

October / November 2015  
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### ALAMN has adopted ALA's Mission Statement

To improve the quality of management in legal services organizations; promote and enhance the competence and professionalism of legal administrators and all members of the management team; and represent professional legal management and managers to the legal community and to the community at large.

## 2015 - 2016 ALAMN COMMITTEES & SIGs

**ALAMN COMMITTEES** serve as liaisons between membership and the respective director, representing the ALAMN Board of Directors.

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**ALAMN SPECIAL INTEREST GROUPS (SIGs)** are educational forums specific to functional specialty. Special Interest Group (SIG) meeting attendees need not be ALAMN members.

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# ALAMN CALENDAR OF EVENTS

## NOVEMBER

- 2 – Loffler Tech Fest**  
9:00 a.m. – 5:00 p.m.  
Location: River Centre
- 3 – HR Committee Meeting**  
11:30 a.m.  
Location: TBD
- 4 – Large Firm Administrators Meeting**  
12:00 p.m.  
Location: Fredrikson & Byron
- 5 – ALA Networking Event**  
11:30 p.m. – 1:30 p.m.  
Location: Nilan Johnson Lewis
- 5 – Intellectual Property SIG\***  
11:45 a.m. – 1:00 p.m.  
Location: Patterson Thuent  
Pederssen
- 5 – Systems and Technology SIG\***  
12:00 p.m.  
Location: Moss & Barnett
- 10 – Leadership Breakfast**  
7:45 a.m.  
Location: The Marquette Hotel
- 12 – Finance SIG\***  
12:00 p.m. – 1:00 p.m.  
Location: Gray Plant Mooty
- 17 – Facilities SIG\***  
12:00 p.m.  
Location: Winthrop & Weinstine
- 18 – Community Service Committee Meeting**  
11:30 a.m.  
Location: TBD
- 18 – St. Cloud SIG\***  
12:00 p.m.  
Location: TBD
- 18 – ALA Webinar: Conflict: Initiating Difficult Conversations**  
2:00 p.m. – 3:00 p.m.  
Location: Merchant & Gould
- 19 – Small/Medium Firm Committee Meeting**  
11:30 a.m. – 1:00 p.m.  
Location: TBD
- 20 – ALAMN CLM Study Group (Session 10)**  
11:30 a.m. – 1:30 p.m.  
Location: Merchant & Gould
- 26 – Diversity & Inclusion Committee Meeting**  
8:30 a.m.  
Location: Fredrikson & Byron

## DECEMBER

- 3 – ALA Webinar: Creating and LGBTQ Friendly Law Firm Environment**  
2:00 p.m. – 3:00 p.m.  
Location: Merchant & Gould
- 11 – ALAMN CLM Study Group (Session 11)**  
11:30 a.m. – 1:00 p.m.  
Location: Merchant & Gould

**26th Annual ALAMN Educational Conference & Business Partner Exposition**  
**Thursday, February 25, 2016**  
**New Location: Hyatt Regency Minneapolis**  
*Get this date on your calendar now.*

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### \*PLEASE NOTE:

Special Interest Group (SIG) attendees need not be ALAMN members



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## FROM THE PRESIDENT OF ALAMN

By: Katherine M. Hubbard

### MONEY BALL BABY!

After the Vikings loss to the San Francisco 49ers, I sat at my desk quietly crying inside as my beloved Vikings resembled a group of middle-aged accountants playing park league football. Then, my thoughts turned to what the players, coaches and ownership of the team needed to do to become winners. Spending money is often credited with improving a team's success. Teams such as the New York Yankees are a clear example of money invested increasing a team's success rate. So, do the Vikings need to spend money to add players to improve certain positions on the team? Or, do they need to create better financial incentives for current players which are tied to the player's performance? Or perhaps they need to sign a game changing player to an enormous contract. Deciding how to spend money to help improve an organization's performance is not only a problem of professional sports teams.

We all know that we spend our time and money on what we value. So, how do we determine on what we should spend our organization's money to best improve performance? As our people are often touted as our greatest asset, it would seem only logical to spend money improving their performance. This spend can take several different forms, such as top marketplace wages, great benefits and financial investment in on-going training and development. Let's focus on training and development.

Just as lawyers and other licensed professionals need to continue to complete educational courses to remain qualified and certified and remain at peak performance, we must ensure all of our employees, and our management teams continue to increase their knowledge and skills. So, how do you find the financial resources to attend educational sessions that will enhance your knowledge and skills? Oh, boys and girls, young and old, hold onto your hats because I have news that could be life-changing, mind-altering and down-right incredible! The ALAMN has an incredibly varied and generous scholarship program just waiting for you to try!

