



Another Look at the Future of the Profession: Using the Tolls of Change

by William Cobb

Despite all the discussions about adapting to the future of the profession, many law firms fail to understand what that means.

Often, firms have initiated programs designed to help them become more responsive to the rapid changes in the legal arena only to fail miserably when it comes time to execute the programs. Why is this happening? Creating sustainable change in the context of a long-standing, legal service culture replete with risk-adverse lawyers who practice as individual guilds within their firms has developed almost insurmountable barriers for leadership. The Seize the Future Conferences have created a starting point for the needed changes, but more must be done. Seize the Future I caused the ABA to look carefully at the MDP trend. Seize the Future II created a sense of crisis in the ABA and caused the formation of a talented Futures Committee charged with: a) recommending how the profession must change, and b) the role of the ABA in that change. Seize the Future III is planned for 2003. It will demonstrate how to use the tools of change within law firms and governmental and counsel law departments. This article outlines the scope and substance of this upcoming conference.

The power of the buyer of legal services is increasing exponentially. This in turn will force legal service providers to undergo the most significant changes since the early 1970s. There are key trends that foretell the coming changes. Clients are finding alternatives to lawyers in solving their problems; these include the Internet and alternative providers such as accounting firms, alternative-dispute-resolution firms, and para-professional organizations. The increasing size of firms, particularly mega-firms, and the number of new lawyers entering the market are taking an increasing market share from traditional law firms. In many cases, these new competitors are better financed and more appropriately structured to provide the seamless services clients demand. As clients become accustomed to being provided complete solutions by other providers, they will demand the same from lawyers.

Not only are all professional service firms being driven to assume more risk and be more responsive, but clients' use of the Internet has democratized the information-gathering process. What the printing press and the Gutenberg Bible did to the monopoly the priests and rabbis had over the interpretation of the Bible, so is the Internet doing to change the monopoly lawyers have held over the interpretation of the law. Lawyers will not be able to sell legal advice at the current fee structure unless they provide the complete solutions that accompany that advice. Some firms have invested in expert systems that can be accessed over the Internet, eliminating the need for lawyers. An excellent example of this program and system is Linklaters' "Blue Flag."

Why are the required changes so difficult to execute?

Recognition must precede change. There is an established process to address these changes, but most members of the legal profession are not even out of the first phase of the change process, where recognition is building for the required changes. The change process progresses through seven phases:

Phase I: Awareness. Lawyers in the firm begin to become aware of an issue that creates the big "why" question. Maybe it's reports of the dissolution of a respected firm or of a competitor accessing large and very profitable deals. Maybe it's the discomfort in the law firm with the fact that a new lease will have to be signed in less than a year. These are discontinuities in the stream of business that should be recognized for what they are - the leading edges of major changes coming toward the law firm.

Phase II: Sense of Urgency. Lawyers develop a sense of urgency, insecurity, or even panic and begin to ask the big "what if" questions. Conversations circulate around the office: "What if we are next? Will I receive the optimum fulfillment of my career goals at this firm? What if we had dif-

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Comments From the Chair

Evan P. Boone

Year's end. A time to look both backward, and forward. As I end my term as Chair, I am pleased that the Section has continued to provide practical law practice management information to its members.

The newsletter has been key to providing this information (with many, many thanks to editors Mary Sauer and David O'Brien). We enhanced our services to the members by including information from the ABA LPMS section into the newsletter. Our arrangement with the ABA LPMS allows us to bring national writers on law practice management issues to our members who may not be ABA LPMS members.



Evan P. Boone

In partnership with OLMA, the Section sponsored a seminar by Carl Peters, a manager and consultant in the professional service industry. He spoke on core issues to law practice management - motivating through compensation, how to measure profitability, and how to implement meaningful change.

The future of the Section is will be supported by our past efforts. Our section is implementing meaningful change — perhaps not quickly enough but nevertheless we are moving ahead — in how we reach our members, and how our members can share information with all members, in a cost-effective, and timely manner. A Listserve has been established to allow quick and cheap announcements of interest to the members. We are working on bringing the newsletter online, which will reduce Section costs by electronic delivery to our members and allow archiving of newsletter articles for later reference.

We will also be expanding our resources through partnership with ABA LPMS.

