Law Practice Management

OREGON STATE BAR
LAW PRACTICE
MANAGEMENT SECTION

Volume 9 • Number 3 • Fall 2001

Implementing A Business Continuity Program: Is It Necessary In A Law Firm?

By Atlas Lee

Obtaining the authorization to initiate a disaster recovery plan can be next to impossible for some organizations. But it was not for Shook, Hardy & Bacon L.L.P. In the summer of 1990 an explosion and subsequent fire in downtown Kansas City, Missouri, knocked out power to a very large portion of downtown where our corporate offices are located. Of course, this severely impacted a number of our critical business processes, thus forcing us to realize the necessity of being protected from a serious business interruption. Immediately thereafter, thanks to the commitment and consent of our senior-level management, we were authorized to start a program to protect the firm from such interruptions.

> "Over 40 percent of businesses never reopen after a serious business interuption."

I had unofficially managed the business continuity/disaster recovery effort since 1990, along with my official role of Information Technology Manager. It should be noted that in 1990 we had approximately 500 employees, three offices and two mid range computer systems and a very simple Local Area Network and Wide Area Network architecture. Now we have close to 1,800 employees, 13 locations, over 170 servers and mid range computer systems and a very complex Local Area Network and Wide Area Network architecture. Also, I now have a staff that consists of a Business Continuity Specialist and two Computer Security Analysts who have the responsibility of Business Continuity Planning, Emergency Response, Disaster Preparedness, Auditing, and Computer Infrastructure Security. This white paper has been written to assist you in developing a Business Continuity Plan by providing a framework and methodology used by many of the prominent Business Continuity and Disaster Preparedness/Recovery centric organizations.

What I have to say is not all-inclusive or all-encompassing, but hopefully it will help you maneuver down the right path of implementing a viable, successful plan to restore your firm's business processes in the event of a serious business interruption. Even though it may seem like a daunting project, it does not have to be. You may initially be the sole owner of the project with overall responsibility, but remember you can start small. Some key items that may help you keep that focus:

Review What You Currently Have in Place

- Daily full image magnetic media backups are recommended because of the increased time it takes to restore incremental backups. Files, save sets, databases, etc. should be restored from tape periodically to confirm the integrity of the backup.

- If you don't already use a vendor that has a secured environmentally controlled offsite storage site for your magnetic media and vital records, I highly recommend it.

- Do you have redundancy built into your computer infrastructure? This could be UPS for your critical hardware components, an electrical filtering system to ensure "dirty power" does not get through to your critical systems, and mirrored and/or hot swap disk drives to make sure that a failed disk drive does not take down a critical application for an extended period of time.

- Review of your firm's insurance policy to make sure it has adequate "Business Interruption" and "Out-of-Pocket-Expense" riders. You want to make sure that "Standard Care" was taken or if "Due Diligence" was exercised if you have to mitigate the effects of a business interruption on your firm's critical business operations.

(continued on page 5)

Committees & Boards, 2001

LPMS Executive Committee 2001

Stephen A. Hutchinson
Chair
(541) 686-9160
(541) 343-8693 (fax)
stevehutch@haccd.com

David O'Brien
Past Chair
(503) 242-2514
(503) 274-7895 (fax)
dobrien@nwstaffing.com

Evan Boone
Chair Elect
(503) 635-0225
(503) 689-7433 (fax)
eboone@ci.oswego.or.us

Craig K. Edwards
Treasurer
(541) 318-0018
(541) 318-0062 (fax)
craig@cns-nw.com

Janet A. Stuemke
Secretary
(503) 323-9000
(503) 323-9019 (fax)
jstuemke@cvk-law.com

NEWSLETTER EDITORIAL BOARD:

Mary P. Sauer
Co-Editor
(503) 276-7317
msauer@legalnw.com

David O'Brien
Co-Editor
(503) 242-2514
dobrien@nwstaffing.com

Darla Pierce
(503) 227-1515

Carol Wilson
(503) 639-6911

Stephen A. Hutchinson
(541) 686-9160

LIASION POSITIONS:

BOG:
Gordon Davis
(503) 221-5306
(503) 827-3477
hoyt@teleport.com

OSB STAFF:
Margaret Robinson
(800) 452-8260, ext. 409

PLF:
Carol Wilson
(800) 452-1639, ext. 421

BOARD MEMBERS:

James O'Rourke (01)
(503) 221-1425

Craig Emerson (01)
(541) 485-5151

John Wolf
(541) 485-5151

Fern Puls (02)
(541) 687-4757

Mary Sauer (02)
(503) 276-7317

Mark Oldenberg (02)
(503) 248-1134

Candace Haines (03)
(503) 618-2434

Warner Allen (03)
(503) 255-8795

Darla Pierce (03)
(503) 227-1515

John Cummens (03)
(541) 485-0220

Comments From the Chair

Stephen A. Hutchinson

This year is swiftly coming to an end and this will be my last column as Chair of the Law Practice Management Section. It has been a very eventful year for the Section. We've increased our membership. We co-sponsored the Legal Technology 2001 Show with the Oregon Legal Management Association. We've gotten back on track with the Newsletter with Co-Editors Mary Sauer and David O'Brien, helping to fulfill one of my goals to make sure that the membership gets a quality Newsletter during the year.

Stephen A. Hutchinson

The Section is strong and our finances are in good order. I pass the baton of the Chair to our new Chair for 2002, Evan Boone, with the Section in fine condition.

We have a number of exciting projects that have been worked on through the past year and will be continuing into the next year. We've started work in combination with OLMA to put on a combination partners' dinner and CLE session that would take place on a Thursday evening, Friday morning schedule to allow more of our attorneys from out of the Portland Metro area to attend more easily by scheduling a situation in Portland. We are continuing to work on our Lawyering 101 Project to put together a series of seminars about the practical and business aspects of operating a law practice both for our own members and perhaps, for law students. We continue to work to maintain the high quality of our Newsletter with those articles and helps for usable management tools and trends in the legal business. We always welcome membership comments and suggestions for articles or submissions.

It has been my pleasure to be your Chair over the last year and to have worked with the outstanding members of your Executive Committee. I urge all of you to get involved with your Section activities. You will benefit from it.

OLMA Celebrates 25 Years

The Oregon Legal Management Association (OLMA), a chapter of the Association of Legal Administrators (ALA), is celebrating its 25th year. OLMA's annual partner's dinner will kick off the celebration on February 28, 2002, with dinner at the Benson Hotel. Paula Patton, Executive Director of the National Association for Law Placement (NALP) and the NALP Foundation for Research and Education, will be the guest speaker for this event. Ms. Patton will speak on how associate salary wars are impacting law firms today, what we have learned from these wars, how the economy is impacting law school enrollments and how the downturn in the economy is impacting recruiting and retention.

The next morning, March 1, 2002, OLMA, in co-sponsorship with the Law Practice Management Section of the OSB, will present a CLE with a panel of three northwest economists speaking on the current state of the economy. The moderator will be Jack Faust, a Portland lawyer and former moderator of the awarding-winning television program, Town Hall. Pete Peterson, COO of Hildebrandt, Inc., a top international legal consulting firm, will follow the panel and speak about the impact of the economy and high associate salaries on partner salaries and partnership track. Mr. Peterson and Ms. Patton will then speak together about leadership succession and generational differences.

> OLMA's annual partner's dinner will kick off the celebration on February 28, 2002, with dinner at the benson hotel. Paula Patton will be the guest speaker for this event.

This CLE program will be followed by OLMA's monthly luncheon and a continuation of the morning CLE with a panel consisting of Paula Patton, Pete Peterson, Ed Harndon, president of OSB, and Marshall Fletcher, President of ALA. Lynn Spruill, past president of ALA and the executive director of Stoel Rives LLP will be the moderator for this panel. The panel discussion will focus on strategic issues faced by law firms in the current economy.