The leadership of ALAMN values the importance of assisting and improving our membership. We desire to advance the educational opportunities for our members and make attendance at conference within your reach. One way we put this philosophy into action is with the ALAMN Scholarship Program. Scholarship funds are used toward the cost of attending any of the many ALA-sponsored conferences. The scholarship program is open to all members in good standing with the ALA and ALAMN.

There are many different scholarships awarded throughout the year. Some of the scholarships available include:

1. Membership Scholarship
2. New Membership Scholarship
3. Past Presidents' Scholarship
4. First Time Attendee Scholarship
5. Opportunity Scholarship
6. Outstanding Member Scholarship
7. Platinum Business Partner Annual ALA Scholarship
8. Conference Platinum and Gold Scholarships; and
9. Co-Chair, Administrative Volunteers, and Board member Scholarships.

These scholarships cover a significant portion, if not all, of the registration fee, airfare and hotel accommodations. An example of the typical costs of the Annual ALA Conference cost breakdown is set forth below:

Registration	\$1,049.00
Round Trip Airfare	\$500.00
Hotel for four nights	\$1,000.00
Meals not provided by Conference	\$100.00
<b>TOTAL</b>	<b>\$2,649.00</b>

The general scholarships for this year were within the range of \$1,690 to \$2,000. These scholarships would cover a significant portion of the Annual Conference cost. Attending a Business of Law or Specialty Conference is more economical and typically costs between \$1,500 and \$1,700. So using the scholarship funds toward a Business of Law Conference would cover nearly the entire expense.

The return on investment for those who attend an Annual, Business of Law or Specialty Conference is incredible. There are the business partners you meet in the exhibit hall who could potentially save you money on a new contract. There are the educational sessions that provide resources and information on topics ranging from finance, legal industry, facilities, human resources, IT and leadership. I have personally come back from each conference I attended with ideas and procedures to improve my firm that I could apply easily and immediately and ideas that were the seed of great projects that added value to my firm. Additionally, there is the professional development aspect of attending a conference. You network with people from around the world and gain important practices in interpersonal communications.

Let the ALAMN help you increase and expand your knowledge and skills, apply for a scholarship today.

## 2015 ALAMN BUSINESS PARTNER SPONSORS



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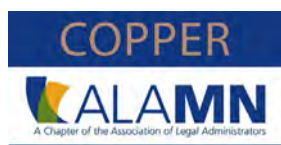


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**Studio Hive Inc.**  
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## NEW MEMBERS

Please welcome the following ALA member who recently joined ALAMN:

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## KNOW YOUR LEGAL JARGON - *SPONSORED BY HCBA*

**Caveat Emptor** *Latin for "let the buyer beware."*

The basic premise that the buyer buys at his/her own risk and therefore should examine and test a product himself/herself for obvious defects and imperfections.



### And the next ALAMN Shining Star is...

The Board of Directors is proud to announce **Sylvia Naim** as the next Shining Star. She works at Faegre Baker Daniels LLP as the Practice Group Staff Supervisor. Sylvia has been a member of ALA for five years and joined ALAMN almost two years ago. Sylvia is co-chairperson of the Business Partner and Conference Committee. This committee coordinates the chapter's activities with our business partners. With active members like Sylvia ALAMN will remain vital and a resource for all.

**Thank you, Sylvia!**



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## ANNUAL ALAMN LEADERSHIP BREAKFAST

**Date:** November 10, 2015

**Time:** 8:00 to 9:45 a.m.

**Location:** The Marquette Hotel

### Characteristics of Successful Firms

*Joel A. Rose*

Why are some firms more successful than others? Attorneys in most successful firms are well focused on specific practices where they are economically competitive, even against the intense competition from larger national and regional firms. While individual attorneys may have free rein to excel, collectively they are keepers of the firm's future. Successful law firms will grow insofar as they permit attorneys to perform for their individual benefit and the firm's. Lawyer management's function is to provide an environment in which the synergism between the lawyers and the firm encourages that to happen.

Joel Rose is a Certified Management Consultant and President of **Joel A. Rose & Associates, Inc.** management consultants to the legal profession. As a student of law firm management, for the many years that Joel has been a management consultant to law offices, he has always been intrigued by the characteristics that are present in the more financially and professionally successful law firms that are wholly or partially lacking in under-achieving firms. As the result of management consultations with hundreds of managing partners and members of executive committees, Joel

has determined there are 16 characteristics that are found in most financially and professionally successful law firms. Join us at the Marquette Hotel on Tuesday, November 10, 2015, at 8 a.m. to learn the details of the 16 characteristics of successful firms.