And, yes, I am working on bringing in “quick and short” CLEs available by telephone or other cost-effective means, to allow focused one-hour presentations/discussions on law practice management issues.

Many thanks to the members, and the executive board members, for their thoughts and help to the Section this past year. I'm looking forward to next year. Under the leadership of John Cummins, the Section will continue its efforts to inform our members on issues YOU want, and need, to know about in managing YOUR law practice.

Evan Boone
2002 LPMS Chair

Getting to Know Your Clients: Making the Client Intake Form

by Heather Jefferson

A lawyer's job description today involves more than just reviewing contracts, negotiating deals, or writing briefs. A client expects his or her lawyer to understand her business, litigation objective, or estate-planning scheme. Getting to know your clients takes time, and the communication of a few key facts can be helpful in the process. Why and how do you capture information in this "getting-to-know-you" process?

Upon opening a new file and accepting a new client or matter, most firms have some type of client intake form. This form should accompany a copy of the signed engagement letter that details the scope of the legal work. The form seeks pertinent information about the client, including address and contact information, names of any related or adverse parties, etc. Originally, firms collected this information for internal purposes like conflicts checks, accounting records, and file clerk direction. But the forms afford firms an opportunity to collect useful information. These forms should ask four necessary questions to help you get to know your clients.

1. Type of legal services requested?

Most forms include a description of the type of work to be performed for the client. It could be drafting a will, incorporating a business, defending an insurance company in a personal injury case, or general tax representation. This is helpful information. Upon review, a lawyer might discover that he or she is involved with more real estate transactions each year or an increasing number of financing transactions each quarter. When the CLE notice comes across the desk for a seminar in this area, there will be no hesitation about allocating the funds to attend. Over time, the lawyer may discover that he or she is developing a particular practice niche.

2. Who referred you to our firm?

The best answer, of course, is that a current or former client gave your name as a referral. Oftentimes, a referral can come from another attorney, an accountant, a business associate, or other professional. Over a period of time a pattern will emerge as to who sends you referrals repeatedly. If it is a current or former client, then you know whom to give extra recognition during the holidays or a round of golf on a beautiful day. When the membership dues statement comes in for a particular professional association, you will have no reservation about continuing your membership if the referrals from that sector are strong.

3. What is the client's industry?

For some firms, many clients may be individuals. Are these individuals mostly police officers, politicians, union workers, health care professionals, entrepreneurs? Some firms have an institutional client base. Are these clients in the financial services industry, banks, technology companies, utility companies, or small family-owned businesses? Again, patterns will emerge about the type of industries or workforce segments you are servicing. Soon, you may find yourself reading specialty publications that familiarize you with a client's industry. If you represent small business owners, politicians, or state and local government, your daily newspaper may assist you in keeping up with your clients' businesses.

4. Where is the client located?

This information is easy to collect because firms need client address information. It is, however, an important piece of information. For example, if your firm serves as local Delaware counsel for a number of out-of-state firms, you may want to consider attending a trade industry conference that is being held in a city where a majority of the firms are located. By combining client visits with a substantive conference, you can effectively stay in touch. If a firm serves a local client base, any requests for community service, local sponsorships, or to join local networking groups will be easy to accept or decline. For example, if an attorney is asked to serve on a local nonprofit board, he or she will be able to determine if that activity will be useful in terms of practice development.

All of the above information can be part of any client intake process and will serve you in getting to know your clients. Forms can be created, adapted, and adjusted to reflect the information as needed. It is important for lawyers to convey this information accurately to the paralegal or secretary who may be completing this form. Often, the person working with the form will not have all the answers and will not know to follow up with the originating lawyer. As expected with everything lawyers do, this information is protected under privilege and ethical rules and should be kept confidential.

Intake information will help you better understand your clients. Moreover, it is important to understand how your client base is developing and how funds for practice development should be spent. j

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ferent leadership in this firm - people who take action and truly lead?"

Phase III: Exploration. Members of the firm begin to explore choices for dealing with the issue and begin to focus on the "what" questions. Members of the firm attend conferences to see what other firms have done with the issues only to find that smoke is being blown at them. Or, they copy another firm's solutions without understanding the context in which those other firms solved the problem. Or, they call in a consultant who proposes a variety of theories and solutions. But, the firm does not have the leadership or the collaboration to execute.

