

September 2012
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September 11, 2012

2012 ALAMN Compensation Survey

Our wonderful, HOT summer is winding down and we are beginning to experience the first feelings of fall temperatures. Other signs that summer is over include the start of the Minnesota State Fair, annual school supply shopping, Labor Day and receipt of the eagerly awaited ALAMN Compensation Survey.



We are pleased to present the results of the 2012 ALAMN Compensation Annual Survey compiled by Trusight Inc. ALAMN has been conducting this important compensation survey for over 25 years. A big thank you to the Compensation Committee which includes Co-Chairs Karen Davis and Tammy Warren and members Ellen Drasin, Jodi Schmidt, Gloria Oanes and Stephanie Scheu.

At our September 11th meeting, members of the Survey Committee will provide an executive summary of the compensation data. Highlights will include several new positions and key trends.

Please note: This year's meeting will be held at the Leonard, Street and Deinard Conference Center, Fifth Street Towers, 150 South 5th Street, 16th Floor, Minneapolis.

Time: 11:30 a.m. to 1:00 p.m.

Cost: \$25 Members; \$35 Nonmembers
Register at www.ala-mn.org before Friday, September 7. (Checks payable to ALAMN – pay at registration table or register at www.ala-mn.org and pay by credit card.) No shows will be billed.

Menu: Catered by Cossetta's
Salad, Bread
Pasta (meat sauce, and vegetarian)
Beverages
Dessert

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

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EVENTS

Calendar of Events

September

- 4 Human Resources will meet at 11:30 at Bowman and Brooke
- 5 Large Firm Group will meet at Noon at Robins, Kaplan, Miller & Ciresi
- 6 Systems and Technology will meet at Noon at Briggs and Morgan
- 11 General Meeting "2012 Compensation Survey Results" will be held at Leonard, Street and Deinard (NEW location)
- 13-15 ALA Region 3 Conference
- 18 Corporate and Government will meet at Noon at the Perkins in Minneapolis off Interstate 94 and Riverside Avenue
- 18 Facilities Management will meet at Noon at Robins, Kaplan, Miller & Ciresi
- 19 Financial Management will meet at Noon at Oppenheimer
- 19 ALA Webinar - Of Foxes, Hedgehogs and Law Firm Profitability
- 20 Small/Medium Firm Group will meet at 11:30 at the Town and Country Club - "Top Web Applications Every Firm Should Know About"
- 26 Community Service Group will meet at 11:30 at Merchant & Gould
- 27 Simpson Shelter Dinner

October

- 3 Large Firm Group will meet at Noon at Oppenheimer
- 4 Systems and Technology will meet at Noon at Lindquist & Vennum
- 16 Facilities Management will meet at Noon at Oppenheimer
- 18 Small/Medium Firm Group will meet at 11:30 at the Town and Country Club - "Effective Attorney and Staff Performance Appraisals"

A WORD

From the President of ALAMN

By Michele Sauder



Sweet Martha's Cookies and a Giant Turkey Leg

The days are getting shorter and the nights cooler. Leaves are starting to change color. Kids are returning to school.

Summer is winding down but the fun is not over. There is plenty to see and do in Minnesota in the fall. Attend the Great Minnesota Get-Together, step into the realm of the Minnesota Renaissance Festival, go to a football game (Go Vikes!), pick apples at a local orchard, attend a theatre production, or visit a museum.

There are also several exciting ALA and ALAMN events occurring this fall that you should note:

- **ALAMN's September General Meeting** will be held at Leonard Street & Dienard. Please note this is a location change. The September meeting will recap the Annual Salary Survey. A HUGE thank you to the Salary & Benefits Committee for the long hours and hard work putting together a first-class survey for our chapter.
- **NEW ALAMN Educational Pass.** ALAMN will be offering a \$175 pass which will cover registration for the September, January and March monthly meetings, October ½ day seminar and November leadership event. Watch the NEWS email, Verdict and website for more information.
- **ALAMN's Bylaws** are being updated to coincide with changes made in ALA's bylaws. Members will be asked to vote on the changes via email. Watch your Inbox in the coming weeks for an email from Immediate Past President Chong Lee.
- Congratulations to four ALAMN members who will be honored by Minnesota Lawyer as **Unsung Legal Heroes** at a luncheon on September 12.
 - o Sue Cyronek, Messerli & Kramer
 - o Vicki Nagel, Best & Flanagan
 - o Jill LaMere, Lindquist and Vennum
 - o Holly Bilderback, Faegre Baker Daniels
- Several **community service events** are coming

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A WORD

From the President of ALAMN (cont'd)

up and you are invited to participate:

- o "Knock Your Socks Off" (new sock drive) in conjunction with the Region 3 Conference
- o Simpson Shelter Meal on September 27
- o "Cook for Kids" at 3 Ronald McDonald House locations on October 14
- ALAMN hosts the **ALA Webinar Series** at Leonard Street. Attendance is free. Information is available on the ALAMN website events calendar or by contacting Education Director Deb Cramer for more information.
- Several ALA educational opportunities are scheduled in September. It's not too late to register.
 - o **Region 3 Conference and Expo** will be held in Minneapolis September 13-15
 - o **Intellectual Property Retreat** will be held September 20-21 in Chicago
 - o **Large Firm Principal Administrators Retreat** will be held in Miami September 20-22
- The **CLM Exam** can now be taken at one of more than 200 convenient testing centers across the country. Online testing will begin with the fall CLM exam date of October 26, 2012. More information can be found on the ALA website at: <http://www.alanet.org/clm/>
- Several valuable resources can be found on the ALA Website:
 - o **Career Center** contains a variety of articles & resources to help Legal Administrators de-

velop your skills and enhance your career.

<http://www.alanet.org/careers/>

- o Find specific products and services your firm needs in the **Legal MarketPlace**. <http://www.alanet.org/bpinfo/>
- o Through the **Value in Partnership Program** ALA offers its line of member benefits, providing an array of resources and services from nationally known companies. ALA members, their employers and their families have the opportunity to enjoy the savings of special benefits these programs provide.

We may cross paths at the Renaissance. If not, I look forward to seeing you at one of the great ALA or ALAMN activities this fall.

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REPORT

Corporate and Government Group

By Sue Johannsen & Wendy Bartlett, Co-Chairs

The Corporate & Government Special Interest Group will meet at Noon on Tuesday, September 18, 2012.

Meetings are always informal, and the topics for discussion are chosen by those in attendance. Please feel free to join us any time.

The Corporate & Government Special Interest Group is co-chaired by Sue Johannsen and Wendy Bartlett. If you'd like more information and/or want to be included on the email list, please call either Sue at 763.494.2150 or Wendy at 612.726.8192.

Financial Management Group

By David Astramecki & Shelbie O'Brien, Co-Chairs

The Financial Management Special Interest Group met on Wednesday, August 15th, at the office of Leonard, Street and Deinard. Our host was Wayne Schertler.

The group reviewed the Finance and IT Staffing Survey that was put together by Wayne Schertler. Thank you to everybody that answered his survey and to Wayne for putting this together. The rest of the meeting was an open forum. Topics of discussion were on reasons to change accounting systems, which firms are changing systems, sales tax audits, other state's income tax letters, electronic pay stubs, payroll systems, unclaimed property and health insurance.

The next meeting will be hosted by Bob Jackson at Oppenheimer, Wolff and Donnelly LLP on Wednesday, September 19, 2012 at Noon.

If you would like to be included in the mailing list, please contact David Astramecki at dastramecki@meagher.com.