Joel A. Rose received a B.S. from New York University and an M.B.A. from the Wharton Graduate School of Business, University of Pennsylvania. He has extensive experience consulting with private law firms and government agencies. He performs and directs consulting assignments in law firm management and organization, strategic and financial planning, lawyer compensation, the feasibility of mergers and acquisitions and marketing of legal services. He has extensive experience planning and conducting retreats and special expertise resolving problems among and between lawyers.

Mr. Rose speaks at national, state and city bar association meetings and at chapter meetings of the Association of Legal Administrators. He is a member of the Law Practice Management Committee of the New York State Bar Association, an associate member of the American Bar Association and a Fellow in the College of Law Practice Management. Mr. Rose is listed in Who's Who in America.

**Networking and registration begin at 7:45 a.m. followed by breakfast at 8:00 a.m. The program will be from 8:30 to 9:45 a.m.**

**Registration for members is \$25 and \$35 for guests.**



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## COMMITTEES & SPECIAL INTEREST GROUPS

The **Business Partner Conference Committee** met on Tuesday, October 20, 2015 at Bowman & Brooke. Tracy Grill provided an update on 2016 Educational Conference including speakers, schedule and content. The committee is still working on finalizing contracts and session titles. We discussed the Cyber Security topic and decided the group would approach Emergent and FRSecure to see if they could co-present. We reviewed a layout of the exhibit hall. The aisles are wider than previous layouts and the design has fewer rows and seemingly better flow. We discussed the concept of "rest/relax/recharge" areas in the exhibit hall which would be comprised of soft seating for members. We discussed the early happy hour with the Business Partners and how to coordinate that with prize drawings and set-up. If you have any potential sponsors, please forward their contact information to Dave Astremacki. Please contact co-chairs, Kim Ess at [kess@nilan.com](mailto:kess@nilan.com) or Dave Astramaki at [dastremaki@meagher.com](mailto:dastremaki@meagher.com) for additional information or to join this committee.

The **Membership Development Committee** met on Thursday, October 8, 2015. The committee continues work on planning the December Member Social. We have also begun the work of reviewing what kind of systematic messages/timing should be instituted to govern communication with new members to keep them informed and engaged. On the subject of new members, the Membership Development Committee (MDC) is also fine-tuning the survey questions used to highlight new members in The Verdict to both freshen up the content and better connect new members to the group. Flipside, the MDC has also decided to investigate ways to highlight veteran members of the ALAMN chapter (15 or more years). We've groomed a list and will discuss next meeting ideas for recognition. Lastly, I believe the roster of current members sits at 253. Not as beefy as updates we've had in the past but we think we're in the middle of really grinding out details of current work rather than brainstorming new goals.

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## ALAMN IS ON SOCIAL MEDIA



If you are a tweeter, don't forget to follow us! Our handle is **@minnesotaala**. You will also find links to ALAMN's Facebook and LinkedIn pages above.

**Get following & tweeting!**



## COMMITTEES & SPECIAL INTEREST GROUPS - CONTINUED

*continued from page 12*

The **Small/Medium Firm Committee** met on Thursday, October 15, 2015 at the Town and Country Club. Guest speaker Jaime Frischmann, Senior Vice President in the Employee Benefits Division of Wells Fargo Insurance Services, spoke to the group and gave an insurance reform update and covered the following topics:

1. New Small Group definitions and rating methodology for 2016
2. ACA reporting requirements for 2016
3. Individual and MarketPlace changes expected for 2016
4. Partnership issues versus PA's and C-Corps
5. Looming issues with the Cadillac Tax for 2018

Please contact co-chairs, Jessica Gerhardson at [jgerhardson@mmblawfirm.com](mailto:jgerhardson@mmblawfirm.com) or Kim Pepera at [kpepera@eckbergglammers.com](mailto:kpepera@eckbergglammers.com), for additional information or to join this committee.

The newly formed **Young Professionals Special Interest Group** seeks to provide more junior members of ALAMN an opportunity to connect with others in their age range, discuss the challenges they encounter, and brainstorm creative solutions to barriers that may be prompted by their age. The ALAMN Young Professionals group meets about once a month. Please contact co-chairs, Jennifer Lenander at [jennifer.lenander@ogletreedekins.com](mailto:jennifer.lenander@ogletreedekins.com) or James Fowler at [jfowler@yostbail.com](mailto:jfowler@yostbail.com), for additional information or to join this group.

The **Finance Special Interest Group** met on Thursday, October 8, 2015 at Nilan Johnson. The topic this month was leasing. Scott McFetters of CoreTech Leasing gave a presentation on the reasons for leasing, what can be leased and finding the best lessor. The next Finance SIG meeting will be on November 12th at Grey Plant Mooty.

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## BEFORE YOU GOOGLE . . . .

How many times have you thought or said 'just google that' when you have had a question or needed to research a particular topic? Though google is a great resource it is not always the best option when determining a company to work with on a new initiative.