Watch for more information on OLMA's 25th Anniversary celebration and CLE. Registration flyers will be mailed around the end of December or you may contact Ruth Coyne at rsc@woodtatum.com for further registration information.

Business Continuity.... *continued from page 1*

Plan Initiation

For an individual tasked with the responsibility of providing their firm with computer network or other service area support, a business continuity program can be an arduous task. You might know the importance of having such a program in place, but the decision-makers have to have the facts in order to implement the program. Their question will be,“ why?” This is because the program is often looked at as an expense and not a revenue generator. Needless to say the cost of not doing it greatly outweighs the cost of doing it due in part to the following:

- Your firm has a professional obligation to protect the assets of their clients and the firm.
- Your firm may have statutory obligations in correlation to work being done for a client.
- Your firm has an ethical obligation to ensure the best interest of not only your clients but also the employees of the firm.
- Your firm has a moral obligation to the well-being of the employees that have supported the organization.

> “A company that experiences a total computer outage that lasts more than ten days will never recover financially.”

Additionally, communicate the need for a continuity plan by raising the level of awareness of senior-level management regarding the ramifications of not having a comprehensive plan to address potential business interruptions, such as:

- Lost revenue
- Lost Customers/Clients
- Negative Publicity
- Loss of Business
- Loss of Competitive Edge

You can also help your cause by stating that:

- Over 40 percent of businesses never reopen after a serious business interruption.
- A company that experiences a total computer outage that lasts more than ten days will never recover financially.
- 50 percent will be out of business within five years.

After you have successfully persuaded senior-level management of the necessity of having plans and processes in place to address any potential business interruption, then you should address the following.

Assign a person the responsibility of managing this effort. Senior-level management must appoint someone to lead the business continuity planning effort that has the power to lead, influence, support, prioritize, and organize the project. Senior-level management must provide full support to the project team, and mechanisms should be developed to keep the senior staff informed of the business continuity planning project status. Senior-level management will play a key role not only in approving continuity strategies for critical business processes but also in deciding which process are critical and must be planned for.

Identify key, reliable personnel as team members with the understanding that that you have a cross-mix of practice section, business unit, and information technology personnel to cover all areas that may be affected by a serious business interruption. Whenever possible, the project team should plan to empower employees during the implementation of the plan to strive to eliminate situations where centralized execution takes place.

Contract external personnel if needed. It is key to making sure your program gets off on the right track, so you may want to contract the initial phase to a Business Continuity consultant or an organization that has expertise in Business Continuity planning and/or Disaster Recovery services.
If an outside consultant is hired, their role should focus on facilitation, not project ownership.

Acquire appropriate hardware and software for this project. It is suggested the hardware consists of at least a mid range performance laptop (for mobility) with a small high-speed printer. Software should be a universal word-processing application, but preferably a Business Continuity Planning software application developed by organizations such as Comdisco, SunGard, or Strohl Systems.

Other references and recommendations about hardware, planning software and other related Business Continuity topics can be found on the Disaster Recovery Journal Web site, which is www.drj.com or on the Contingency Planning and Management Web site, which is www.contingencyplanning.com.

Evaluate and Identify Risks

Determine the probability and consequences associated with potential risks to your firm. Identify controls and safeguards to prevent or minimize the effects of a business interruption such as:

Have or gain knowledge of the physical and computer security access and controls in your firm. Have or gain a knowledge of the facilities infrastructure of your firm.

(continued on page 6)

Business Continuity... *continued from page 5*

Seek external assistance, such as a Business Continuity consultant to "jump start" your program because often you will not have the personnel resources to adequately initiate the program.