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REPORT

Human Resources Section

By Abby Hollander & Carlie Diaz, Co-Chairs

The Human Resources Committee met on Tuesday, August 7th at the offices of Moss and Barnett. The meeting was hosted by Julie Donaldson.

Our guest was Ali Payne, Area Vice President, Gallagher Benefit Services, Inc. Ali presented a session entitled Think Beyond Traditional Wellness: Look to an Integrated Culture of Wellbeing! In this session, we examined how to develop an organizational culture that promotes total health on multiple levels, including: financial fitness and retirement readiness; communi-

cation and employee engagement; and the five elements of wellbeing.

Our next meeting will be held at 11:30 on Tuesday, September 4th at Bowman and Brooke.

If you would like to be included on the email lists, please contact Abby Hollander at abby.hollander@gpmlaw.com or Carlie Diaz at carlie.diaz@bowmanandbrooke.com. We'd also love to hear your ideas for future topics/speakers.



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REPORT

Small/Medium Firm Administrators Group

By Patti Ploehn and Pam Habeger, Co-Chairs

At our meeting on August 16, we heard from Melissa Niemacki, Large Group Employee Benefits Consultant with Unison, Inc. Melissa's presentation, Health Care Reform: Health Plan Overview, was very timely.

Melissa shared a lot of information in one short hour, including an update on the recent Supreme Court ruling on health care reform, which plans must comply, compliance deadlines and the impact of health care reform here in Minnesota. She provided a number of documents, including an Implementation Timeline and a flowchart on Penalties for Employers. (If you would like a copy of the documents, please e-mail one of us).

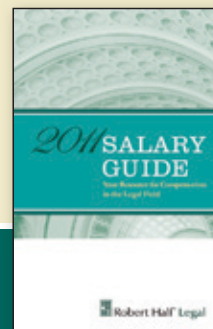
On September 20, 2012, our group will hear from Jeff Alluri, Element. Jeff will enlighten us on the *"Top Web Applications Every Firm Should Know About"*.

Jeff is responsible for managing the daily operations of Element Data Group. He has over 10 years' experience developing and implementing IT strategies that are explicitly linked with business strategies. He provides operational advice to law firm management to improve IT operations, investments, expenditures, governance and management controls. Prior to his employment at Element, Jeff served as Director of IT for the law firm of Bassford Remele where he gained extensive knowledge of law firm operations and software products utilized in the law firm industry.

The cost to attend the luncheon meeting is \$25 for ALAMN members and \$30 for member guests. The lunch and meeting run from 11:30 to approximately 1:00 PM. We meet at the Town & Country Club in St. Paul. An email reminder is sent to all Small/Medium Group members at the beginning of the month, with meal selections and subject matter.

We have a wonderful group and we love to share ideas, problem-solve, and discuss issues unique to firms our size. If you are interested in attending and not currently on the Small/Medium Group email tree, please contact Pam Habeger at phabeger@larsonking.com or Patti Ploehn at pploehn@hennsnoxlaw.com. Thank you!

The opinion on legal compensation.



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Let's Stand Together for People Serving People

As chapter host for the Region 3 Conference on September 13-15, 2012, ALAMN is teaming up with Region 3 conference attendees and business partners for People Serving People, a local family shelter.

Socks of all sizes are needed for men, women and children as cold weather approaches. Please donate a new pair or package of socks for our neighbors in need! Monetary donations may also be made payable to People Serving People.

Donations will be collected at the September chapter meeting, at the Region 3 conference, or sent to Cheryl Nelson at Robins, Kaplan, Miller & Ciresi, 800 LaSalle Ave, Suite 2800, Minneapolis. Thank you! Peopleservingpeople.org.



ABC's of Human Resources

This is the second installment of the "ABC's of HR" from the Human Resources Special Interest Group.

D: Disparate Impact

This refers to employment practices that appear neutral but that actually have a discriminatory effect on a protected class. Examples include written tests, height and weight requirements, educational requirements and subjective procedures, such as interviews. In order to establish disparate impact, an employee must prove that the practice has a substantial adverse impact on a protected group. If disparate impact is established, the employer must prove that the challenged practice is "job-related for the position in question and consistent with business necessity." An employee may still prevail by showing that the employer has refused to adopt an alternative employment practice that would satisfy the employer's legitimate interests without having a disparate impact on a protected class.

E: Employment-at-will (EAW)

A common law doctrine that states that employers have the right to hire, fire, demote, or promote whomever they choose, unless there is a law or contract to the contrary. Of course, na-

tional restrictions on EAW do exist that prohibit the use of race, age, sex, national origin, religion and disabilities as the basis for these decisions. Employers typically have an EAW statement in their employee handbooks. Courts will typically hear an EAW case if it falls under one of three recognized rationales: (1) Violation of public policy; (2) Implied contract whereby an employee should not be fired as long as they are performing their jobs. Long service and lack of criticism may imply continuing employment; and (3) Suggestion that there is a covenant of good-faith and fair-dealing that exists between employers and at-will employees and if an employer breaks this covenant with unreasonable behavior, the employee may seek legal recourse.

F: Family and Medical Leave Act (FMLA)

FMLA provides certain employees with up to 12 weeks of unpaid, job-protected leave per year. It also requires that their group health benefits be maintained during the leave. Employees are eligible for leave if they have worked for their employer at least 12 months, at least 1,250 hours over the past 12 months, and work at a location where the company employs 50 or more employees within 75 miles. Eligible reasons for leave are: (1) a serious health condition; (2) to care for a family member with a serious health condition; (3) the birth of a child; or (4) the placement



ABC's of Human Resources (cont'd)

of a child for adoption or foster care. FMLA is designed to help employees balance their work and family responsibilities by allowing them to take reasonable unpaid leave for certain family and medical reasons. It also seeks to accommodate the legitimate interests of employers and promote equal employment opportunity for men and women. Laws specific to different states may provide additional benefits.

Sources:

Mathis, R. L., & Jackson, J. H. (2009, 2011). Human Resource Management, 13th Edition. Mason, OH: South-Western, Cengage Learning.

Society for Human Resource Management. (n.d.). Retrieved August 2012, from www.shrm.org

United States Department of Labor. (n.d.). Retrieved August 2012, from www.dol.gov

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Volunteers Needed!

Simpson Shelter Meal Service

Approximately 16 volunteers are needed to cook and serve dinner at the Simpson Shelter on Thursday, September 27, 2012 from 5-8 pm. Register on the ALAMN web-site or contact Laurie Greenberg at lgreenberg@briggs.com for more information. Chapter members, business partners and others are welcome and encouraged to participate! This is a great way to give back to the community – we hope you will join us!





We're Bringing the Bench to the Bar: Don't miss the Judges Social, September 19



The Hennepin County Bar Association invites the bench and bar to come together on **Wednesday, September 19**, for this year's Judges Social. The event takes place at the **Radisson Plaza Hotel** (35 South 7th Street, in downtown Minneapolis) and runs from 5:00 p.m to 8:00 p.m.

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

More than 300 attorneys and judges attended last year. **Call Joy Hamilton at 612-752-6614** today to register your firm's attorneys. Register by September 7th for discounted pricing.

HCBA Summer Softball League - Season Wrap Up



Nineteen teams faced off in the 2012 HCBA Summer Softball League. After eight weeks of regular season play, the season concluded with a seeded tournament won by Cases Loaded (pictured above). Congratulations to all of this year's participating teams. We hope to see you next year.

To learn more about how your office/firm can participate in this fun league for the 2013 season, contact Joy Hamilton at 612-752-6614 or joy@hcba.org. Sign ups will begin in March and the number of teams is limited.