ALAMN has an exceptional Business Partner Program that not only benefits the organization but also benefits each and every member. Each of our Business Partners have expertise in certain areas and are ready to assist you with your upcoming project. Right at your fingertips you have access to a list of organizations that are committed to working with law firms and can bring pertinent knowledge to your organization. You can access the Business Partner list on our website [www.ala-mn.org/business-partners](http://www.ala-mn.org/business-partners) or using the

printed membership directory. Think about how much time you would save if you first started with the ALAMN Business Partner Sponsors before googling?

Taking the time to give a Business Partner a chance to partner with you will increase the value that the Business Partner receives for being a sponsor of ALAMN. They are merely looking for an introduction and time to connect with you. They are here to build relationships and trust. I challenge you to first look to our Business Partners the next time you are looking for a service or have a new initiative to tackle.

A few of our current business partner sponsors have provided their thoughts on what they feel the ROI is for being a sponsor for ALAMN.

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## BEFORE YOU GOOGLE . . . . - CONTINUED

*continued from page 14***Scott Ellingson** *Associated Bank Private Client Services*

Banking is a relationship business and I am always impressed with how well the ALAMN recognizes that with the Business Partners. The organization does an excellent job of stepping into the shoes of a business partner and adding value to the membership from the business partner perspective.

**Kevin Willette** *Verus Corporation*

We have definitely seen an increase in the number of law firms we work with, as well as the number of projects we're doing for existing law firm customers, since joining ALAMN. It's a very tight-knit community, and it helps to have them know who we are, and what we stand for as a company, which is being as straightforward and honest with our solutions."

I'd say for us, the biggest boost from our ALAMN partnership has been our ability to get an idea of what IT issues are most important for the local legal community. As an example, we have been focusing a lot on mobile devices and Bring Your Own Device (BYOD) security as a result of feedback from our partners in ALAMN. For someone who isn't involved in the organization, they'd never know that was a prominent concern.

**Gregg Eastin** *Loffler Companies*

The benefits of our ALAMN sponsorship are incredibly valuable to our organization. The many events, in addition to the annual conference, provide us with a ton of opportunities to meet and connect with law firms of all sizes. Our partnership with ALAMN gives us a reference point when talking with potential clients and demonstrates that we value our relationships within the legal community. ALAMN is a very strong group and the members work together. Firms communicate through the organization and if a partner or vendor is valuable and performs well, ALAMN solidifies that reputation.

ALAMN is a first-class, well run organization and the leaders take their roles seriously, giving the organization a lot of credibility. Communication through the newsletters about events and volunteer opportunities is timely and clear. Our sponsorship is a no-brainer; we are confident our ROI pays back many times over.

**Ryan Zimmer** *Marco*

I personally greatly appreciate the value that the ALAMN members place on the Business Partner Sponsors. Their willingness to be have open conversations about their business pain points as well their specific goals and initiatives has resulted in a win/win for everyone involved.

**Kristin Althof** *Marco*

The most valuable aspect of being a sponsor of the ALAMN is the opportunities that we are given to connect and network with the members, and better understand their needs and best practices within their organization and industry.

**Janet Tschida** *Innovative Office Solutions*

As a silver business partner with ALAV, Innovative has gained a great deal of recognition with many of the members and the firms they represent. Being an active business partner we have realized new opportunities within our existing and new customers. We have been able to showcase new capabilities as we develop them. The members have the chance to understand more about their key business partners and how their services will benefit their firms. I personally believe that because of ALAMN I have developed and strengthened numerous partnerships with the membership. It has been a win – win!

## ALAMN/EMERGENT NETWORK'S PARTNERSHIP STORY

By: Bret Roberts, Account Executive, Emergent Networks



It all started with finding a back pack that was left in the parking lot. This may sound odd, but if you want to hear 'the rest of the story' ask me about the back pack story at one of the ALAMN events and I'll tell you. For now, I will focus on the ALAMN's

ability to connect us as a business partner to our clients and how the relationship with the organization has benefited our company from an ROI standpoint.

My predecessor here at Emergent Networks was directed to focus on the legal vertical 3 years ago. As you can imagine, with the hundreds of emails and phone calls the IT Directors and CIOs of law firms receive daily from sales people, he had a very difficult time getting an appointment. He also was not aware there was an organization like ALAMN.

When I took on the legal vertical, the back pack story led me to my first appointment and then by pure tenacity and many calls, I was able to get another. I was given a brief description of the ALAMN at this second appointment. It piqued my interest, but what struck me most was when I heard, "In the ALAMN, we all talk to each other about who we work with and what we are doing. We strive to do business with other members."