Prepare a risk analysis that includes a broad range of possible business interruptions, including natural, technical, social, and human threats. Each functional area of the firm needs to be analyzed to determine the potential impact associated with different disaster scenarios such as, geographical location, proximity to major transportation arteries, history of the location's susceptibility to natural disasters, etc.

Provide for the worst case scenario: destruction of the main office. Rather than attempting to determine exact probabilities of each business interruption, use a rating system spanning from high to low to include a mid range to identify possible threats.

Determine the probability of occurrence and the potential impact of each type of threat on the various business units and practice sections within the firm.

Identify the preparedness and preventative measures, if any, already in place. Once the potential areas of high exposure to the individual business units and practice sections are identified, additional mitigation measures can be recommended.

Have senior-level management determine their acceptable risk level. Their acceptable risk level will most likely determine the overall resources and cost dedicated to this effort and then:

- Identify risk reduction alternatives.
- Identify vulnerabilities/threats and exposures.
- Understand the loss potential from natural, man-made, accidental, intentional, internal, and external risks. This is especially important if you have offices in multiple locations and overseas.
- Determine the firm's vulnerability to the aforementioned loss potentials.

Perform A Business Impact Analysis

The Business Impact Analysis, more commonly known as a BIA, is important because it makes the person in charge or their designee that is responsible for a practice section or business unit determine what is critical to their respective section and what is not. This very often necessitates a collaborative effort between the Business Continuity person(s), other members of the practice section or business unit, and individuals in departments that work closely with the practice section or business unit because they may be adversely affected either collaterally or residually.

A Business Impact Analysis identifies the critical business processes that most affect the firm's revenue and assets. This process helps you to identify and prioritize the recovery strategies that might be needed during an extended business disruption. A Business Impact Analysis is also a comprehensive process that defines your critical business processes and the resources needed to support them. It is very important to make sure that you should address both internal and external processes. One lesson learned by a number of firms during the Year 2000 planning phases was the total dependency on the utilities, the court system and, some vendors.
Identify the individual or group of individuals that needs to provide you information. These individuals should have a broad knowledge of the practice section or business unit and are most likely to provide accurate and objective information regarding their practice or business section. To be successful and gain the assistance that you require, senior-level management will have to reiterate to these individuals the importance of being selected and their responsibility to provide information that is requested of them in a timely manner. A request to participate in a Business Impact Analysis project that is mandated by senior-level management has a much greater chance of succeeding due to the reality that participation is required. One of the primary goals is to make sure everyone involved understands this is a team effort. This puts in motion the understanding that this is the most important phase of Business Continuity Planning. Communicating the seriousness of the process raises the level of overall awareness and helps create an atmosphere of teamwork, cohesiveness, and unity.

When the appropriate personnel are identified, you need to:

Explain the Purpose

Explain that you are there to help by getting their practice section or business unit's relevant information for input to planning strategy.

Explain that the plan is not an information technology plan - but a plan to recover the practice section or business units information technology capabilities.

Reiterate the importance of having a written plan in the event key people with all of the intellectual knowledge are not around.

Explain the Focus

Focus on the time-critical business processes (this is usually about one half of what they do).

Assume a worst-case business interruption (worst time of day/week/month, etc.).

Assume no recovery capability exists. Determine manual ways of getting the work done.

Remain focused on the scope of the Business Continuity Plan.

Explain the Type of Information Needed

Comparative information will be very beneficial.

Questions will be structured so there are no wrong answers.

Do not get sidetracked by insignificant information.

Document the Results

Begin documentation of the results immediately. Also, determine the format that you will use to do the documentation.

continued on page 7

Business Continuity... *continued from page 6*

Develop individual business unit and/or practice section summaries if necessary.

Send early results back to interviewees for confirmation.

Presenting the Results

Draft the report to review internally.

Schedule individual senior-management meetings as necessary.

Prepare a presentation for senior-management to explain the scope, goals, and objectives of the project.

Distribute the report to all involved in the project.