2012 REGULAR SEASON STANDINGS

1. Cases Loaded
2. Thomsen & Nybeck
3. Benched (MN Supreme Court Clerks)
4. McGlovin (University of St. Thomas)
5. Gray Plant Mooty
6. Maslon
7. Foley & Mansfield
8. Meagher & Geer
9. Phi Alpha Delta (William Mitchell)
10. Ligors (Bowman & Brooke)
11. Easily Distinguishable (MN Court of Appeals)
12. Meyer Njus/Legal Aid (Meyer & Njus Hangman)
13. Robot Fighters (Dorsey and Whitney)
14. Billable Powers (Hamline University)
15. First World Problems (Hamline University)
16. Faegre Baker Daniels
17. Habeas Victorious (University of St. Thomas)
18. Class Act (Lockridge Grindal Nauen/
Gustafson Gleuk)
19. Team Merchant (Merchant & Gould)

X Marks the Spot

by Linda Cockrell, International Archery Official

I was invited to work as an International Archery Official/Judge at the Olympics. Wow, was that exciting! There were 12 of us who were selected from all over the world: Cuba, Mexico, Australia, Slovenia, India, Burma, England, Philippines, Spain, Italy, and Faroe Islands. Yes, our judge group was as international as the archers. You are not allowed to judge for your own country's archers so, when USA archers are shooting, I cannot judge them and the same is true for all judges and their country of origin.

Target archery is huge in Europe as they have very, very restrictive hunting. The archery event was held at "Lord's Cricket Grounds". This stadium is a very revered, historical stadium and any person who was able to walk on the "Cricket" grass was in awe. Spectators filled the seats every day and roared when someone shot a 10. This is quite an accomplishment as the archer shoots his arrow from 70 meters, hoping to hit the inner center 10 point ring (commonly called the "X" ring) which is 6.1 cm wide. The USA Men's team won a silver medal.

Security was tight as there were many special guests in the stands. There were hundreds of volunteers you saw every day who were smiling, helpful and happy to be part of the Olympic family.

We would review every day with our Chairman and Assistant Chairman of judges both before and after our scheduled times as well as over lunch. In the evening, the scoring judges (all national and international judges from England) and our group of international judges would break into smaller groups and have dinner together, either at the hotel or at one of the local neighborhood restaurants.

The local national and international judges of England invited us to a very exclusive archery club where the housekeeper cooked us a home cooked meal. The club was beautiful and full of history.

Another judge and I were given one full day off, so we applied for updated passes and took the subway/tube to the Olympic Park. We were able to see some swimming and basketball. It was really exciting to watch.

Then after 10 days it was time to go home, see my family and back to work on the mid-year budget. My bag was full of souvenirs and the uniforms provided to us by the Olympic Committee - two casual uniforms and two dress uniforms. It was very special to be a part of this event and to share it with eleven other judges who are the best in the world. I'm very grateful for the opportunity and the awesome support of my firm.



NEWS

2012 ALAMN Summer Social

It was a beautiful night in Minneapolis on August 2nd when nearly 200 ALAMN Members and Business Partner Sponsors gathered at the Hyatt Regency Minneapolis for the annual Summer Social. Everybody enjoyed the great food inside and the scenic view outside while the conversation flowed for over three hours. The bean-bag toss competition was a big hit where members teamed up with business partners. Congratulations to Mark Brauch of Larkin Hoffman and

Greg Easton of Lofler for getting first place and winning \$50 Target gift cards and to Chong Lee of Merchant & Gould and Steven Lee of Professional Travel Service.com for getting second place and winning \$25 Target gift cards.

Congratulations to Linda Deering who won the \$500 scholarship drawing to the Region 3 conference here in Minneapolis.

Special thanks to the BPCC Events Sub-committee for organizing the details for this wonderful event!

Be sure to mark your calendars now for the Fall Social to be held at the Fulton Brewery on October 23rd.



Nicole Padget (BMO Harris), Kathy Hubbard, Laura Senger (BMO Harris)



Lance Huwald (Ricoh), Laura Broomell, Josh Roberts (Ricoh), Sarah Didrikson



Mariel Piilola, Susan Marsh, Nancy VanderVort, Terri Stewart



Wendy Bartlett

2012 ALAMN Summer Social (cont'd)



Laura Senger (BMO Harris), Dick Nigon



Kim Ess, Catherine Hacker



Gena Petrella (Sovran), Wendy Bartlett, Lisa Loken (Sovran),
Sue Johannsen, Pat Crosby (Sovran)



Kay Schroven (Kelly Law Registry), Pam Gerads, Mariel Piilola,
Karen Wilmeth (Kelly Law Registry)



Amy Jorgenson, Sarah Didrikson, Dan Leavitt (Ricoh)



Steven Lee (Professionaltravelservice.com) and Chong Lee

Now That's *Smart* Marketing: Law Firms & QR Codes

By Donna Erickson, Erickson Marketing, Inc.

This article is an update to "QR Codes: How Law Firms Can Use Them Effectively," published in March 2011.

By now you may recognize QR codes—modern-day scannable barcodes—with increasing frequency as you go about your daily activities. Coined for “quick response,” these two-dimensional black and white codes contain information that can be scanned and read by smartphone cameras equipped with compatible readers. Whether you are at home, in the office or out shopping, QR codes are everywhere: on business cards, magazine ads, cereal boxes, in catalogs, the list goes on. And it seems target audiences are reacting with curiosity. Many industry trend reports and blogs are reporting significant increases in QR code scanning year over year.

Legal administrators can play an important role in helping to educate attorneys on the value of QR codes. According to [Nielsen](#), by early 2012, a majority of U.S. mobile subscribers were smartphone owners, hence there is a great marketing opportunity for the legal industry in mobile technology. QR codes are an innovative yet inexpensive way for law firms of all sizes to use smartphone technology to reach clients and prospects. They help firms promote key messages and other important information via electronic

format. A July/August 2011 survey by [Vizibility](#), which delivers mobile business cards and other online identity management solutions, found that at the time, 35 percent of legal marketers had already used QR codes and 80 percent planned to use them within 12 months. King & Spalding created a winning strategy—using QR codes in marketing materials was just one tech-centric marketing practice that landed the firm a No. 1 ranking in the annual MLF 50 contest in 2011. So if your firm is still merely watching this trend, tech-savvy competitors may quickly pass you by.



Possible Uses for QR Codes by Law Firms

QR codes direct clients and prospects to the marketing destination of your choice. They should be linked to content that will be of value to smartphone users and is optimized specifically for mobile viewing. You can be creative with QR codes but remember to adhere to the advertising guidelines set forth by the Minnesota Professional Rules of Conduct.

Smartphone users need Internet connectivity to open a URL embedded in a QR code, which is an important consideration for determining how and where to use your codes. Consider these scenarios where Internet connectivity is more often a problem than not:

- Airplanes: When flying, a traveler can scan

Now That's *Smart* Marketing: (cont'd)

a QR code from a sky magazine, but be unable to open the URL until the Internet connection is restored. Though most scanning programs will store the scanned URL in "history," without immediate connectivity you will likely lose a person's interest.

- Underground Subways: Hardly a place for a reliable connection, using QR codes in advertising in underground transportation systems could be problematic.
- Billboards: Safety concerns aside, would anyone actually stop a car to scan a QR code from a billboard?