I took this back to my General Manager, Tim Larson and President, Jamie Anderson. We decided to join immediately. There were only a couple of months left in the membership year, so we started at the Copper level. However, for the last two years we have had the privilege of being the Platinum Sponsor. This has proven to be an extremely beneficial in-

vestment for the company and myself. "We are extremely pleased with our partnership with ALAMN," Jamie said. "They are a very professional and well run organization. Our relationships in the Twin Cities legal market has expanded significantly as a result of our involvement with ALAMN."

The ALAMN is a quality organization which makes it easy to connect with its members. Through attending the social and charitable events, writing articles in the magazine you are reading now - The Verdict - and the fact that the members are such a close (and fun) group, we have been able to grow our legal presence 40 fold! Being a Strategic IT Partner, we had to show we were capable of handling the most complicated, challenging and advanced technology environments to be a part of the conversation of the members. Once Emergent Networks proved we could support our clients in that way, we started getting referrals and found setting appointments was much easier. Members were more open to discussing working with us knowing the caliber of work we had provided for other firms. The company went from doing business with 2 law firms to over 30 in less than two years! Fourteen of these are in the top 25 largest firms in Minnesota! Our investment in the ALAMN has exceeded all expectations and yielded over 1000% ROI both years we have been the Platinum sponsor.

As you can see, becoming involved in ALAMN is an easy decision. Emergent Networks is happy to be the Platinum Sponsor and looks forward to many more years of partnership with the ALAMN and its member community!

Don't forget to ask me about the back pack story!



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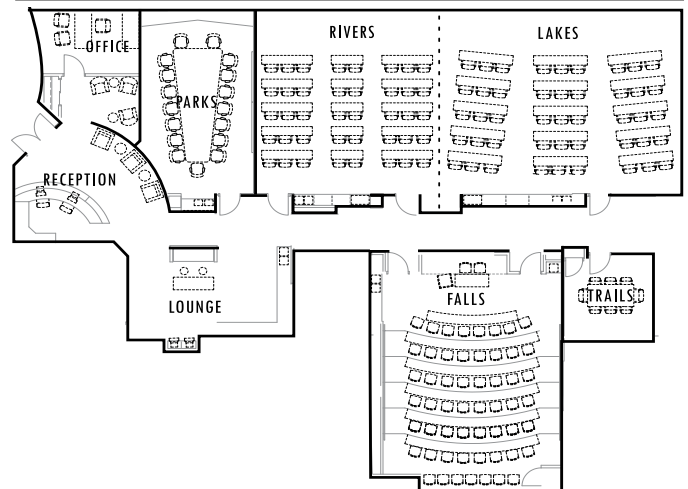
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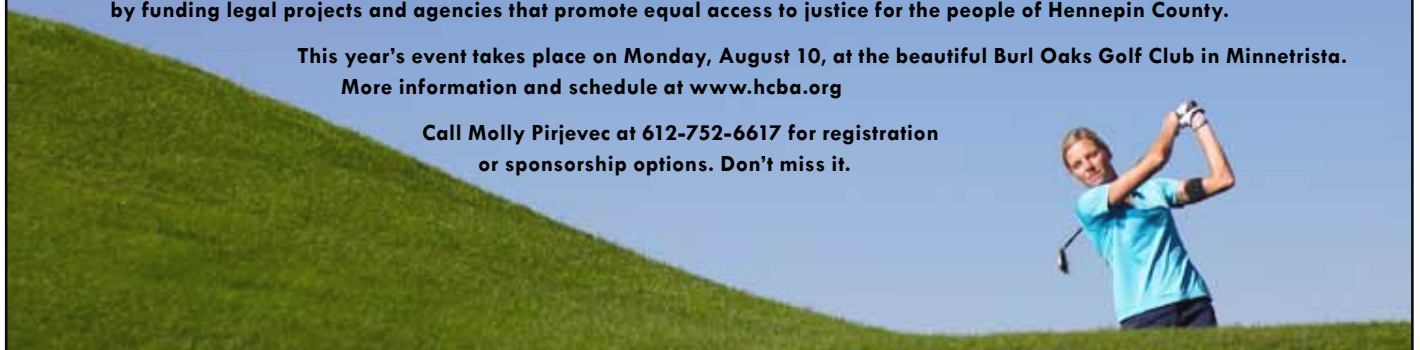


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# KEY PRACTICES FOR ADMINISTERING YOUR FIRM'S RETIREMENT PLAN

By: Peter Villani

We have worked with administrators of virtually every personality-type in our 50 plus years of providing retirement plan solutions to law firms. While some administrators arrange pens and highlighters according to the arches of the rainbow, ensuring all are properly sealed for optimum usability the next day, others thrive under 'I need it now' environments where never-ending piles of manila folders line a path to the coffee room. No matter your style, as a firm administrator you deal with plenty of issues every day. Maintaining a relatively simple process can help to prevent your law firm's retirement plan from becoming a burden. Luckily there's an article for that! Following are our top 'key practices' for administering your firm's retirement plan.