Phase IV: Resistance and Wishful Thinking. Resistance from the partners and clients to facing costs and trade-offs kicks in, producing wishful thinking. Lawyers begin to see the implications of the change on their perceived power base and ask the "what's in it for me" questions. Maybe they see long-term investments needed that will lower their short-term income. Or, they reason, if we do nothing, the problem will solve itself or go away. After all, we are good and have been very successful so far.

Phase V: Consideration of Pros and Cons. Lawyers begin to weigh the pros and cons of alternatives. They face the "we have no choice, now how" questions. They now know what they must do and how they must get there. Reality begins to take hold as the consequences of apathy and the realism of avoidance of the changes becomes obvious.

Phase VI: Take an Intellectual Stand. A consensus of lawyers take a stand intellectually. Individual leaders face the "what is our action plan, who will be accountable, and how will we measure progress" questions. For example, a core group of leaders who are willing to take the risk and have some control over their own clients and future take a stand that they will make the personal investments of time and take the risk to establish a new precedent for the rest of the partners to follow. These leaders have a vision but understand the cold reality of the decisions that must be made.

Phase VII: Action. A few leading and risk-taking lawyers begin to make responsible judgment calls on the allocation of their own resources - morally and emotionally. They address the "take the lead questions with a strong sense of vision, a guiding set of values, and an understanding of barriers to change." For example, the leaders make difficult decisions about where the resources of the firm will be invested (clients and services) and which partners must be on board. They start making decisions, taking action, and measuring progress knowing full well there will be strong resistance coming from many who want to remain in their "comfort zone" and continue the status quo.

Change is a very tough, anxiety producing reality, and in short, "messy." The best practitioners of change in the profession have learned some key lessons for how to create and sustain change. First, no organization composed of independent guilds practicing under the umbrella of an organization can change. There must be a common vision and a set of

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"As the Economic Twig is Bent. . ."

by John A. Cummins, CLM

The "eat what you kill" approach to partner/shareholder compensation works against efforts to build a stable, sustainable law firm, according to Carl Peters. Peters, of LawManage and a nationally recognized consultant to law firms across the Country, addressed 45 lawyers and legal administrators at the OSB-LPMS/OLMA sponsored the Fall Law Practice Management Seminar on October 18, 2002 in Portland.

He explained the dynamics of motivating partners/shareholders and associates through a well designed compensation system, as well as how to measure profitability in ways to ensure the longevity and sustainability of your firm. Backing up his arguments with economic and survey data on law firm economic performance, Peters' message was that not only have times changed in our society as a whole, but the values of attorneys, what motivates attorneys, and the basics of law firm economics have fundamentally changed.

There are so many more demands on an attorney's time, especially if he or she is a partner/shareholder, which are required if the firm is to survive and thrive. In addition to the income producing stream of billable hours worked, billed and collected (including cost controls and collections), there are hours spent on marketing and branding, technology (both acquiring and utilizing), building and managing the internal staff and attorneys (including dealing with issues of morale and individual sense of worth), and in public service. Peters listed over 30 "pressure points" requiring attention of the attorneys managing of the firm, and this list was far from complete. Where in this mix is there time for a life?

At the same time there are intense pressures on the economics of running the law firm business and remaining competitive. Peters noted that there are basically three tactics on which the management of a firm can focus in order to ensure the profitability and longevity of the firm. The first tactic is to focus on making operational adjustments, that is, by focusing on workflow and the efficient running of the production line. This is the easiest to focus on, according to Peters, but it has the least value to the firm over the long-term. The second tactic is that of value upgrades, which include those strategies to enhance the perceived value to the client. The third tactic, which has the greatest value over the long-term, but is the most difficult to accomplish, is for the firm to establish a strategic position.

A great deal of ink has been spilled on analyzing the first area, the operational adjustments (how to run the production of work efficiently and effectively and get the "biggest bang for the buck" out of operations), so let's move on to the second of Peter's areas to focus on, that of value upgrades.