As with all marketing initiatives, measuring results is important. The effectiveness of QR code use can be tracked at any level of a marketing campaign. Some common uses by law firms today include encoding URLs that lead to:

- Law firm websites (specific pages of interest, not just the home page)
 - o Attorney bios
 - o Legal services pages for target markets (e.g. practice areas, industry-specific services, or details for joining a class action lawsuit)
 - o Special event invitations or RSVP pages
 - o Seminar announcements and seminar materials
 - o New hire announcements, especially promoting lateral hires and new partners
 - o News releases/media room
 - o Presentation materials

- o Articles and firm newsletters
- o Career/recruiting information
- o Directions to an office
- Legal blogs
- LinkedIn profiles
- Videos on a firm's YouTube channel or website with:
 - o Practice area overviews describing clients, representative matters and services
 - o Attorney interviews showcasing an individual's style, personality and approach to law
 - o Client success stories/testimonials
 - o Recent presentations or webinars
- Published articles or news stories
- Client alerts, white papers and presentation materials

QR codes can also be designed to open attorney vCards, which store contact information on a user's phone and eliminate the chance for typing errors. Other uses for QR codes might be linking to a special message or dialing a phone number, such as a hotline.

Law firms may print QR codes on:

- Business cards, transferring contact information and a firm's website URL
- Event invitations, materials and lanyards
- Advertisements, directory listings, brochures, proposals, trade show banners, promotional items, etc., opening a browser to a/an:
 - o Video on your YouTube channel or website

Now That's *Smart* Marketing: (cont'd)

- o Attorney profile
- o Practice area description
- o Article, alert or newsletter
- o Recruiting materials

Generating QR Codes and Tracking

Today, as these barcodes have gained in popularity, there are many online resources for QR code generation—many free, others for a fee. But beware, not all applications generate readable codes! Testing and retesting prior to publishing a QR code is critical. Be sure that the code you create is smartphone / mobile friendly for a compatible reader, is of good quality and large enough to be read wherever it is displayed.

Google has a free service at goo.gl that works well, which is a URL shortener and QR code generator all in one. [Mobile-Barcodes](#) also generates readable codes free of charge and it is very easy to use. There are numerous tracking services available, including [Google Analytics](#) and goo.gl.

QR Code Readers

Most new smartphones are sold preconfigured with QR code readers, however, a great place to review other available free and low-cost options is the App store on your smartphone. It is important to select a reader that is compatible with your particular model. We have had success with the free AT&T Code Scanner from AT&T Services, Inc., as well as the i-nigma QR

Code reader from 3GVision, and the Neoreader from NeoMedia™ Technologies, Inc. For additional help, Mobile-Barcodes provides a list of compatible readers on their site under Supported Mobile Phones.

To read/scan a QR code, simply open the reader program on your smartphone, point your camera lens at the code and center the code in the scanning window. Your smartphone should make a noise confirming recognition of the code and then perform based on an encoded "call to action" (open a browser, create a contact card, etc.). To be effective, you must test readability of the code with multiple devices on the media where it will be displayed (business card, paper, signage, etc.) to ensure it works as intended.

Conclusion

QR codes are here to stay, so for law firms that want to keep up with the latest in technology trends, the time is now. These codes offer a convenient yet inexpensive way to push key messages to clients and prospects, and should be strategically incorporated into your firm's marketing plans today.

Donna Erickson is a seasoned legal marketing and business development consultant with more than 20 years of experience working with law firms around the country. She is president of Twin Cities-based Erickson Marketing, Inc. and can be reached at 612-669-5548 or Donna@EricksonMarketingInc.com. "QR Codes: How Law Firms Can Use Them Effectively" first appeared in March 2011 when the concept was still fairly new to the industry. It has been referenced by the American Bar Association and *Minnesota Lawyer*.

Courts Adopting PDF/A Format

by Wade Peterson, Bowman & Brooke

The PDF file format was originally developed by John Warnock (co-founder of Adobe Systems) in 1991 and was called "Camelot" then. It remained a proprietary format until 2001, and released as an open standard in July 2008. Because of the open standard (meaning anyone is granted a royalty-free license), the format quickly became an accepted means for producing rendered versions of documents, without regard for the application that created it. Up until that time, TIFF images were the predominant form of production, either in single or multi-page format.

PDF files enjoy many advantages over TIFF, primarily because the format can contain embedded text used for full-text searching within the document. TIFF files do not contain searchable text, but rather OCR text is held in a separate file; and "load files" are used to merge them together in a document review platform. PDF files, on the other hand, are relatively independent of document review platforms, making them a more acceptable medium to the courts. Adobe's decision to publish the free Adobe Reader application was likely the single biggest reason for wide-spread adoption of the format.



PDFs have gone through several "versions" since 1991, adding new features to the specification. New features have included: hyperlinking to external documents and web sites, interactive forms, digital signatures, and encryption. Version 1.7 was adopted as an ISO standard (International Standards Organization) in 2008.

The PDF/A format is an offshoot of the PDF standard and was designed to preserve PDF files in an archive format, for long term storage. This means the PDF file cannot contain external references to things which may not exist at a future time (e.g., web links or fonts currently in one operation system but may not be in another). PDF/A files must be 100% self-contained. PDF/A files are still ISO certified.

PDF/A files cannot contain audio or video; cannot contain embedded files (although a new PDF/A-2 standard allows a form of this); all fonts must be embedded; encryption is forbidden; must contain standard metadata fields; and external content references are forbidden. Digital signatures are supported.

While the exact nature of PDF/A content is quite technical; the desire is simple – Can I view this file 10 years from now, when everything else

Courts Adopting PDF/A Format (cont'd)

around me has changed? It is this focus that appeals to the courts and institutions where archival and preservation has a high priority. Since PDF/A files are totally self-contained it means their size, in relation to other PDF standards, will be larger.

The U.S. National Archives and Records Administration (NARA) accepts PDF/A submissions, and PDF/A is accepted or recommended by the national archives or libraries in Germany, France, Italy, Sweden, the Netherlands, Austria, Victoria Australia, and Norway. It is the preferred format for submission to the Library of Congress and many other archive institutes.

Not all courts require the PDF/A standard yet and there is no timeline for when all courts will comply with the PDF/A format; but most are fast adopting it including US District Courts; federal courts; Minnesota's CM/ECF e-filing system (Case Management / Electronic Case Files); and PACER.

PDF/A files can be read (just like other versions of PDF) by Adobe Reader. The option to create them is already built into Adobe Acrobat and most mainstream document creation tools (e.g., in Word 2010, under File | Save

as Adobe PDF | Options; there is a checkbox for "Create PDF/A-1a:2005 compliant file"). Their main feature is the ability to be 100% self-contained. There is no reason not to begin to use the new standard for all PDF's you create.

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Judicial Branch on a Path to Electronic Environment

The Minnesota Judicial Branch has embarked on a journey that will lead to one of the most ambitious eFiling systems in the country. In January 2012, the Minnesota Judicial Council, the governing body of the Minnesota Judicial Branch, approved the "eCourtMN" initiative, which calls for moving all state courts to an electronic records system over the next few years. The goal of the initiative is for Minnesota courts to operate in an electronic information environment that will ensure timely and appropriate access to court information for all stakeholders and enable enhanced productivity in court processes.

In order to accomplish this ambitious goal, the Branch initiated pilots in district courts in Hennepin and Ramsey Counties for the use of eFiling in civil and eventually family cases beginning in October 2010. Given the success of these initial pilots, in May 2012, the Minnesota Supreme Court approved rule changes that will make electronic filing and service mandatory for most civil cases, including family, in Hennepin and Ramsey County District Courts beginning September 1, 2012. The Branch has named nine additional pilot locations to test the process outside the Twin Cities area. They include district courts in Cass, Clay, Cook, Dakota, Faribault, Kandiyohi, Lake, Morrison, and Washington counties.

