an organized, thoughtful manner.

Legal Project Management is an approach to increasing effectiveness and efficiency in managing those projects. Think of "effectiveness" as doing better work for the client, "efficiency" as doing so with less waste for the attorney and firm—fewer write-offs and use of the most profitable time-keepers, for example. With good Legal Project Management in place, both the firm and the client benefit.

So does the attorney managing the project. Her frustration level declines, and she'll have more time to focus on substantive work or to enjoy friends and family. It's a win/win/win proposition.

What Is Legal Project Management?

Legal Project Management is the application of the principles of project management to legal matters. While the principles are the same whether you're managing legal or construction projects, the tools and techniques are different, sometime very different. (Only e-discovery resembles a classical project.) You know how many bricks a mason can lay each hour or how many yards of concrete a given foundation will require. There's no equivalent certainty in most legal work. There's no equally skilled mason attempting to prevent you from laying bricks, while almost all legal matters involve skilled attorneys in an adversarial relationship.

At its heart, however, project management is not about particular tools or techniques but rather about how to approach,

control, and solve certain types of problems. Construction and cases both have schedules and tasks. They have goals and deadlines, beginnings and endings. They have customers (clients) and budgetary considerations. People, teams, and communication all need to be managed.

Projects: Three C's and a D

The core aspects of a project revolve around three C's and a D:

- Charter
- Constraints
- Communication
- "Done"

Projects with poor results usually stumble early on, even though the results of that stumble often appear only later in the project cycle. It's critical to set projects up for success, not just try to manage them once underway. A project "charter" represents the information needed to set the project up for success. A charter—which need not be a specific document as much as a series of questions with clear answers—sets out the matter's goals, a high-level budget, the key players on the client business side as well as the legal team, project risks, deadlines, and most of all the client business problem. Attorneys sometimes lose sight of the client's business need when enmeshed in the legal issues at hand, but most client problems are business problems: commercial disputes, acquisitions, creating contracts that help them sell their products, and so on.

"Constraints" govern almost all work on the matter. Budgetary—money and time—constraints are important, but they're not the only ones. For example, how much risk—project risk, legal risk, business risk—is the client willing to assume? What resources are available, from experts to other attorneys? When are they available?

"Communication" raises several questions: How and when does the client want to hear from you? How does the team communicate to be sure they're on the same page, working efficiently? How does information flow within the team and to/from the client? If one partner prefers email and another phone calls, for example, they'll work poorly as a team unless they recognize their different approaches and adjust to them.

Effective management of a given legal project requires knowing what "Done" looks like. For most legal projects, "Done" isn't a clean picture. In litigation, for example, winning the lawsuit would certainly be a good "Done," but it's rarely the only one. What about a favorable settlement on the courthouse steps? What about a very early not-as-favorable settlement that avoids a rush of bad publicity for the client? Even losing the lawsuit might be an acceptable outcome in some cases if the client's goal is to send a message to potential future plaintiffs that you'll require them to engage in costly litigation rather than expect an easy settlement.

“Done” also helps inoculate the project against unnecessary or low-value work. (Note that “reasonable” has more or less replaced “zealously” in the ABA Model Rules.) If the proposed work lacks the potential to be outcome-determinative, if it won’t lead you closer to “Done,” should you do it? To put it another way, does the client want to pay for it? “Done” helps you and the client agree on those boundaries . . . before the work is disputed or the fee resented.

The Last Word in Project Management

It’s easy to concentrate on the first word—“project”—and lose sight of the last, “management.” Yet without good management, projects will struggle.

Good project managers understand how to “win by influence,” how to build a team of strong players capable both of working independently toward a common goal and of supporting each other. They understand how to delegate, how to let go, how to build trust in others. They give and receive assignments clearly and effectively, and they give, seek, and receive feedback willingly and fairly. They’re managers, but they’re more than managers; they’re also project leaders.