Clients today are more sophisticated and demanding, also expecting attorneys to understand their business. Being a good legal technician is assumed, and the added value that an attorney brings to the table is the value he or she adds to the client's business. The actual value to a client includes the work producers and the tools they utilize, their work product and the services included, and the efficient and effective management of the project. These, however, are the least effective areas on which a firm can focus to increase profitability, although they cannot be ignored. It is through emphasis on the perceived values, according to Peters, which allow lawyers to increase profitability through "value upgrades." These include the value and impact of image, the value of the results obtained, and tangible materials provided to the client.

In terms of determining an optimum long-term position for the firm (the third tactic), Peters outlined three basic competitive strategies for achieving profitability through a strategic position. First, a firm can focus on the low cost option, in which rates are kept low and the firm provides repetitive products to clients. This approach must be coupled with tight management and effective delegation in order to be successful. The second option is to achieve product differentiation in which the product is perceived as being unique. It creates brand loyalty, reduces price sensitivity, and generates the perception of exclusivity. The third option for law firms to achieve profitability is one of market focus. In this approach the firm concentrates resources on serving a narrow market more effectively than competitors who try to reach a broader market. This is achieved through focusing on the areas of practice, the geographic market, the industry segment, and/or the client group.

In conclusion, Carl Peter's message seems to be: We are under tremendous pressures to get attorney compensation up, in a market with pressures to keep costs to clients down. As such, focusing on rearranging the paperclips will not work, so we need to focus on identifying and establishing our firm in the optimum market niche and strategy and in branding the firm for greatest leverage with clients.

The seminar closed with a panel that discussed strategies for implementing such strategies in our firms. The panel was comprised of M. Lynn Spruill, executive director of Stoel Rives LLP, Thomas W. Brown, managing partner of Cosgrave Vergeer & Kester LLP, and Stephen A. Hutchinson, senior partner of Hutchinson, Cox, Coons, DePriest, Orr & Sherlock, P.C.

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core values that the leaders in an organization can agree to and collaborate on to achieve. The organization must operate as a unit with everyone accountable to the unit and their colleagues.

Second, leaders must be willing and able to make some very tough decisions about how the organization will allocate critical resources to clients and to services provided. They must learn to segment their clients and their services into categories and make decisions about what will be done with clients and services in each category to insure the success of the entity. The organization must define the solutions required by core clients and build them. As an example, look at Allen & Overy's "newchange.com." Do not allow the mentality of "my client hasn't asked for that yet" to impede the creativity that the change process requires.

Third, the leadership must recognize that the changes they make may be internally disruptive at first and will not be recognized or appreciated externally for a long time - there is no quick fix. Accordingly, these leaders must deal with a huge number of internal issues that can only be satisfactorily addressed by reducing very complex issues to a simple vision statement that falls within the context of the organization's core values yet recognizes the cold reality of what must change. Finally, the leaders must be able to identify who should be on the bus as it drives into the future and what seats must be occupied with specific talents and skills.

How would a Seize the Future Conference help the leader?

The mission of the Seize the Future III. The Seize the Future III conference will bring together all those lawyers and members who support the profession in a forum to understand how the tools of change can be effectively applied to lead the profession to a renewed relevance with its consumers and the public. The conference will enable the leaders in the profession to recognize, evaluate, and execute the changes necessary to make the legal profession the strongest player in providing legal and legal-related services.

Day One of Seize the Future III. Although the very first part of the day will be devoted to identifying the changes the profession must address and the implications of those changes on the way the profession defines its core competencies and delivers legal services, most of the day will focus on the identification of the unique advantages the profession has to differentiate itself from other providers. In addition, much of the day will allow the participants to work with peers to formulate the actions they as leaders must take to move their firms, in-house counsel departments, governmental law agencies, and bar associations through Phases I through VI.

Day Two of Seize the Future III. What does agility mean for the leader? The conference will demonstrate various tools for change such as how to define and assess future states for the entity. Day two will address how leaders can use the "what if" questions to build a sense of urgency,

explore the options, demonstrate the reality, minimize wishful thinking, and successfully move the organization to a commitment to change and action.