The Final Product of a Business Impact Analysis

Done properly the Business Impact Analysis sets the stage for producing the firm wide contingency plan by identifying the most critical business processes across your entire enterprise, barring subjective prioritization by practice section.

It helps determine the maximum outage that a business process can sustain before it severely impacts the overall operation of the firm.

It identifies the financial, productivity, and personal impacts of an extended business disruption.

It assesses short-term business impacts and potential permanent business losses.

It identifies the most vital records to protect.

It identifies which business processes and assets require the highest level of protection.

It takes into consideration the various methods of recovery strategies and alternatives.

It quantifies the financial investment necessary for the various levels of business protection.

Develop Recovery Stategies For Your Firm

Identify and understand all of your viable options to include:

- Cost of your recovery strategy.
- Identify the advantages of your recovery strategy.
- Identify the disadvantages of your recovery strategy.

It helps to develop business unit/practice section consensus to determine the "best fit" recovery strategy.

Meet with the appropriate personnel in the practice sections and business units to identify viable recovery options. (This process was very successful during most Y2K-planning efforts.)

Consolidate all recovery strategies if applicable.

Identify alternate facilities and off-site storage requirements.

Develop manual procedures in the event there is a delay in becoming electronically enabled.

Develop reciprocal agreements with other firms or business, if there is no conflict of interest.

Identify alternate means of communications such as Internet, cell phones and two-way radios.

Prepare cost/benefit analysis for the agreed upon strategies.

Emergency Response

It is imperative that the safety and well-being of your employees is the highest priority. Ensure updated emergency response procedures from the firm and building management are in place and easily accessible.

Preparing your personnel for emergencies can help diminish the effects of increased absenteeism, poor morale, lowered productivity, high medical and mental health claims, an increase in workmen's compensation cases, and possible litigation.

Make sure all employees understand evacuation procedures. Ensure evacuation routes are clearly marked. Ensure all personnel can be accounted for in the event on an evacuation. Determine a pre-assigned meeting place in the event the building that you occupy has to be evacuated. Have periodic emergency response drills for fire, evacuation, bomb threats and common local emergencies such as tornadoes, earthquakes and hurricanes.

Ensure that methods of communicating are defined (cellular telephones, messengers, radio).

Personnel that are CPR trained and/or have completed Emergency Response training need to be identified. Ensure everyone knows where medical equipment/treatment can be obtained.

Development Of The Plan

Document vital applications and vital data sets.

Form disaster recovery teams. Work with the practice section or business unit supervisors to assign team leaders, alternate team leaders, and team members.

Develop immediate response, notification, and contact procedures.

Develop plan activation procedures.

Develop hardware, software, and telecommunications configuration documentation.

(continued on page 9)

LAW PRACTICE MANAGMENT SECTION OREGON STATE BAR

Executive Committee Meeting Minutes

June 20, 2001

The June 20, 2001 meeting of the Law Practice Management Section Executive Committee was called to order at 2:00 p.m.. The meeting was held at Craig Edwards office in Bend, Oregon.

Present in person: Steve Hutchinson, chair; David O'Brien, Craig Edwards, Carol Wilson, John Cummens

By phone: Margaret Robinson, bar liaison, Evan Boone, Mary Sauer, Darla Pierce, Fern Puls

Corrections to minutes of May 11, 2001: The time of the meeting should be 2 p.m. instead of 3 p.m. On page 2 the reference to the OLMA dinner should indicate November, not October, 2001.

The minutes were approved as corrected.

Treasurer's Report: Section income is $5,280, expenses $1,909. The section should have a year-end surplus.

Legal Tech 2001: Attached to the minutes is a report from John Cummens on the event. There was a $9,344 deficit from the event. The deficit will be assumed by OLMA. The reason for the deficit is that 35 booths were budgeted and only 29 actually were sold.

Newsletter: Attached is the advertising contract and rate sheet to be used with advertisers in the newsletter. Margaret will check with OSB Accounting to see how to best handle the revenue since there is no line item set up as an account for advertising revenue.