Not all attorneys have great track records as managers. Starting in school, the practice of law often rewards individual accomplishment over team results. Bad management habits are passed from generation to generation of lawyers. Implementing an effective Legal Project Management program can turn that ship around.

Implementing a Legal Project Management Program

A Legal Project Management program requires more than training. It starts with practice leaders who believe that efficiency is a positive business strategy, who recognize that there’s more to long-term practice success than billing as much as possible for as long as possible. (That said, Legal Project Management can actually boost both billable work and profitability.)

While it’s up to practice or firm leadership to create an environment supportive of efficiency and effectiveness, it usually takes an outside training program to jumpstart the work, to teach both the principles and the nuts and bolts of Legal Project Management. Good trainers understand both the legal world and the project world, recognize the difference between construction and legal projects, can draw on strong backgrounds in both project management and leadership, and can win over and even excite a room full of skeptics.

Training isn’t a one-time event. Good training programs usually include a coaching component, where the trainers over time help attorneys apply what they’ve learned to the messy real world of actual matters.

Once a pilot program is up and running, some firms may choose to move through a train-the-trainer model so that they can sustain the program over time themselves. Other firms may find it more effective to continue to employ specialists for the specific training needs in this evolving discipline.

Who Are the Project Managers?

The nature of attorneys requires, at least for now, that the project managers themselves generally be attorneys—not so much for the “project” as for the “management” component of Legal Project Management. The administrative aspect of project management might perhaps be done by associates, or paralegals, or secretaries, or even specialized project administrators—scheduling, tracking, metrics, and so on.

Project management training can be spread across the attorney spectrum.

In many firms partners will take the lead in almost all significant client projects. They can also benefit from learning to manage and lead with excellence. In other firms, senior associates will have project responsibility, with partners providing guidance and managing client relationships. In both types of firms, those leading the projects should become the early trainees and adopters of Legal Project Management.

In these and other firms, it may prove valuable to train the full panoply of associates, once they’ve survived the first year and gotten their feet wet, in the techniques of project management. What they learn early in their career will become the foundation on which they build their future; if they learn efficiency and effectiveness from the get-go, they, the firm, and the clients will benefit in subsequent years.

There’s one more option that might complement the approaches above: training “intact teams.” If there are teams that work together consistently (e.g., partner, associates, paralegals), or if you have small practice groups, it’s often valuable to train them as a team. They’ll reinforce the lessons with each other and quickly grow stronger both as professionals and as a team.

What’s Next?

There are some real challenges to implementing a Legal Project Management program in a firm.

First, attorneys may resist. Some believe inefficiency benefits them or the firm. Others fear change, or fear exposure as ineffective people or project managers. Here’s where the message from firm leadership makes a big difference—as long as it’s backed up by action.

Second, not all training programs are the same. The three major training vendors in this space are all highly professional but have different approaches that will resonate with particular firms. Don’t pick a vendor because they’re large (or small), for example; pick the one whose approach best supports your particular goals. The big consulting firms are now trying to get in the game too, by the way, but the same caveats apply. While I have a personal interest in suggesting people read the book on the subject,¹ teaching Legal Project Management well isn’t easily learned from a book.

Third, it remains hard to measure results for a number of reasons. Few legal projects are “cookie cutter” models of each other, ripe for apples-to-apples comparisons. It takes a large number of related projects to build sufficient data

to separate normal case-to-case variability from the differences made by solid project management. In addition, a before-and-after assessment requires unimpeachable “before” data, which few firms have today.

Still, even if trustworthy quantitative metrics are hard to come by, you can make valuable qualitative assessments. Are you seeing fewer write-offs, less wasted effort? Are you better able to provide clients or firm leadership with budgets? Are you doing better at adhering to those budgets? Are there fewer project surprises, such as work that depends on someone who unavailable or overbooked? Are there fewer client surprises? Are clients happier with the work you’re doing for them? Are the attorneys happier with the non-substantive aspects of their work? Do they feel better about “management” or “administrative” time? Do they see less of it? Are they more in control of it?