The plan calls for implementation of eCourtMN statewide in four parts, each part about one year long. The 11 pilots make up the first part of the implementation. Hennepin and Ramsey have already begun pilots in civil and family cases. The remaining nine court pilots will include eFiling and the electronic imaging of cases beginning with civil and adding case types in the following order: family, juvenile protection and adoption; criminal; probate; and juvenile delinquency. By the end of the first year, the goal is to have all 11 counties implemented on all case types. Over the next three years, the

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Judicial Branch on a Path to Electronic (cont'd)

Branch will bring the remaining counties online with the new technology in groups of 20 to 30 counties each year.

There should be little to no cost for users to begin eFiling. In general, court users need only a Web browser and documents created in the proper format. Because this initiative will be a considerable shift in business practices for justice partners, the Branch is committed to providing training and information to assist in making the transition. The Branch has established a team dedicated solely to communicating and working with external partners to ensure they can work with the new process and technology. Users should visit www.mncourts.gov/ecourtmn for information about eCourtMN, training videos and schedules, and FAQs.

The eCourtMN initiative benefits all justice partners. eFiling will allow 24-7 access to documents filed and served electronically; improve file management for lawyers and law firms; eliminate redundant tasks for the court, parties, and clients; reduce costs of paper, supplies and overhead; and move cases along more quickly, speed service process, and enhance the ability of lawyers to communicate with their clients.

The public has come to expect government to operate in a way that is efficient, effective, and

accessible. This comprehensive reengineering effort seeks to deliver on that expectation. The Minnesota Judicial Branch has already demonstrated leadership in this area by the creation of the Minnesota Court Information System (MN-CIS) and the Court Payment Center (CPC). Now, with the implementation of the eCourtMN Initiative, the Branch has taken the next step to deliver services in a way that best benefits justice partners and the citizens of Minnesota.

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Minnesota Nice

By Shari Tivy

In just a matter of a few years ALAMN has escalated its community involvement to cover more than ten events each year. In September ALAMN is continuing to extend its reach as we encourage other members of ALA Region 3, along with the ALA staff located in Chicago and participating business partners, to share in our Knock Your Socks Off campaign. Collecting socks for People Serving People at our September Monthly Meeting (September 11) and the Region 3 Educational Conference (September 13-15) is an excellent example of how ALAMN serves the community and finds innovative ways to enlist others to serve.

It should come as no surprise that there are several members that serve other charitable organizations beyond ALAMN sponsored events. Your Community Service Committee thought it would be interesting to see how ALAMN members serve these organizations and perpetuate the spirit of giving. This article, hopefully the first in a series of such highlights, turns the spotlight on Children's Law Center.

Children's Law Center (CLC) is appointed by the court to provide legal representation to children who are either wards of the state – "legal orphans" – or have been removed from their homes because they are in need of protection from abuse or neglect. CLC also represents foster children who request help. When children are taken from abusive or neglectful parents, they need to know their legal rights. CLC provides a multidisciplinary team of volunteer and staff attorneys and a social worker to listen to

the children and help them navigate the complicated systems that control their lives. These advocates help guide the children by empowering them to speak up for what they want. CLC advocates help children understand the system and help judges and other court workers understand what the children want.

It is alarming to learn there are over 15,000 reports of mal-treatment of children in Minnesota each year and that half those reports are proven to be true. Each year nearly 5,000 children are in the foster care system more than two months. CLC provides services for about 400 of these children, their clients, each year. These clients are in the foster care system because bad things have been done to them and through no fault of their own. The CLC attorney becomes an advocate for the child, not the parent, the foster care system or the court.

CLC has 250 attorney volunteers in the Twin Cities. Many of these attorneys are from ALAMN members' law firms. These attorneys are dedicated and loyal; in the past three and a half years there have been only two attorneys who have left the program; one became a judge and one moved to San Diego. Once committed to these children the attorneys stay connected, not only providing legal counsel but serving these children as mentors and counselors with the assistance of the social worker staff at CLC.

But CLC needs assistance beyond the attorney staff and several of our ALAMN members have answered the call to help. According to CLC Executive Director Linda Foreman, formerly a partner at Robins Kaplan Miller & Ciresi, the

Minnesota Nice (cont'd)

biggest gap for small non-profits is on the finance side. With a budget that hovers around only half a million dollars supporting over 400 cases each year, CLC requires prudent financial management of their limited resources. Back in the 1990's ALAMN member Scott Cotie served as the Vice President of Finance on the CLC Board of Directors. When he was relocating outside the Twin Cities he called on ALAMN member and Past President Dick Nigon, CFO at the Robins firm, to serve CLC. Dick not only volunteered to help with finances, he eventually went on to serve as President of the CLC Board of Directors from 2005-2007. He continues to serve as VP of Finance. When asked why he has served so long in these roles he simply responded "I believe in what they do. They are helping kids who are in trouble and caught in the foster care system. This work is helping society." He went on to stress the essence of the work adding "the attorney's work is not to do what is best but to give the kids a voice."

ALAMN Past President Sarah Taylor, CFO at Maslon, has also served CLC since 2001, recruited by Dick Nigon to serve. Sarah has served on the Finance Committee, writing financial policies and procedures and an investment policy, performing audits and reviewing financial statements. She points out "it is not a huge time commitment but has significant impact."

Other ALAMN members have also served CLC. Terry Pressley, CIO at Leonard Street and Deindard, served CLC in a new technology system review and purchase. He helped with the selec-

tion process, negotiated fees and coordinated installation. He has also assisted with issues regarding their ISP provider and arranged for changes to a more reliable service. Terry was tapped for his service through a partner at his firm, Jim Dorsey, who was on the Board of Directors at that time but Terry explains it was an easy task to accept. As a licensed foster care provider he understood the needs of the children and appreciated the service CLC provides as advocates for foster care children.

When CLC moved offices over seven years ago a call went out for volunteers to help with the relocation. ALAMN Past President Mark Brauch, MIS Director at Larkin Hoffman Daly &

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Minnesota Nice (cont'd)

Lindgren, stepped up along with several other ALAMN members and helped with the manual labor to relocate CLC from a house at Hamline University to a commercial building in the Midway area, unpack and organize the new space. With a staff of only eight, CLC is now faced with another challenge. Taking on additional space which requires asbestos abatement during the renovation will require CLC to temporarily move out of their existing space on October 1st. For three weeks they will need to work somewhere else but have not found a free temporary space for all of them to stay connected with and serve their clients. But Executive Director Foreman is not daunted by the situation. She claims they will work on her dining room table if necessary. Perhaps there is an ALAMN member firm that has vacant space to spare for a few weeks?