The next issue of the newsletter is being formatted by the OSB Design Center and should be to them by July 27th. This issue will have articles on the Legal Tech show, email privacy issues and the minutes from the last two Executive Committee meetings.

Web page: The section's web page contains info on the Executive Committee, calendar, CLE along with information on joining the section.

Managing Partners' Dinner: A proposal was discussed to alternate the Tech Show with the partners' dinner. A one-half day CLE would be held the same day as the dinner, or the morning after the dinner. The costs of the CLE, speakers, facility, materials, would be shared with OLMA. Members of the LPMS Executive Committee would be expected to help with speaker selection.

A bare-bones fall CLE would be held every year. This CLE would be held at the bar center, with a broadcast email utilized for marketing. It would be a half-day in length. An idea for fall 2001 was discussed to dovetail with a law firm that is bringing in a consultant or resource in the area of law practice management. John Cummens will inform the OLMA board of these ideas and will contact members of the LPMS Executive Committee prior to the next meeting.

Lawyering 101 Project: This project requires concentrated effort to initiate and maintain. Law Schools must be willing to develop it and bring in lawyers to assist. Willamette University School of Law has indicated an interest in this project. David O'Brien will follow-up with the law school and the Atkinson School of Management.

ABA Meeting in Salishan: The dates of this meeting are October 25-26, 2001.A motion was made by Carol Wilson to approve a stipend of $150 for four members of the Executive Committee to attend the meeting. The motion was approved.

Service Mark: The bar has renewed the service mark for the section. Unfortunately, the firm renewing the registration used the old name of the section. Margaret will contact the patent law attorney to get this corrected.

Nominating Committee: Evan Boone, Carol Wilson and David O'Brien will serve on the nominating committee. They will report in October.

Next meeting: The next meeting is Friday, October 5, 2 p.m., Eugene, at the office of Steve Hutchinson. The section Annual Meeting is scheduled for Friday, November 9, 2 p.m. OSBC.

Practice Tips for the Quarter

Practice Tip 1

Have you ever been unable to get to your office in a snowstorm or other emergency? How can you contact your clients, opposing counsel or the court to postpone important events? Keep a list of all office and home phone numbers of clients and opposing counsel. Bring home an updated hard copy of the list–or e-mail it to yourself–every few months. In case of an emergency, such as sickness, injury, storm or damage to your office–and it happens way more than we think–you will have a way to contact clients and other attorneys to inform them of the situation. Be sure to keep your client list in a confidential and secure location.

Practice Tip 2

Learn how to meet and greet people and not turn them away by how you introduce yourself. If you immediately say "I'm a labor lawyer," few people will ever think to themselves that they will need your services. At that point you may have lost the opportunity to market yourself for any other purpose. Create a five second introduction to repeat when meeting new people (i.e. potential new clients). It should be natural and informative, such as "I am a problem-solver for small businesses" or "I help families plan for their financial future."

Business Continuity... *continued from page 7*

Develop vendor information including their after-hours and emergency phone numbers.

Develop a damage assessment methodology to ensure there is a plan to replace the most critical systems first.

Develop recovery procedures that are detailed enough that a system or process can be recovered fairly seamlessly, but easy enough that the average layperson can utilize it.

Develop plan distribution and control procedures.

Implement Corportate Awareness Programs And Training

Employee Awareness Training
It has been stated that employee awareness is the single, most effective and, at the same time, least expensive countermeasure that a company can employ. It is imperative that the organization is aware of your Business Continuity program, especially the overall scope of the program.

Formal Business Continuity Planning training needs to be provided for the individual(s) intimate with the development and maintenance of the plan.

Team members must be trained and made comfortable with their roles.

Keep the firm apprized of status of the project.

Remember that any training and associated awareness programs are ongoing.