The Unheard Word

Note that I haven’t mentioned alternative fee arrangements here. Legal Project Management isn’t useful only for AFAs; it complements hourly work as well.

That said, Legal Project Management is essential in a world of AFAs or capped fees. If you cannot predict and control costs, these arrangements will prove highly challenging.

It Takes Time

Although you can embark on a program tomorrow, you cannot fully implement it overnight. Kicking off a training session is as easy as wrestling some Outlook calendars into synch, but a training session is only the start.

It takes time to learn a new way to approach the project aspects of the work you’re doing.

However, recall that those project aspects exist today, and they already take time to manage. Few firms are managing that time effectively.

You take seriously the legal issues your matters—your projects—entail. It’s time to take managing them just as seriously.

Steven B. Levy, the author of Legal Project Management, is a business leader and project manager who helps the legal world deliver increased client value. He is the CEO of Lexician, which provides training, coaching, and consulting to law firms and departments. Previously, he headed Microsoft’s legal technology/operations department, driving innovation and efficiency into one of the world’s largest law departments. While at Microsoft, he led various industry task forces and founded a corporate-law roundtable for sharing operations information. He also headed two Microsoft product groups in his 17 years there. His unique and practical approach to teaching Legal Project Management stems from 30+ years managing projects and leading businesses on three continents.

¹ Steven B. Levy, *Legal Project Management: Control Costs, Meet Schedules, Manage Risks, and Maintain Sanity* (DayPack Books 2009).

Pro Bono

Courting Transactional Lawyers with Pro Bono

Contributed by Stacey Slater and Elizabeth Qually, Nixon Peabody LLP

Until recent years, the majority of pro bono work available at law firms involved litigation—such as advocating for poor tenants in eviction proceedings, immigrants seeking asylum before the Immigration Court, or elderly and disabled individuals seeking Social Security benefits at a hearing. Many lawyers who are not litigators have been reluctant to get involved in these types of pro bono matters because they are outside their area of expertise and their comfort zone. “I don’t want to go to court” or “I’ve never been to court” are familiar refrains from transactional lawyers who, even with workshops, training, and mentoring, often feel insecure or anxious about having an underdeveloped skill set in an area typically dominated by litigators.

To get *all* lawyers at the firm involved in pro bono activity, law firm pro bono managers have been devoting more time looking for pro bono opportunities that require the skill sets already possessed by the firm’s transactional attorneys.

Opportunities Abound

Many opportunities available for pro bono in today’s market do not involve taking depositions, arguing motions and appeals, or appearing in court—tasks that are routine to litigators. For example, at our firm, Nixon Peabody, transactional lawyers across several different practices advise non-profit organizations by

- helping them to incorporate and secure federal tax exempt status;
- drafting and revising by-laws, operating agreements, and other charter documents;
- developing their personnel manuals and policies; and
- assisting them with licensing needs or protecting trademarks.

Micro-entrepreneur programs where lawyers help young, struggling businesses in inner cities to get their businesses off the ground are also an excellent avenue for getting transactional lawyers more involved. Our firm has established micro-entrepreneur programs in four of our offices where lawyers from different backgrounds offer advice on choice of entity, labor, tax, real estate, and intellectual property issues.

Another way to get transactional lawyers involved with pro bono work is to target matters that use the legal skills they have already developed in their own practices—even if the

substance of the pro bono cases differs from their day-to-day practice. For example, transactional lawyers can easily transfer their drafting and client communication skills to help with uncontested divorces, help low income cancer patients draft wills and health care proxies, or help low income people obtain U visas or T visas—none of which involve litigation.