## 1. Know and Keep Your Records

You can save yourself a great deal of headaches by keeping accurate records for your firm. Whether organized in paper files, on spreadsheets, or in a program such as your HR software, you should invest time and energy keeping your employment, payroll, corporate, and deposit records up-to-date.

Think of your employment records as your hire/fire data. This information is typically used for eligibility purposes for your firm's retirement plan and includes dates of hire, termination, and rehire. Don't forget leave of absence dates as well, which may affect an employee's eligibility to participate in the plan.

Payroll records are equally important. Whether you prepare payroll in-house or outsource to a third-party service, you should always keep, and have access to, accurate payroll data. Payroll elements such as total wages, retirement plan contributions, hours worked, excluded compensation, and employee type (e.g., union, hourly) are critical to completing your annual plan testing, audit (if applicable), and reporting.

Corporate records can often be overlooked but are necessary to ensuring your plan meets all legal rules and requirements. You should be able to provide a list of all shareholders/partners/owners of the company. Can you indicate whether there are family members of anyone on that list employed at the firm, and do they own any other companies?

The last type of records you need to keep is your deposit records. Through the year, as contributions are made to the plan or loan repayments taking place, you'll want a running list of deposits made – including pay period, amount, date of deposit, and types of contributions (e.g., pre-tax, Roth, employer match, loan payment).

Many plan sponsors today outsource much of the record-keeping activities we've outlined. But keep in mind that even though someone else is appointed recordkeeper or administrator for your plan, your plan's designated fiduciary (typically the plan sponsor) is generally not relieved of all of its fiduciary responsibilities. Make sure you fully understand the true protection provided through these services and keep in mind that the selection of a third-party provider to whom you delegate fiduciary responsibilities as defined by ERISA is always a fiduciary decision in and of itself.

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## KEY PRACTICES FOR ADMINISTERING YOUR FIRM'S RETIREMENT PLAN - CONTINUED

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### 2. You Can Never Over Communicate

There are two key stakeholder groups pertaining to the affairs of your retirement plan with who you should be in constant communication – employees – both participating and not-participating – and your provider(s). Laws change, people move, providers restructure; you never know what might come up that affects your plan. Staying in constant communication is paramount to keeping your plan's affairs in order.

Your eligible employees are the ultimate benefactors of a well-run retirement plan. It's been well documented that the average American is ill-prepared for retirement. Having access to a plan, and participating in that plan, are the leading indicators as to whether or not you are on path to retire with enough money. Consider that of those employees without access to a retirement plan, almost 64 percent have less than \$1,000 in savings. However, of those that have a plan, only 9 percent have less than \$1,000.<sup>1</sup>

It is therefore critical to communicate with employees the benefits of saving in their workplace retirement plan. Aside from communications and disclosures that are required by law, a firm that cares for its employees' retirement security will take steps to ensure they are behaving in their own self-interest by saving (and sometimes saving appropriately) in their retirement account. From educational materials to features such as automatic enrollment and automatic contribution rate escalation, firm administrators play a defining role – through communication – in the positive retirement savings outcomes of its most precious asset – the employee.

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## KEY PRACTICES FOR ADMINISTERING YOUR FIRM'S RETIREMENT PLAN - CONTINUED

*continued from page 19*

### 3. A Little Planning Goes a Long Way

Our last key practice is planning. There are a number of key dates and deadlines associated with the administration of retirement plans. Failure to meet some of these deadlines could mean financial penalties for your firm and serious headaches for you as administrator. Develop a thorough calendar of events so that you can plan ahead and avoid crunch times. Some of the key dates you'll want to circle on that calendar include January 31, when Forms 1099R that report payments from the plan to participants must be mailed to those participants. February 28 is when Employers must submit their Forms 1099R to the Internal Revenue Service. Depending on your plan, thirty to ninety days prior to the beginning of the plan year, you may need to distribute notices to employees that outline plan features. Within thirty days after the end of the plan year, provide the records mentioned in our first key practice to your provider(s) so calculations and testing can be completed. Seven months

after the end of the plan year, Form 5500 must be filed electronically to the Department of Labor. An extension of up to 2 1/2 months may be available.

There are many more important dates you should document. Work with your provider(s) to set those dates and try to anticipate what might be coming down the path in the near future. A good example can be found [here](#). It's also a good idea to expand beyond those things you are required to do, and include things you believe are beneficial to your employees. Set dates aside for educational meetings, enrollment campaigns, and 'saving for retirement' awareness activities. Champion your employees to save for retirement.