Test And Exercise Your Plan

One of the worst things that can happen after you have developed and implemented your plan is to let it sit and grow dormant. Even though there are several methods of testing your plan which range from a tabletop walk-through to a full-scale disaster recovery deployment and the associated benefits, I have outlined the following as being extremely crucial:

- Test your plan to verify its feasibility
- Test your plan to verify functionality and usefulness
- Test your plans so that team members can interact in a mock or real disaster situation
- Testing will reveal areas of weakness and vulnerability
- Testing will help redirect your focus
- Document test results
- Analyze test results with appropriate personnel
- Make necessary adjustments to your plan

Maintain And Update Your Plan

Schedule regular plan reviews with applicable section, business unit, and team member personnel.

Make necessary changes as often as required, but at least quarterly.

Make sure you have audit and control procedures in place.

Make sure that recipients acknowledge receipt of all updates.

Summary

Although law firms generally are not mandated to have Business Continuity or Disaster Preparedness/Recovery plans in place, the call to have or not have one is subjective, but paramount. The facts regarding the consequences of not having a plan in place are well documented. In a number of disastrous events, some high profile companies have been financially crippled or put out of business.

It should also be noted that the notion that a business interruption will never happen to “us” is a very sad commentary of the state of business interruption preparedness for many businesses, especially law firms. Please make sure you are prepared!

Atlas Lee *is the Director of Business Continuity for Shook, Hardy & Bacon L.L.P. in Kansas City, Missouri. He is a Certified Business Continuity Planner and holds a Bachelor of Computer Science Degree. He has ten years experience in Business Continuity and fifteen years experience as a manager in Information Technology. Atlas can be reached at alee@shb.com.*
*This article was first published in a white paper on disaster recovery by **LawNet, Inc**. in January 2001, and is reprinted here with permission. For more information about **LawNet,** visit their website at www.peertopeer.org.*

The 10 Best Law Related Web Sites:

compiled by Robert J. Amrogi in the July 23, 2001 issue of Law Technology News

FindLaw
www.findlaw.com

lexisONE
www.lexisone.com

law.com
www.law.com

Legal Information Institute
www.law.cornell.edu

Google.com
www.google.com

FirstGov
www.firstgov.com

Thomas
http://thomas.loc.gov

Securities and Exchange Commission
www.sec.gov

ABAnet
www.abanet.org

Federal Judiciary Homepage
www.uscourts.gov

LAW PRACTICE MANAGMENT SECTION OREGON STATE BAR

Executive Committee Meeting Minutes

October 5, 2001

The October 5, 2001 meeting of the Law Practice Management Section Executive Committee was called to order at 2:00 p.m.. The meeting was held at Stephen Hutchinson's office in Eugene, Oregon.

Members Present: Steve Hutchinson (chair), Mark Oldenburg, Mary Sauer, Fern Puls & John Cummens

By Phone: Carol Wilson, Craig Edwards, Kay Pulju (for Margaret Robinson)

1. Minutes of the June 20, 2001: The minutes were approved as mailed.

2. Treasurer's Report: Since the financial report sent with the meeting notice was produced, the section has received an additional $300 in advertising revenue for the summer newsletter, plus membership fees for one new member. Total annual revenue now exceeds budget projections.

Expenses to date total $2,652, which includes an unanticipated billing from the law firm Kolisch Hartwell for renewal of the section's trademark. The trademark must be renewed every ten years.

The section's fund balance is $3,712. Additional expenses that will be incurred in 2001 include: executive committee conference calls (approx. $100 each meeting), lodging for the ABA Law Practice Management Section's conference at Salishan, and production/distribution of the Fall newsletter. Additional revenue from newsletter advertising is also expected.

The Committee discussed expense and revenue forecasts for the Section's 2002 budget.

Members agreed to increase allocations for travel, seminar sponsorship, newsletter production, and the OLMA Dinner/social events. The draft budget, which projects a net revenue of $2,200 for support of long-range projects, was detailed by Treasurer Craig Edwards and approved by the members present. Craig will forward the budget (copy enclosed) to the Bar's accounting department.