Microfinance Programs

At Nixon Peabody, we have had the most success in getting a large number of transactional lawyers involved in pro bono work through our microfinance program. Since the program's inception in 2009, 81 of our lawyers have participated in microfinance-related pro bono projects. The program has attracted lawyers from all over the firm, including our international offices, and from a variety of practice groups, such as finance, corporate, labor and employment, tax, and private client.

Microfinance programs jump-start, supplement, or expand entrepreneurial activities of the very poor—often women—by providing loans to borrowers in the developing world who may have no collateral, credit, or even bank accounts. More recently, some microfinance institutions that have traditionally provided their services in the developing world have expanded their services to borrowers in the United States. The idea behind microfinance is to allow the borrower to use the proceeds of a small loan (typically between \$50 and \$1,000) to grow his or her business, such as selling vegetables in the market or a running a furniture store. In the process of sustaining and growing a successful business, the borrower is also able to use the extra income to provide for his or her family, which often results in improved health care and education for the children. More recently, microfinance has expanded to include supplementary services such as education, health insurance, deposit-taking, and small lending for consumer purchases of renewable energy products.

Microfinance is an exciting area for transactional lawyers for many reasons: (i) it provides substantive, challenging, and sophisticated work in an attorney's respective practice area, (ii) it can require creative problem solving, (iii) it provides more learning opportunities for junior lawyers, and (iv) it is often international.

One benefit of microfinance is that it often involves the same kind of deal work a transactional lawyer does every day. Our typical pro bono clients are entities organized in the United States who raise capital through donations, securities offerings, or commercial loans, which proceeds they then either donate or on-lend to microfinance institutions abroad. Our transactional lawyers love being able to use their skills for pro bono work, and, more importantly, their expertise adds significant value. While we are constantly educating ourselves about the particularities of the microfinance industry, any one of our attorneys working on a microfinance transaction has already done dozens of similar commercial transactions.

As most pro bono clients are new to finance, transactional attorneys can also be of incredible assistance by educating

them on the process. Associates can draft memos on the basics of corporate governance and guidelines about communicating with regard to securities offerings. Lawyers can counsel clients on document management—in particular, keeping track of negative covenants and other similar restrictions in their loan facilities so they do not inadvertently breach a document. Such experiences reinforce the basics for junior associates and act as a great confidence builder for more senior associates.

Microfinance not only provides the same kind of deal work as regular transactions, it also often requires considerable problem-solving skills that all attorneys want to develop. For example, a typical microfinance loan from one of our clients to a microfinance institution in a developing country introduces several major issues, each of which requires creativity and consultation with local counsel. There is the choice of law issue. Do we use well developed New York law that may not be enforced abroad, or do we use local law, which may not be well-developed? There is the problem of securing the loan. Can a security interest in the applicable developing country be enforced in a timely fashion upon an event of default? If not, what alternative arrangements could secure the loan or boost the credit of the borrower? And there is the issue of currency risk. Lending in the developing world often means working with “exotic” currencies, i.e., currencies that are thinly traded, illiquid, and possibly volatile. The microfinance industry as a whole is exploring different ways of hedging currency risk and inventive solutions to other problems, because the tools used by financial institutions and multi-national corporations may not be available to a small non-profit lender.

Simultaneously, microfinance work also involves counseling clients on preserving their mission. This may mean ensuring clients meet the requirements of a program-related investment or structuring an offering so as to preserve our client's tax-exempt status. It may mean drafting particular affirmative covenants to ensure that the proceeds are used in accordance with USAID's or another development agency's statutory requirements. It may mean advising clients on “best practices” in microfinance documentation. Altogether, the underlying mission adds a layer of complexity to all microfinance transactions. These clients do not have a credit committee or a risk management group—they rely in part on lawyer's pro bono assistance to ensure the deal does not stray from the mission of lending to the very poor.