The second part of the day will identify and clarify the behaviors, actions, business processes, and other tools successful change agents have used to create sustainable change in their organizations. By the end of the day, participants will understand the triggers that help people recognize the need for change and the tipping points that will help them initiate and sustain the process. What is a tipping point? One law firm interviewed the key people at a large construction company to find out how they planned, managed, and measured progress on large, complex projects. This was done with an open mind and commitment to bring some of the ideas into the firm. It also impressed the client that the firm wanted to become more effective and efficient. Pulling from the best brains in the business world, the forum will hear how to use thinking, technology, leadership, and marketing skills to enable them to become the leaders of change. Stay tuned for more information on Seize the Future III in subsequent editions of Law Practice Quarterly.

For additional information, you may contact any one of the members of the Seize the Future III Task Force including:

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Practice Tip #1

When was the last time you stopped the world long enough to really take a thorough (and honest!) look at the "state" of your office? Among all the tips we may hear about how to succeed in today's legal environment, self-evaluation is perhaps one of the most essential. If we spend our days struggling to keep our heads above water and fail to make the time to take a hard look in the mirror, how can we know what technology is best for our offices? How can we know if we have satisfied or disgruntled clients? How do we know if we're at a high risk for malpractice due to correctable inefficiencies and oversights right under our noses?

At least once a year it's a good idea to block off sufficient time to evaluate our systems, equipment, work performance (of attorneys and staff), our client relations, office morale and our physical facilities and furnishings. This listing is by no means intended as all inclusive, but it is a good starting point. Here are some other quick and easy self audit questions you can ask at any time without advance planning or calendaring:

* If attitudes are contagious, is mine worth catching? If not, what can you do to change your attitude?

* If I had to exchange places with my staff, would I like working for someone like me? If not, how can you improve your supervisory skills (e.g. a dose of thoughtfulness, by giving clearer instructions, by organizing and prioritizing your time better, etc.)

* Do all of your staff members practice professional and courteous phone etiquette? If not, are you proud of the impression about the firm they are giving to clients and others?

* Are you doing your part to hone your technology skills in order to fully benefit from the power of your firm's software programs? If not, could you take at least one hour a week to focus on improving your skills and learning more about the software packages used in your practice?

* Have you asked for your clients input regarding their satisfaction with services and treatment received so far? If not and you have some disgruntled troops out there, are you ready to explain the situation to the State Bar when a grievance is filed against you?

To assist you in conducting a self-evaluation of your practice or law firm, look for the ABA Law Practice Management Section's publication entitled "Easy Self Audits for the Busy Law Office." The new release offers over 30 different self audits and other tools on a wide range of office-related topics along with a simplified strategic planning method.

*This quarter's practice tip is from **Nancy Byerly Jones**, former chair of the PMA Committee and author of *Easy Self Audits for the Busy Law Office*. All rights reserved.*

LAW PRACTICE MANAGEMENT SECTION OREGON STATE BAR

Executive Committee Meeting

July 19, 2002

The July 19, 2002 meeting of the Executive Committee of the Law Practice Management Section of the Oregon State Bar was called to order by Chair Evan Boone at 2:32 p.m. at the offices of Harrang Long Gary Rudnick, 333 High Street, NE, Suite 200, Salem, Oregon.

Present:

In person: Evan Boone, Chair;
Candace Haines, Secretary

By telephone: Leslie Mackenzie (until 3:00); Fern Puls; Margaret Robinson, Bar Liaison; Mary Sauer; Carol Wilson, PLF Liaison. John Cummins, Chair Elect, arrived at 3:04.

Absent:

Warner Allen; Donna Brophy; Craig Edwards; Craig Emerson; Steve Hutchinson; David Hytowitz; David O'Brien; Mark Oldenburg; Darla Pierce; John Wolf;

1. Welcome and Introduction of Members:

As the only two people present in person have known each other for over thirty years, and as they had had lunch together before the meeting, and as they arrived at the meeting half an hour early, neither felt any need to introduce him or herself to the other. We apologize for any oversight of those members who were on the telephone and hope that none felt any lack of good manners.

2. Minutes:

The minutes were approved as written.

3. Treasurer's Report:

Fund balance: \$7,883. Last month's fund balance: \$7,867.

4. Newsletter:

Current issue: The summer issue was sent to the Bar the morning of July 19 and was due back the next week. The Bar will take care of all the preparation, so the Section will know the full cost. Darla, Carol, and Mary will meet to discuss advertising because it has not yet been as successful as they want it to be. The articles will be: Carl Peters' article, with a half page advertisement about meeting with him, and an article about retention by Greg Lee.