When asked for a wish list of volunteers Linda Foreman was quick to respond with these roles that perhaps you, or someone you know, might fill:

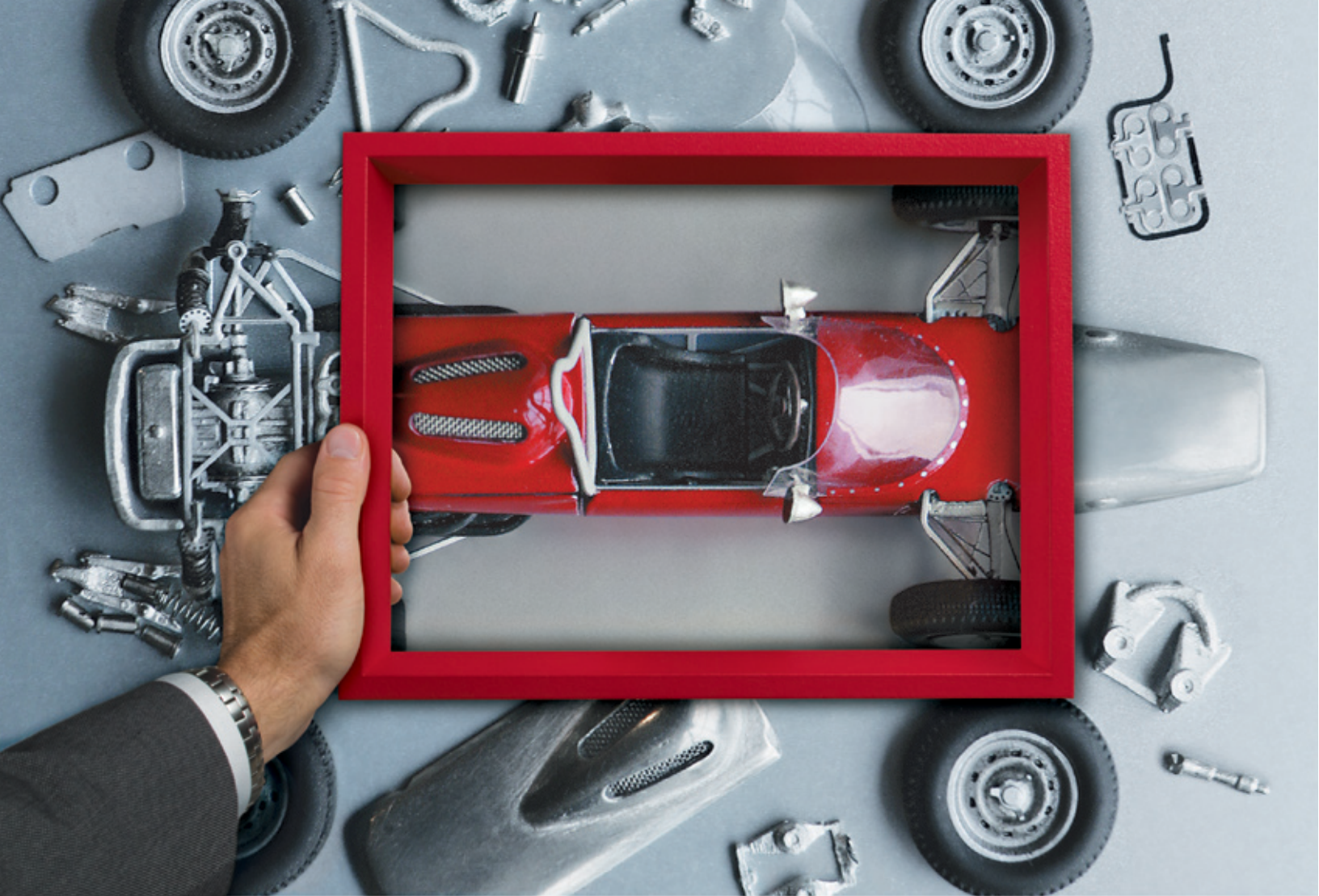
1. Lawyers...always!
2. With a new Board Member for Marketing and Development there will be many opportunities for marketing advice.
3. Writers for general public announcements and campaigns (i.e. press releases, social media site management, monthly newsletters, etc.) are needed, not for content but for creativity.
4. In anticipation of their move, both out of their space October 1 and back in October 20, they are in need of help to sift through documents, purge what they can, and archive what they must.

5. Their fund raising efforts always need support in many ways and both the Year End Campaign and Give To the Max Day campaign November 16 will need volunteers for publicity and coordination.

Foreman ended our interview with her observation that she finds herself lucky to be serving this organization in the Twin Cities. In contrast to other states' programs, volunteerism is popular and prolific in Minnesota. "People just step up and say 'I can help'. Minnesota has a strong sense of community." Clearly our ALAMN volunteers are an example of that Minnesota Nice.

While this article started out as a piece to highlight ALAMN member volunteerism, it quickly evolved into a highlight about the Children's Law Center, the good work it does and how others may serve. For those ALAMN members omitted from the list of CLC volunteers, please accept the author's apologies. Volunteer names were gathered through interviews and recollections as there is no methodology at CLC to chronicle volunteer activities. For those who wish to volunteer to serve CLC, contact Executive Director Linda Foreman at lforeman@clcmn.org. More information about CLC is available at their website www.clcmn.org.

If you or a member of ALAMN you know serves a charitable organization and would like that volunteer and the organization to be highlighted, please forward pertinent information to shari.tivy@bowmanandbrooke.com.



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Don't Bother Asking For Facebook Passwords

by Anna Hickman

Reprinted with permission from the June 2012 issue of The Corporate Counselor.

Workplace water coolers are abuzz with recent reports of employers requiring employees or applicants to provide login information for their social media sites. The ACLU has taken a stand against the practice, and employees and applicants alike seem horrified at the possibility of being required to turn over Facebook passwords as a condition of employment. State and local legislators have also taken notice, proposing a flurry of legislation aimed at curtailing the practice. And employers are now questioning whether they should continue asking for access or give up the potential information goldmine that the sites have to offer.

The uproar began with an Associated Press report, reprinted in newspapers throughout the country, about employers asking applicants to "friend" a hiring manager or to log on to their Facebook account during an interview. See Manuel Valdes and Shannon McFarland, *Employers Ask Job Seekers for Facebook Passwords*, Assoc. Press, Mar. 20, 2012.

Days later, Facebook responded to the report with a strongly worded statement condemning

employers for requesting Facebook passwords because:

[a]s a user, you shouldn't be forced to share your private information and communications just to get a job. And as the friend of a user, you shouldn't have to worry that your private information or communications will be revealed to someone you don't know and didn't intend to share with just because that user is looking for a job.



Protecting Your Passwords and Your Privacy, www.facebook.com/notes/facebook-and-privacy/protecting-your-passwords-and-your-privacy/326598317390057 (Mar. 23, 2012).

Lawmakers Respond

State and federal legislators quickly picked up the issue. In fact, Maryland became the first state to pass a bill that would prohibit an employer from requesting or requiring login information for "a personal account of service through certain electronic communications devices," and would prohibit an employer from disciplining a current employee or failing to hire a prospective employee for refusing to provide the information. Maryland H. B. 964; Maryland S.B. 433. At press time, that bill was awaiting the governor's signature.

Many other states are considering similar leg-

Don't Bother Asking For Facebook Passwords (cont'd)

isolation. For example, a Democratic State Senator introduced California Senate Bill 1349, which would prohibit employers and colleges from requiring or requesting social media passwords, because "[a]bsent SB 1349, Californians could be subject to egregious intrusions into their personal lives or unfairly risk unemployment and denial into their desired university." Statement of California Senator Leland Yee (Mar. 28, 2012).

The Illinois House recently passed a similar bill, Illinois H.B. 3782, and co-sponsor Republican State Senator Mike Fortner issued a press release stating:

We need to keep separate what employees and potential employees do on their own time, off company hours. Employers have the right to control how their equipment is used and can view public information like anyone else. But there is not a need for personal information on a social networking site that doesn't interfere with their workplace.

Press Release, Fortner Supports Facebook Privacy Law (Mar. 29, 2012).