As we've mentioned, one of the key benefits of having a microfinance program is that junior attorneys can get involved in all aspects of the transaction, and every deal offers a variety of training possibilities. Many paying clients are extremely fee-sensitive and do not want five attorneys on a “high-level issues” call. In a microfinance transaction, law firms can include first-year associates from the beginning. At Nixon Peabody, we are currently structuring a complicated cross-border financing with a country in Africa. One of our junior associates was on the first phone call where we were identifying major issues. After the call she said, “That was great. I never get to see how these deals begin.

I don't usually join the calls until we start reviewing the closing checklist." A single issue in a complicated microfinance transaction can lead to a research memo, an article, or a presentation, all of which can be done by a junior associate.

One other benefit of the microfinance program for our transactional attorneys is the often international nature of the work. For those lawyers who are not fortunate enough to be doing international project finance or the like, microfinance is a great option for gaining global experience. Our clients collectively work in Latin America, Asia, Eastern Europe, and Africa. Even the offering documents have an international flavor as they are laced with descriptions of a microfinance entity's work in places far and wide.

Pro Bono For All

Pro bono is no longer just for litigators. There are many ways that transactional lawyers can use the skills they developed in their paying practices to do good—both in their communities and around the world. Microfinance presents one such way, as it is interesting, international, and provides sophisticated and often complex work that appeals to senior corporate lawyers while also offering great training opportunities to lure more junior lawyers.

Pro Bono Partner Stacey Slater manages the pro bono program firm-wide at Nixon Peabody LLP. In this role, she works to match pro bono opportunities with the interests of the firm's lawyers and paralegals, deals with pro bono policy issues, and regularly presents on pro bono. She also works on and supervises several pro bono matters, and is involved in many new initiatives, such as partnering with in house counsel on pro bono matters.

Elizabeth Qually is an associate in Nixon Peabody's Global Finance department. Her practice focuses on domestic and international commercial finance matters, including secured transactions, bank loans and credit agreements, leveraged leasing, project finance and new market tax credit transactions. Additionally, Elizabeth runs the firm's pro bono microfinance program.

Professional Responsibility

Civility: The Ultimate Legal Weapon?

Contributed by Peter R. Jarvis and Katie M. Lachter, Hinshaw & Culbertson LLP

Half an hour ago, you sent opposing counsel's inexcusably incendiary e-mail to your client. Now in your in-box is your client's outraged demand that you fight fire with fire. Although you are satisfied that you have been sufficiently provoked to justify a scorched earth response and you certainly know how to make one, perhaps you should first consider a simple question: is it tactically wise to do so?

We all know that few, if any, clients want wimps for lawyers. We also know that attorneys whose clients perceive them to be unable to stand up to pressure are likely to find themselves replaced and unpaid. But we know more. For example:

- Opposing counsel may well respond to your "fire" with more of her own, leading to an increasing cycle of malevolence.
- Hostility between counsel can substantially drive up fees and costs and can foreclose opportunities for early and mutually beneficial resolutions of a matter—something for which the client may subsequently seek to hold you responsible.
- Although your client and you may assume that a judge or bar disciplinarian will see things the same way that you do, there is no guarantee that this will be so. Even if you are absolutely, positively convinced that you do not live in a glass house, others may not agree that you were more sinned against than sinning. "A plague on both your houses" is often the reply.

What, then, are lawyers who refuse to give in to bombast to do? In many instances, the best and most effective response will involve firmness mixed with a heaping dose of civility.

Suppose, for example, that you respond to the initial incendiary e-mail with one of your own which apologizes for any offense your client or you may inadvertently have given and which states—clearly, rationally and without rancor—why you disagree and what you are and are not willing to do. Suppose further that you go out of your way to state that your client and you are concerned about the expense and delays to which rhetorical wars can lead, that you ask opposing counsel to explain his position more clearly in case you are missing his point, that you propose one or more constructive steps to deal with the present impasse, and that you ask opposing counsel to suggest his own steps if he does not like yours. In a great many instances, this approach is more likely to box in your opponent and to bring about the results that your client and you want than a perpetuation or elevation of hostilities. For example:

- Particularly in the modern era of instant electronic communications, all of us say things at times that, in retrospect, might better have been said differently or not at all. Allowing the other side to save face may help the parties and counsel move forward.
- Although you may not realize it, you may in fact have given the other side reason to be annoyed. In such circumstances, heading off further annoyance is likely to be in your client's and your best interest. This is so whether or not the other side should have been annoyed and whether or not their annoyance was intentionally, negligently or entirely innocently caused.
- Giving in to emotion now is likely to make it harder for your client and you to be objective later on.
- If what then occurs is further angry-grams from your opposition with each one answered in turn by your civil response, a judge, arbitrator, mediator, or bar disciplinarian is far more likely to see where the fault lies.
- If your opponent, seeing your civil approach, decides

that you are trying to set him up for a sanctions motion or bar complaint and therefore decides to try to outfox you by being civil himself, you will have achieved your objective.

Alternatively, an uncivil writing need not immediately be followed by any writing at all. Suppose that instead of sending an immediate response, you first call opposing counsel and suggest a meeting—perhaps at opposing counsel’s office—to discuss your concern that matters not be allowed to get out of hand. If that meeting is agreed to (and it often will be), you can try, as calmly as possible, to resolve any and all issues on a mutually acceptable basis.

Sometimes the most difficult part of this process will be convincing your client that rationality should prevail. In this context, the suggestions above can serve as a template for a conversation with your client about why a nasty e-mail or phone call may fail to serve his interests. Remember that the client is not in nearly as good a position as you to assess the damage that incivility can cause. Positions can rapidly shift, whether in negotiating or litigating, and the party with the upper hand on Monday may find itself in desperate need of a favor on Tuesday. It is up to you as the bearer of greater knowledge to impress upon your client that what goes around comes around.

In the event that your client refuses to acquiesce, there are still ways to preserve the relationship with opposing counsel and perhaps to find at least some common ground. Every attorney has, at one time or another, had to deal with a difficult client who does not always follow the attorney’s advice. Suppose that you have a client in litigation who wants to do everything according to the rules and not to be flexible when it comes to grants of extensions or other accommodations. Instead of simply letting opposing counsel discover, by trial and error, that this is your client’s position (and, along the way, conclude that you are as much of a jerk as your client) how about alerting opposing counsel up front to your client’s plan? If nothing else, this approach may reduce the personal offense that opposing counsel might otherwise take to your subsequent actions and may allow a line of communication to be kept open between counsel in the event that your client later decides that the time has come to negotiate a settlement.

This is not an all-inclusive list of civil options. Suppose, for example, that you are having a particularly difficult time working with Partner A at the ABC Law Firm but that, based on past experience, you believe you have a reasonably good and mutually respectful relationship with Partner B. Might you at least want to consider contacting Partner B in order to seek her help in getting beyond the difficulties you seem to be having with Partner A? And if this fails, will you have foreclosed any other desirable options?

Before the age of comparative fault, we had the tort doctrine of “last clear chance” which sometimes places responsibility on a party who was not initially at fault but who nonetheless had the last opportunity to avoid the harm that ultimately occurred. What this article suggests is a kind of “last clear

chance” approach to difficulties in dealing with opposing parties and counsel—not just because of whatever moral benefits it may have but also because of its often high potential for effectiveness. While fighting fire with fire is dramatic, fighting fire with a fire extinguisher may do more to save your (and your client’s) house. And avoiding fire altogether through the use of fire prevention techniques will often be better still.

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Small Law Firms

The Case Against Bubble Gum and Duct Tape: Tools for Efficiently Managing Your Small Law Business

Contributed by Sheila M. Blackford, Oregon State Bar Professional Liability Fund

Attorneys who hang out their own shingle or who decide to join a small practice quickly discover that their years of studying and even practicing law have not prepared them to actually run a law firm. If not properly managed, dealing with the business side of one’s legal practice can leave precious little time to serve one’s clients.