If you're the type that can open a drawer and pick up a blue highlighter with your eyes closed, we hope this article was instructional enough to warrant a few marks. And if you found yourself reading this article while navigating around piles of manila folders on your way to a cup o' joe, we hope you'll find the time to implement some of our key practices in the administration of your firm's retirement plan.

#### Author Bio:

Peter Villani has been a member of the ABA Retirement Funds Program Sales Group since October of 2009. Previously, Peter was a Vice President of Sales in ING's Corporate Markets segment. Prior to the ING acquisition of CitiStreet, Peter served as a Vice President of Sales in the CitiStreet Institutional Services mid-market segment since 2006. Peter is a retirement industry veteran with over 30 years in the business. Prior to joining CitiStreet, he was Vice President, Consultant Relations for Prudential Retirement responsible for developing and maintaining relationships with retirement and investment consultants nationwide. Peter also held positions at CIGNA Retirement & Investment Services and served as a Vice President for State Street Global Advisors. At State Street, Peter helped launch SSgA's Solutions 401(k) business and managed the conversion and client relations groups. Prior to his role at State Street, Peter worked for Fidelity Investments Retirement Services Company helping develop and launch Fidelity's compliance testing and consulting unit. Peter also held various positions at Mercer Human Resources Consulting.



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## A CLOSE LOOK AT THE TALENT REALITY

By: Karen Whitman

The overall U.S. unemployment rate has decreased to its lowest level recorded since the 2008 financial crisis. As a result of the improved economic conditions, confidence levels are recharged among U.S. employees and employers alike and positioned 2015 as a year for substantial growth and aggressive hiring levels.

With that optimism comes some concerns for many employers. Professionals across nearly every industry are increasingly confident in their ability to find a new job, and many are starting to explore their options. Randstad Professionals' 2015 Legal Workplace Trends Report found that "hiring and retaining professionals with the necessary skills to achieve business objectives" and "having sufficient staff to manage the workload year-round or during busy periods" were the first and third most pressing challenges, respectively, reported by legal executives – more pressing than "working within

budgetary constraints," "satisfying customer expectations" and "lack of a clear vision from leadership."<sup>1</sup>

Furthermore, about half (49%) of legal executives surveyed believe that employee turnover is growing within their organizations. And although their companies have retention incentives in place, a majority (60%) said they still struggle to retain top employees.

First, let's look at the reasons employees most often cite for leaving. It's worth mentioning that relationships in the workplace – with colleagues or peers, as well as supervisors/management – often play a key role in turnover in any company. With interpersonal dynamics aside, the other most common reasons for leaving include:

- Better compensation/package elsewhere: While few legal professionals today take or leave a job based solely on what they are paid, it remains a critical component. Simply put, money talks.
- Career options: When there are avenues for participating more fully in the company through upward, as well as lateral moves, employees are better able to maintain interest in their jobs and the organization. This is particularly critical for the youngest generation of professionals entering the workforce, who expect transparency and place a great deal of emphasis on their personal development through a defined career path supported by their employer.
- Better work life balance: While workload will certainly vary by job responsibility and by company, we work with legal candidates every week who tell us they want to find a position that will allow them to have a better balance. But don't necessarily assume this is out of laziness or a desire to actually work less; there are many options for employers to provide more flexibility to their employees, while still maintaining a high level of productivity.
- Recognition: Like any other back office function, legal professionals want to feel valued at work. These teams are typically under an immense amount of pressure and it's important to take time to celebrate successes and recognize their contributions.



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## A CLOSE LOOK AT THE TALENT REALITY - CONTINUED

*continued from page 23*

So where is the opportunity for business leaders to reverse these trends?

Ensure compensation is aligned with competitors. There are plenty of other reasons why professionals choose to work for a specific company, but you must first be on a level playing field. No matter what industry you are in, your compensation must be competitive. When you are hiring, don't make the mistake of getting caught up in "internal equity" thinking, where you shy away from paying a new employee more than your current workers for fear that it will upset the status quo — you can pay for good workers now or you can pay more for them later.

Managers should have regular career planning discussions with their employees. The more an employee's goals and situations are understood, the better the manager will be able to help them make the right choices for their careers and the company. Professionals want their manager to be aware of their interests and their goals, and they want to feel supported. It's pretty simple - if you can't show them a clear path of how they can continue to grow and develop within the organization, it's only a matter of time before they explore their options to do so elsewhere.

Consider offering flexible working arrangements, whether the ability to work remotely (when it makes sense) or flex hours so your employees can avoid traffic. Research continues to show that this type of flexibility leads to higher employee engagement, which in turn yields lower turnover. Bringing on additional staff, project or full time, to ensure top performers don't burn out can also be a smart strategy to ensure work life balance for your employees.