A Republican Michigan State Representative who introduced similar legislation did so because "[p]eople have the right to share certain parts of their lives with the public, while sharing other parts with only friends and family. Why should privacy barriers be eliminated due to technological advancements? They shouldn't." Statement of Aric Nesbitt (Mar. 28, 2012); Michigan H.B. 5523. And state legislators across the country have introduced similar bills for similar

reasons. See Massachusetts H.D. 4323, Minnesota H.F. 2963, Minnesota H.F. 2982, Missouri H.B. 2060, New York S.B. 6983, South Carolina H.B. 5105, Washington S.B. 6637.

In the National Arena

On the national stage, Rep. Ed Perlmutter (D-CO) proposed an amendment to the Federal Communications Commission Process Reform Act of 2012 to prohibit employers from forcing applicants or employees to disclose passwords. The amendment lost by a vote of 236 to 184, with only one Republican voting in favor of it. Democratic Senators Richard Blumenthal of Connecticut and Charles Schumer of New York have asked the EEOC and the Department of Justice (DOJ) to investigate whether federal law already prohibits the practice. In a press release, Senator Schumer made a bold statement that:

[e]mployers have no right to ask job applicants for their house keys or to read their diaries — why should they be able to ask them for their Facebook passwords and gain unwarranted access to a trove of private information about what we like, what messages we send to people, or who we are friends with?

Press Release, Employer Demands for Facebook and Email Passwords As Precondition For Job Interviews May Be A Violation Of Federal Law (Mar. 26, 2012).

What Should Employers Do?

Meanwhile, employers engage in social media research because many employees and applicants post relevant information regarding their

Don't Bother Asking For Facebook Passwords (cont'd)

educational background and work history, and sometimes are more truthful on social media than on their employment applications. Social media sites may also contain relevant information not available through traditional screening tools, like criminal background checks or reference checks.

Nevertheless, and putting aside the possibility of violating new legislation banning the practice, seeking information from social media is risky for employers in the same way that asking questions regarding protected characteristics, such as religion or national origin, is risky. Employers are generally discouraged from asking questions regarding protected characteristics because a rejected applicant or terminated employee may believe that he or she suffered adverse action because of the protected characteristic — a belief, which may be unfounded, that could spawn a lawsuit.

Similarly, gathering applicant or employee information from a social media site could result in an employer inadvertently obtaining details relating to an applicant's or employee's protected characteristic. For example, if a female applicant in the early (and generally less visible) stage of pregnancy posted information regarding her pregnancy on Facebook and a prospective employer saw the information and decided not to hire her, she now has ammunition for a discrimination-inhiring claim on the basis of pregnancy. Likewise, if an employee discloses his Twitter password and, as a result, the employer sees a "tweet" that the employee is participating in a fundraiser for the Muscular Dystrophy Association because his son has the

genetic disorder, following a later termination, the employee may claim that the employer discriminated against him on the basis of genetic information in violation of the Genetic Information Nondiscrimination Act. By trolling social media sites, employers may also find information related to union membership or activity, disability, age, veteran status, or any number of other protected characteristics, which could later be the basis of a legal claim.

Conclusion

Given all of the above, the benefits of requiring social media passwords simply do not outweigh the risks. First, legislation banning requirements that employees or applicants provide logon information for their social media sites is on the horizon nationwide. Second, employers could open the door to legal claims by uncovering information related to protected characteristics. And, finally, there is another, often overlooked, risk: Employers that request social media logon information may offend, and thus lose, good employees or top-quality applicants who oppose the practice on principle (as opposed to having something to hide). For these reasons, employers would be wise to limit their social media research to professional and public websites like LinkedIn, and avoid the potential pitfalls of asking for access to password-protected social media sites like Facebook or Twitter.

Anna Hickman is an attorney in the Labor and Employment group of Nilan Johnson Lewis PA in Minneapolis. She can be reached at 612-305-7672 or ahickman@nilan-johnson.com.

MEMBERS

Welcome New Members!

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WHEN WE STAND *together*

MEMBERS

Are you Breathing?

*by Carlene Holter, Human Resources Manager,
Lindquist & Vennum*

I was so excited when I learned that I had won a scholarship to attend the 2012 ALA Conference. Not only was it my first ALA Conference, but how lucky was I to win when the conference was being held in Hawaii? Not thinking I would ever attend the conference this year, I had not read the brochure to learn what classes were being offered. After reading the brochure, I found there were so many interesting classes that it would be difficult to pick which ones to attend.

Since I am a Human Resources Manager, I decided to select mostly Human Resources sessions, along with some Communications and General Management courses. If the keynote address was going to set the stage for the conference, I knew that I was going to have an extremely satisfying experience. Dewitt Jones took my breath away with his amazing photographs and made me think about the fact that the sky is the limit and there are multiple ways to solve problems in life. I enjoyed and learned something from every session I attended.

This year I took on the task of coordinating our firm's Wellness Program so I attended Life's a Beach: Om-ing Your Way to Better Health, presented by Judith A. Hissong, CLM. Judy began the class by talking about the merits of eating healthy and doing yoga. Though I encourage

my staff to take their breaks, I am bad at taking breaks myself. Judy reminded me that study after study shows that short breaks throughout the day lead to increased produc-

tivity. Judy then stressed the importance of mindfulness to your posture and breathing. As adults at our work desks, we tend to round our shoulders as we reach for the keyboard and mouse. As we slump forward we close off our chest, our lungs, and our breathing becomes more and more shallow over time. I learned that as much as 20% reduction in oxygen blood levels is attributed to the aging process and breathing habits! So when you work, take breaks and breathe. Studies have shown these are two of the top stress-relievers.

Thank you for the information and reminders, Judy. And many thanks to ALA, ALAMN and business partners for allowing me to attend the 2012 ALA Conference. The classes, the setting, and connecting with members and business partners alike were all truly wonderful and something I will never forget. Though it was my first ALA Conference, I hope it was not my last.



MEMBERS

New Member Profile

**James S. Fowler**

Office Manager
YOST & BAILL, LLP

Quick facts about you:

- a. Home town? West Bend, WI
- b. High school & mascot? West Bend East, home of the Suns
- c. College & major? University of St. Thomas, Political Science
- d. Family? Wife Julie, with a baby due January 2013!
- e. Pets? Ruthie, our German Short-haired Pointer
- f. Hobbies? Bicycling, Reading

Quick facts about your firm:

- a. Size? 17 Attorneys
- b. Your main responsibilities: HR, Financial, and System Operations
 - i. Favorite? Working with staff to creatively enhance their use of matter management software, ProLaw.
 - ii. Most challenging? Keeping our Milwaukee office as connected and uniform as possible with our home office in Minneapolis.

Why/how did you become a legal administrator? I was promoted from within the firm when our previous office manager left a few years back.

A major issue you/your firm is facing today? Juggling various state-specific requirements as we expand our practice area nationally.

What is the best advice you have ever received? A promise is a debt; intend to repay it and don't saddle yourself with too much of it.

I joined ALAMN because? I thought the volume and variety of resources (including a network of peers) would be greatly beneficial in not only troubleshooting administrative issues but developing my own knowledge base generally.

One thing I try to do each day at work is? Make sure I have an opportunity to interact (even if it's just a "Hello" or "Good Night") with everyone in the office.

Others describe me....? Dedicated and perhaps a bit pedantic.

Someday I would like to? Find a way to take 2 consecutive weeks of vacation and then use it to travel abroad.

People would be surprised to learn that I? Participated in an Irish Gaelic immersion program during college though any grasp I might have had on that language has since rotted for lack of use.