Most law schools still don’t prepare their students to run their own firms, and even experience gained working at larger firms may not be applicable. The back office technologies, infrastructure and related budgets at a large firm are very different from those typically used by solo practitioners and small firms with up to five attorneys. At the same time, attorneys at these smaller firms must manage a significantly larger share of practice management and administrative tasks as compared to their colleagues at big firms.

As a solo practitioner, a lawyer is both president and chief bottle washer for his/her own firm. In addition to representing clients, a variety of business matters and administrative details require attention—managing everything from personnel to client sourcing and referrals, cases, calendars, billing, accounting, systems and hardware. The result can become a busy, disorganized and overwhelmed attorney.

In the worst cases, it is not uncommon to walk into the office of a small law firm and see stacks of papers and client files spilling from the desk onto the floor. The computer monitor may be covered with post-it reminders, while a pile of mail

serves as a “to do list” of sorts regarding upcoming court deadlines. The lawyer is drowning in paper, and yet his/her electronic calendar may be nearly empty.

There is a better way to stay organized than holding your business together with bubble gum and duct tape. This article aims to give you a better understanding of how to get your arms around the business side of your law firm so that you have time to focus on what really matters—practicing law.

Conducting a Self Assessment

Clients form opinions and refer other clients based on how their attorney makes them “feel.” They want to be represented by an effective lawyer who gets results, of course, but they also want to work with someone who is organized, available to speak with them, is prepared for meetings and who is able to communicate next steps appropriately. And when clients receive invoices, they want to feel confident the attorney has accurately billed for the time spent on the case and their trust account has been properly managed.

Making sure you can deliver on this promise requires equal parts of dedication and organization. Most of us have room for improvement in at least one of these areas so a good first step for any solo practitioner is to conduct a self-assessment. This enables an attorney to identify areas of improvement and then develop a plan to turn areas of weakness into strengths.

The following questions can help to get started:

- What do you do best and what do you think you can improve upon?
- How do your clients feel? Why are they referring people? Why are they arguing over fees?
- How do you currently field and manage client needs? How is your system working?
- What practice management tools, if any, are you currently using and are those tools equal to the task?

Once the self assessment is completed, it is time to develop solutions to the most pressing issues—managing client money held in the lawyer trust account; juggling appointments, due dates, and deadlines; and tracking time spent on behalf of clients and billing clients on a timely basis. There are software programs and systems for trust accounting, calendaring and docketing, as well as time and billing. A lawyer may need to prioritize the greatest need for using technology in one or all of these areas instead of relying on a paper-based ledger book, calendar and time sheet.

Choosing a Technology Solution: Installed Software versus “the Cloud”

Practice management applications, a staple of any established law firm, offer a powerful means of helping lawyers stay on top of business and administrative details. They assist with contact and client management, conflict of interest searches, document management, scheduling, deadline

tracking, billing, communications and more. Gone are the days when these sorts of tasks could be easily managed with hand-written lists and a desk calendar. You need to put technology to work for you, even if you have an extremely limited budget and no aptitude or interest in learning the latest whiz-bang software. In fact, the right practice management application just might help free up more time to focus on winning cases and growing your business.

When deciding which practice management application to choose, there are two routes you can take—installed software programs versus software-as-a-service (SaaS) solutions. Installed software, as the name suggests, is purchased and then installed onto your computer and available every time you turn on your computer. SaaS tools are deployed over the internet, or “the cloud.” You don’t install a SaaS application on your actual computer, but you can still access the application on the Web from any computer at any time as long as you have an internet connection and your secure user ID and password.