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There will be no ABA articles this issue.

Future issue: Mary stated that she was starting to work on the fall issue but she had no dates yet.

ABA LPM newsletter articles: Evan asked Mary to use an ABA article in the next edition to reaffirm the relationship between us before the ABA changed the rules on use.

Vendor advertisements: Carol stated that she had no vendor report. Evan stated that if we are having trouble getting advertisements to support the newsletter, this supports going to an all electronic version. He stated we would want to password protect it. Carol stated that passwords are not yet available but might be by this winter. Evan stated that we would continue with print newsletters for the rest of this year, then revisit the issue. He stated that, with electronic publications, it is possible to edit up to the last minute.

5. Joint projects with OLMA:

History of projects: John stated that he had e-mailed out this morning a rundown of the history of this issue, including what kinds of projects have been undertaken and suggestions on how to continue the collaborative relationship between OLMA and LPMS. Carol suggested that Evan forward this e-mail to the membership.

6. CLEs:

September teleconference: The topic of the September teleconference is "How to get a small firm noticed in a medium sized city." Evan stated he does not want to schedule this over another substantive CLE or over the OLMA September teleconference. He stated that the speaker has good references. Margaret had a list of upcoming CLEs. Carl Peters will be here October 18. Carol MOVED that we move the September teleconference to November 1. Evan SECONDED. Motion PASSED unanimously.

OLMA joint sponsorship/Carl Peters: The Carl Peters conference has been changed to October 18. The location is still undecided—it will be either downtown Portland or at the Bar. Evan stated that John had asked him to urge the Committee to make a determination. The conference is scheduled to start with lunch followed by a half day conference. There will be an OLMA meeting in the morning. It was proposed that the conference stay at the Benson after the OLMA meeting. This would also be easier for Carl Peters as he is going to be downtown. The concern is obtaining a room that is big enough. Evan reported that John had told Evan he needed to commit to Mr. Peters for this date and Evan had approved the commitment. The suggestion was made that perhaps Linn Sproul could present a lunch time talk on "How to sell change to your firm." It was agreed that the downtown location worked well. Evan MOVED that the executive committee can firm up the plans with Carl Peters upon approval of the Chair, the Chair Elect, and Fern. Mary SECONDED. The motion passed UNANIMOUSLY. E-mail announcements will be sent out.

Legal Technology Show 2003: John reported on the Legal Tech show, which will probably be sometime in May, 2003. John reported that the Legal Tech is traditionally the OLMA president's responsibility. John is starting to put together a planning committee. He will need LPMS members to be on the committee. The committee will identify hot topics and approve the budget. Several committees will be formed under this main committee with various tasks. He will be using Mary's material from last year—he stated he could e-mail this out to the executive committee. In the past, the show has focused on two tracks: managing people and information technology. He needs to review those tracks. If John can not pull the above together and get good sponsorships, he will not go forward with the show. He needs good vendor support. He will decide whether to proceed or not within two months. If he decides to move forward, he will bring a preliminary budget to the September meeting.

7. Web page/List serve:

List serve: Evan had not yet launched the list serve. He sent out a questionnaire. Someone used it for a job announcement. Evan received complaints about it being used in this manner so he wanted to establish guidelines. He wanted to distribute a draft, similar to that which the Solo and Small Practice Section has, for review. Leslie MOVED to adopt guidelines after review by the members. Carol SECONDED. The motion passed UNANIMOUSLY. It was agreed that no one wanted advertising or political commentary on the list serve.

8. New Business:

There was no new business brought before the committee.

9. Next Meeting:

The next meeting date was changed to September 27, 2002. It will be at the Oregon State Bar headquarters in Lake Oswego. The meeting will begin at 2:00. As Candace thought she would not be available, Margaret kindly offered to take the minutes. (Candace's other meeting was cancelled, so she will be available for secretarial duties.

The meeting was adjourned at 3:17 p.m.

Respectfully submitted,
Candace A. Haines
Secretary

September 27, 2002

The September 27, 2002 meeting of the Executive Committee of the Law Practice Management Section of the Oregon State Bar was called to order by Chair Evan Boone at 2:05 p.m. at the offices of the Oregon State Bar, 5200 SW Meadows Road, Lake Oswego, Oregon.