MEMBERS

First-Time Attendee

*by Martha Gentilini, Legal Recruiting Manager,
Gray Plant Mooty*

My name is Martha Gentilini. I'm the Legal Recruiting Manager at Gray Plant Mooty and a "First-Time Attendee" at this year's national ALA conference in Hawaii. While this was my first time attending ALA's conference, it wasn't my first experience at a national-level conference. Like other legal recruiters, the annual National Association of Legal Professionals (NALP) conference is something that I try to regularly attend. I was interested to explore the differences between the two legal conferences to find out if the ALA conference is something I should try to attend more regularly. Here's what I discovered:

First, I was impressed with the high quality of the educational programs. Jim Dewitt's keynote presentation entitled, "Clear Vision" started my experience off on the right foot. His session provided me with a new perspective in viewing problems through different lenses and angles. I came back from the conference with a to-do list from Michael Short's presentation on legal industry trends. All the items on his Top 5 list of law firm priorities fall directly into areas that I managed at our firm. Mark Korf's presentation on attorney mentoring provided solid ways to expand our already established mentoring program. Overall, I was really impressed with the session content and pleasantly surprised by the number of sessions that directly related to my area.

Secondly, I found the wide range of topics offered at the conference to be incredibly useful

for expanding my knowledge of firm operations. The NALP conference does a nice job focusing on topics that directly relate to my specific duties as a legal recruiter and professional development. In my job, however, I work with many lateral-level attorney hires as they join our firm. The new attorneys typically come from another firm and have questions on all aspects of our firm's operations. The ALA conference helped me broaden my overall knowledge which I hope will help to make me an even better resource to our new attorneys as they transition into our firm.

Finally, the level of camaraderie within the Minnesota group was something I hadn't experienced before at a conference. I really enjoyed the opportunity to spend time and get to know the different legal administrators from ALAMN and also our local business partners. From the sharing of planning tips at the pre-conference meetings, to the loud cheering for one another at the conference award meeting, to the large number of folks who turned out for the impromptu pizza on the beach our first night in Hawaii, it was very apparent how friendly this group is with one another. In addition to meeting others from Minnesota, the bright Hawaiian shirts we wore at the conference made the Minnesota contingent very recognizable and made a great conversation starter with individuals from other chapters.

Thank you to ALAMN for the opportunity to attend the national conference in Honolulu. I would strongly encourage legal professionals who attend other national conferences to attend an ALA conference.

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ALA Question of the Month

Question: I am looking for information on creating and updating mission statements. What resources are available?

Answer: Developing a mission statement is often thought of as the first step in the strategic planning process; it's a way to focus on building a shared vision of the firm's future. You'll want to review material on both strategic and business planning for guidance on creating mission statements and how to refer to them throughout the planning process.

The following material is taken from the ALA publication *Think Ahead: How to Prepare a Law Firm Strategic Plan* (see ALA's online bookstore for [additional details](#)).

- The mission statement answers the questions "What is our fundamental purpose? Why do we exist?" This mission or purpose is ongoing rather than achievable at any point in time.
- To create a mission statement, do the following:
 - o Discuss the guiding principles by which your firm operates - values in areas such as integrity, governance, people and profitability. Ask firm members to discuss the firm's founding principles and what those principles are today; what they hoped to achieve in practicing law when they graduated from law school; and how the firm makes de-

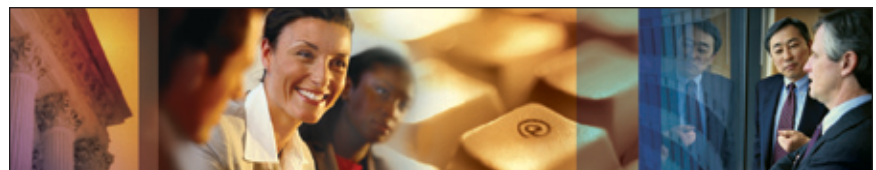
cisions about working with clients and with each other.

- o With these principles in mind, write a brief mission statement of less than 200 words stating what your firm does, for whom and how.

A good mission statement will answer the following questions: What is our purpose as an institution? What services do we provide? Whom do we serve? What are our core values and principles? Another criterion is that it focuses on broad rather than specific areas; at the same time, it identifies the driving forces and values of the firm that make it unique. And it uses clear language, not jargon or legal-ese.

The [ALA Management Encyclopedia](#)SM includes the late Molly George's article "The Complete Business Plan: Mission, Marketing and Money," with information on developing mission statements.

ALA's journal *Legal Management* has pub-



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ALA Question of the Month (cont'd)

lished several relevant articles. See, for example, [“That’s the Plan: Strategic Planning for Law Firms”](#) in the January/February 2007 issue outlining how the administrator can contribute to the firm’s planning efforts, and [“Challenges to the Extraordinary Workplace”](#) in the November/December 2009 issue on communicating the firm’s mission and vision to secure commitment and engagement from all personnel.

MissionStatements.com has collected a number of [law firm mission statements](#) on its website. Mission statements from other industries and organization types are available.

Consultant Joel Rose offers his own guidelines on [“Writing a Statement that Conveys the Firm’s Mission.”](#) Rose suggests leaving out generic, self-congratulatory language in favor of a statement that is crafted for the individual firm.

The American Bar Association’s GP/Solo newsletter Law Trends & News published a detailed article, [“How to Take Control of Your Practice by Creating Vision and Mission Statements,”](#) on identifying the specific elements that will be incorporated into the firm’s mission statement.

Another good ABA resource is a book by Thomas C. Grella and Michael L. Hudkins, *The Lawyer’s Guide to Strategic Planning: Defining, Setting and Achieving Your Firm’s Goals*. [A chapter on mission statements](#) is included, with sample language to get you started.

Legal industry consultant John Olmstead offers a [detailed article on business planning](#), with

forms to help small firms craft vision and mission statements that will feed into their business plans. The Missouri Bar has posted the article on its website.

The Catalyst Group, Inc. discusses [vision statements and how important they are as the foundation for mission statements.](#)

[“How to Write Your Mission Statement,”](#) from Inc.com, shows how to capture the essence of your firm’s business goals and their underlying philosophies.

Best of luck to you and your firm as you move forward!



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ALA Webinar for September 2012

Of Foxes, Hedgehogs and Law Firm Profitability (FM)

Date: September 19, 2012

Time: 1:00 PM Central

There is an old adage that says "it is a curse to live in interesting times." The last three years in the American economy have indeed been interesting for everyone – especially America's law firms. Have the responses been appropriate to the times we are experiencing or not? Does the current economic environment favor foxes or hedgehogs? The "hedgehog" answer to bad economic times is to slash costs. The "fox" solution to the same issues is to rethink everything. While reducing costs can stave off disaster, it rarely leads to being a leader. Join this pro-

gram to explore ways to use an economic challenge as an opportunity for future success.

Learning Objectives:

- Rightsizing administrative staff;
- Discuss how administrative staff can work better, not longer
- Identify skill enhancements for partners, associates and staff that will lead to long term growth
- Explain what functions should be performed by law firm staff and what functions should be outsourced

Vincent Bell, Director of Administration, Akin Gump Strauss Hauer & Feld, LLP, New York, NY, has been a legal administrator for 15 years. Prior to that, he held both administrative and financial positions with partnerships and large public companies in publishing, consulting and design industries.

Mark Santiago of Kerma Partners, a management consulting firm, specializes in outsourcing, mergers & merger due diligence, strategy development, firm restructuring, financial management, partner compensation, shared service centre feasibility studies, and merger integration planning and implementation engagements. Recent experience includes leading the teams that developed the business case rationale to outsource the administrative functions for the two largest law firm outsourcing projects in the United States.

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