The key benefit of installed software is you can always get into the application from your computer, regardless of your internet connection. This feature is very appealing to individuals who have slow or spotty internet access. Some attorneys also trust the security of installed programs more than storing data in “the cloud,” since all confidential client information is stored directly on their hard drive instead of relying on security safeguards of the SaaS provider. Some of the most popular installed practice management tools for smaller law firms with a Microsoft Windows-based computer include Time Matters, Amicus Attorney and PracticeMaster. One of the downsides of installed software of this type is that they typically require a more significant initial investment or cash outlay as compared to their SaaS counterparts.

On the other hand, SaaS solutions offer the benefits of low maintenance, low to no upfront costs and no special IT infrastructure to support or maintain. There is no compatibility problem because a SaaS solution does not require a PC running a Microsoft Operating System. SaaS tools are also popular for their scalability. In small firms where future growth is uncertain, choosing a cloud-based solution makes it easy to add users as the need arises.

Given the importance of protecting attorney-client privileged information, some lawyers are fearful about storing confidential client information on the internet. Lawyers must safeguard who has access to such data. In recognition of this, reputable vendors have very stringent security and privacy policies in place, ensuring no one can access the data except users authorized by the law firm. In fact, a vendor’s secure data facilities may be an even safer alternative to storing sensitive client data on a lawyer’s own laptop, which can be stolen, lost or damaged. Reputable SaaS vendors also ensure data is backed up on a regular basis, taking the pressure off the attorney to run frequent backups.

The chart below offers a side by side comparison of some of the major features of installed software versus SaaS solutions.

Comparison of Installed Software and SaaS Solutions

	Installed Software	SaaS Solutions
Installation	Software must be installed and configured on your computer; can be somewhat time consuming	No installation required, although you may need to do some configuring for your computer
Costs	Costs include the purchase and licensing of the software, in addition to any necessary hardware (i.e. servers); typically there is an ongoing maintenance fee for updates and upgrades	Requires little to no upfront cost and can be very cost effective if you sign the right contract; however some pay-as-you-go models can be more expensive in the long run
Ease of Access	Can only be accessed from your computer	Accessible from any computer, but must have a high speed internet connection
Maintenance	User must install updates when available from the vendor, as well as backup the data regularly	None; it is the vendor's responsibility to ensure the application is up to date and that data is backed up
Scalability	Adding additional users and/or data may require purchasing an additional server and new licenses; software must be installed on new users' computers	The attorney just needs to contact the vendor to add an additional user to the system

Regardless of whether a law firm chooses an installed software program or a cloud-based solution, practice management software should be considered a "must have" by any solo practitioner or small firm. Whether you currently manage your own practice or are considering making that move in the near future, understand that you will be running a business and treat that responsibility with the same care and attention you devote to the actual representation of your clients. Both you and your clients will be better for it.

Additional Resources

Always remember there are people to help attorneys in small firms or attorneys who are striking out on their own. The majority of the state bar associations have at least one, if not several, organizations dedicated to assisting solos and small firms. The American Bar Association also has several groups focused on assisting solos and small firms.

Additionally, many state bars have Practice Management Advisors who focus on providing technology advice to solos and small firms. An advisor can help tackle a variety of issues, from creating a detailed business plan to picking

a technology solution to help manage your practice. And since these advisers are independent consultants paid by the state bar, they are committed to helping bring all issues to resolution.

Running a legal business is hard work, which is why it is important to use the tools that are available to help keep your firm running efficiently. Reducing the amount of time spent on billing and other administrative tasks means more time is available for doing what you are truly passionate about—practicing the law.

Sheila M. Blackford (Sheilab@osbplf.org) is an attorney and has served as a practice management advisor for the Oregon State Bar Professional Liability Fund since January 2005. In this role, Sheila helps Oregon attorneys, especially solos and small firms, with the business of practicing law. Last year she became an adjunct instructor at the University of Oregon, School of Law to teach a law practice management class. Sheila received her JD with Tax Law Concentration from the University of the Pacific McGeorge in Sacramento in 2000. After passing the Oregon Bar, she opened her own solo practice.

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