Present:

In person: Evan Boone, Chair; John Cummins, Chair Elect; Candace Haines, Secretary; Leslie Mackenzie; Margaret Robinson, Bar Liaison

By telephone: Dawna Brophy; Steve Hutchinson, Past Chair; David O'Brien

Absent:

Warner Allen; Craig Edwards, Treasurer; Craig Emerson; David Hytowitz; Mark Oldenburg; Darla Pierce; Fern Puls; Mary Sauer; Carol Wilson; John Wolf

Call to Order

Chair Evan Boone called the meeting to order at 2:05 p.m.

Minutes:

The minutes were approved as written and as distributed by the Chair.

Treasurer's Report:

In the absence of a report from Treasurer Craig Edwards, Evan stated that the Section had not spent much since the last meeting, so the balances were probably about the same.

Newsletter:

Fall issue: David O'Brien made the report. He stated that the issue was being worked on currently. He stated that if ABA articles were used, attribution would be required. There will be an article on law firms, implementing change, and how to make firms more competitive. It might be necessary to run this article in two parts. There will also be one shorter article on client intake forms. The deadline is September 30. Editing will take two weeks. This edition will be sent out at the end of October.

Advertising: Darla Pierce stated that she has not been able to find more advertisers. She hopes that, now they are aware of the availability, advertisers will consider the newsletter in planning their budgets for next year. There was discussion that if the newsletter were to be put on line, there would be no need for advertisers. Steve Hutchinson stated that, if advertisements were used on line, the cost for each ad should be increased due to increased exposure. There was discussion that, when Ikon was publishing the newsletter, they were the major advertiser. Now, American Legal is publishing. David stated he did not know what, if any, level of advertising they were purchasing. Advertisements are sold

on an annual basis. The cost of publication still exceeds what the advertisements bring in, but the publication costs have gone down since the newsletter is now only being sent to members. Evan reminds the members that the newsletter can not be put on line until at least next spring, when we will have password capacity. Even then, it won't be possible to have the newsletter fully on line until the end of next year, so we should continue as is for the time being. Evan asked for a version of the newsletter for the website. Margaret Robinson stated that she can get the previous newsletters that the Bar published. David stated that the Bar has been great to work with on publishing this time.

Joint projects with OLMA:

Dawna Brophy discussed the resource directory. She stated that she was getting ready to mail a survey questionnaire in preparation for assembling the directory. The directory is a listing of resources necessary to manage a law firm. OLMA has published this directory for a long time. They are aiming for as many participants on the survey as possible so they can track trends. They will include membership applications for both OLMA and LPMS in with the survey. OLMA does not make a profit on the directory, but they do break even. The survey is costing \$1700, which will be covered by ads Dawna is getting. There was discussion that, to the extent that the advertisements do not cover the postage to LPMS members, the Section should cover. The production of the directory is donated. Evan MOVES to co-sponsor any uncovered expenses of the directory with OLMA. He states that this might end up being just the cost of the postage. There was discussion that if a buyer participated in the survey, the directory would be free, but otherwise, it would cost \$10. Leslie SECONDS. Motion PASSES unanimously, with Mary Sauer's proxy vote counted. Margaret stated that she was doing labels for firms with three or more attorneys plus LPMS members who are not covered. She will send these to Brenna Green.

CLEs:

November 1 teleconference: The conference will begin at 9:00. Evan is working with the speaker, whose biography is attached to the agenda. The cost will be \$500 for the hour.

Carl Peters: John states that the registration is good so far, with both OLMA and LPMS members registering. The goal is fifty registrants. He will be doing one flier plus one reminder e-mail to OLMA members and one to LPMS members. So far, he stated, everyone who is registering is signing up for the whole conference. The panel is set up. The conference will be at the Benson. Steve is on the panel, to provide an emphasis on down-valley. Peters has an emphasis on large firms.