3. Newsletter: Mary Sauer reported on the section's newsletter. The summer newsletter was well received, with special praise for the feature on email/internet policies by Mark Oldenburg. The upcoming edition of the OSB Bulletin will include information on the LPM Section and highlights of its newsletter. The deadline for the Fall newsletter, due out in November, is October 31. Articles now in development include a feature on disaster planning for law firms and a feature on new-associate mentoring.

4. Lawyering 101 Program: The Lawyering 101 project is still in development, although little progress has been made recently. The PLF recently purchased a program package from the ALA entitled Business Skills Curriculum for Law Associates, which covers many of the topics envisioned by the Committee for its project. David O'Brien will talk with Carol about sharing materials. The Committee would like to present programs at Oregon's law schools, using local lawyers to teach students about the business side of private practice.

5. OLMA/LPMS Fall CLE: The co-sponsored OLMA/LPMS Fall CLE will not take place this year because of difficulties with scheduling and speaker arrangements on short deadline. Instead, the partnership will sponsor its first CLE in the fall of 2002.

The Partner Dinner, also co-sponsored with the OLMA, will be held on Feb 28, 2002. The guest speaker at the dinner will be Paula A. Patton, Executive Director of the National Association for Law Placement (NALP). She will talk about how the associate salary wars of two years ago are impacting law firms today, how to retain the best and brightest in today's economy, and what lessons we should take into the future from the last few years.

On March 1, the OLMA will host a luncheon with a panel discussion, and will also hold a membership meeting. The LPM Section agreed to schedule an executive committee meeting on that day as well to encourage participation in these related events.

6. The Nominating Committee: The Nominating Committee has not met. Carol will call Evan Boone to help work out a slate of nominees for the Chair's approval. Section members must receive notice of the nominees and election 14 days in advance of the annual meeting, now set for November 9th. The Committee agreed to notify members of the elections by broadcast e-mail on or before October 24.

7. ABA Meeting in Salishan: Steve Hutchinson encouraged all members to attend the upcoming ABA LPMS meeting at Salishan. The program opens with a free reception at the Lodge from 6:00-8:00 p.m. on October 25, and there are two free seminars on Friday, October 26: The Best of ABA TECHSHOW from 1:00-3:00 p.m., and Seize the Future III from 3:15-5:15 p.m.

8. ABA Tech Show: Carol Wilson announced that the PLF is a partner/sponsor of the ABA Tech Show scheduled for March 14-16, 2002, in Chicago. Section members/PLF affiliates are entitled to a $100 discount on registration for this event.

Inside This Issue

Upcoming CLE Seminars

December 7	Bankruptcy Update
December 10-18	Super CLE Video Week
December 14	Administering the Basic Estate
December 27-28	Last Chance Video Marathon

Upcoming Board Meetings

TBA

LAW PRACTICE MANAGEMENT SECTION OF THE OREGON STATE BAR EMPHASIZES THE ADMINISTRATION AND MANAGERIAL SIDE OF THE PROFESSION OF PRACTICING LAW WITH THE FOLLOWING MISSION:

1. To assist sole practitioners and lawyers in small, medium, and large law firms to develop better law practice and firm management skills.
2. To enable law firms to improve their profitability in a competitive environment.
3. To help lawyers and law firms adapt to technological change.
4. To assist lawyers and law firms to improve their client service and attorney-client relationships.
5. To provide national law office management resources to members of the section.
6. To work closely with the Oregon Legal Management Association, The Professional Liability Fund, the Young Lawyers Section and the emerging Sole Practitioners and Small Firm Section in realizing such goals.

Oregon State Bar
Law Practice Management Section
5200 SW Meadows Road
Lake Oswego, OR 97035

Presorted
Standard
US Postage
PAID
Portland, OR
Permit #341