Legal Technology Show 2003: John states that, out of both an OLMA past presidents' meeting and an OLMA board meeting, there was a strong sentiment for expanding the tech show. There has not been much up to this point directed toward addressing technology needs of small and medium firms. The whole technology environment has been changing, though it is not changing as fast now. People have more experience. These factors prompted the OLMA agree-

continued on page 10

ment that the focus should be expanded to include both technology and human resources tracks. John states that this expansion should attract a wider range of participants and a wider group of vendors. It would also be possible to do cross-overs. John asks for input from LPMS about what would be of interest. The show will be at the end of May, 2003. The entire project is being headed by John, the OLMA chair elect, and Evan. There are three to five committees handling different aspects of putting the conference together. The location committee is looking at a range of options—not just the convention center. Leslie asks if this is price driven. John states, partly, plus it might be possible to find a better deal with all the new hotels in town. There are 4-5 other locations being looked at. David states he likes that idea. Evan states that, as firms are no longer so far behind in terms of equipment, it is necessary to look once again at how to manage people. John would like LPMS members to participate on the committees, especially the education committee which comes up with speakers. Leslie asks if the committee is looking for local speakers. John states they are. He states he and Dawna are working on the budget. They might have the money to provide travel for speakers from outside. Panels and the like are usually local, but key note speakers might come from other parts of the country. He states he wants to cast the net wide. David asks if some vendors might lose interest if the focus is changed. Dawna states this will not happen because the legal tech part will still be included. She also states that most companies have more than technology to deliver. Dawna states that the two tracks would run simultaneously. The issue now is what to call the revised show. Steve suggests that, since there are other groups doing technology, perhaps we should change the name to describe what it is we would be covering. Dawna says we could cover hot topics. John says we need to change the name to redefine the show. Steve says yes, to broaden the base and increase the draw. Evan states he would be willing to serve on the education committee to help decide on speakers and topics, but he does not want to manage anyone. He also suggests putting the word out on the list serve for suggestions. John states we need to start now. Leslie offers a suggestion for a topic—testing to screen people for positions: how to use it, how effective it is, how it correlates with performance. Steve offers to help with suggestions on speakers and topics, also.

Phone CLEs: The Solo and Small Practice Section says they are interested in co-sponsoring phone CLEs with LPMS.

Nominating Committee:

Evan suggests that, as this will be John's executive committee, he should appoint the nominating committee. John appoints Evan, John, and Carol. Steve MOVES to approve, Leslie SECONDS. Motion PASSES unanimously. The deadline is 14 days in advance of the annual meeting (November 15). Candace states that she will not be able to serve after the end of this year.

List Serve Rules:

Margaret states that the list of rules attached to the agenda are those used by the Solo and Small Practice Section for their list serve. She states that this list serve is very active and these rules have served them well. John notes there is nothing on anti-trust. He states this is something the ALA watches carefully. Evan states that the list only goes out once to each member of the list serve, when they sign on, so he would like to use the list as is. Dawna suggests a statement that members shall abide by state and federal laws. John agrees, and suggests examples be added. Evan MOVES that John, Candace, and Evan will work on the rules based on what they have heard and will then post them. Candace SECONDS. Motion PASSES unanimously.

Good of the Order:

There was no new business brought before the committee.

Next Meeting:

The next meeting will be at 2:00 p.m., November 15, at the Oregon State Bar offices, 5200 SE Meadows Road, Lake Oswego, Oregon.

The meeting was adjourned at 3:00 p.m.

Respectfully submitted,
Candace A. Haines
Secretary

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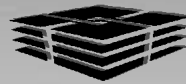
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LAW PRACTICE MANAGEMENT SECTION OF THE OREGON STATE BAR EMPHASIZES THE ADMINISTRATION AND MANAGERIAL SIDE OF THE PROFESSION OF PRACTICING LAW WITH THE FOLLOWING MISSION:

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 Legal Management Association (OLMA) is a volunteer organization working to provide educational opportunities to managerial/administrative personnel in law firms. The Oregon State Bar and OLMA have worked together for many years in the presentation of CLE programs and the promotion of management awareness in attorneys. OLMA serves approximately 110 members across the state.

Association of Legal Administrators (ALA) is an international organization of which OLMA is a chapter. Like OLMA, ALA provides educational opportunities for both attorneys and legal administrative/managerial staff including conferences, educational materials and publications. ALA services approximately 9400 members internationally.

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March 14, 2003 TBA

May 9, 2003 TBA

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