Lastly, realize that you have to be proactive in order to stand out to, and compete for, the best talent today. The days of 'everyone should want to work for our company' are gone, for the most part. It is all about what will attract the candidate and what you can offer that they are not, or will not, get at their current employer. When speaking with candidates, developing a thorough understanding of their needs and wants is paramount. Then, find or create an opportunity within your organization that falls in line with those needs and wants.

For many leaders, this is a paradigm shift, but adopting some of these standards and best practices can help propel your organization to become an employer of choice in today's competitive talent market and will result in a more engaged workforce.

1 Randstad Professionals' 2015 Legal Workplace Trends Report, conducted by Ipsos on behalf of Randstad from Sept. 26 to Oct. 7, 2014



### Author Bio:

Karen Whitman is the Practice Director of Randstad Professionals' legal division in Minneapolis. She partners with leading law firms and corporations in sourcing, recruiting and retaining the best professional legal talent, with expertise in both temporary and direct hire placement of attorneys, paralegals, document review attorneys and legal secretaries.

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## GREAT PROGRAMMING AND NEW FRIENDS: NOLA BUSINESS OF LAW CONFERENCE

By: *Peggy Lahammer*

Without question I relish discussing just about any business of law topic, but I didn't expect to so thoroughly enjoy the ALA Business of Law conference in New Orleans. I've attended several different legal association conferences during my many years working for and with law firms, but this conference was unique in providing the most comprehensive programming for law firm leaders. This conference provides overviews and detailed information in important trends in so many areas, including HR (attorney and staff management and recruiting), IT, operations, finance, pricing and project management. Not only was the programming outstanding, the networking opportunities were excellent. And, well, this was in New Orleans, so the food and drinks may have contributed to my overwhelming sense of enjoyment during my visit.

Let's start with the programming: I attended most sessions on pricing and project management, as those are my areas of responsibility at my law firm. Of greatest interest was the session by Pam Woldow, a former GC, on Budgeting as a Strategic Planning and Control Tool. She queried the group on the appropriate pricing for a hypothetical scenario and then schooled us all that all our answers were wrong because we failed to first ask the client about his goals. Understanding your client's goals, pressures and budgeting needs should drive all pricing conversations because only with that information are we able to create a win-win pricing arrangement. She noted that some GCs may receive pressure to report back to their CEOs that they were able to achieve a certain percentage discount off of the typical attorney hourly rates, others may have a specific dollar amount or budget timing concern that will drive their requests, and finally, others may

be perfectly willing to pay premium hourly rates if the firm is able to achieve a particular result or deadline with some certainty. A clear understanding of our contact's and her organization's needs and pressures are essential for a successful engagement and a satisfied client.

Ms. Woldow described that too often law firm attorneys are hesitant to have that important pricing conversation with their client because they are uncomfortable discussing their perceived value, they simply are making assumptions on needs based on stale information from prior work, or they simply lack the information on their firm's profitability or pricing models and don't want to devolve into an area where that they may lack information.

In another session, Eric Dewey found a highly engaged audience as he presented his insights on the recent research and conclusions on lateral hiring by the American Lawyer/GDC. I highly recommend that firm leaders get their hands on this research before hiring another lateral. The research points to the conclusion that full recovery of all clients after a move to a new firm likely will take many years and revenue promises rarely equal actual returns within the first couple of years. Moreover, to objectively assess a prospective lateral's book of business he recommended that firms employ one of the new independent auditing companies. These auditors work independently of recruiting firms to thoroughly assess an attorney's revenue potential, strength of relationships with clients and potential clients, and their likelihood to transition their existing clients. This seems like sage advice for all firms who are considering hiring more lateral attorneys to grow their firm and the bottom line.

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## GREAT PROGRAMMING AND NEW FRIENDS - CONTINUED

*continued from page 25*

I also attended one of Izzy Gessell's sessions on creativity and innovation. Izzy directed groups to play several brain games designed to help us make connections that we may have not considered by working independently on a problem or by encouraging us to look at a problem from many different perspectives. He taught us that there are three innovation mindset skills that everyone can all learn: fluency (the ability to discover many different options), flexibility (the capability to consider many different perspectives) and uniqueness (the ability to develop something novel or unfamiliar.) The exercises were enjoyable and made even the skeptics realize that we all have the capacity to resolve difficult problems when we work together and look at familiar problems with others and a fresh perspective.

Finally, I should mention the great general session speakers. They were all educational, humorous and inspirational. Jay Hewitt, a practicing lawyer, described his personal jour-

ney with diabetes and as a world-class distance runner. He reminded us all that all may face difficult challenges in our lives but it is through those challenges that we grow as people. Also, Megan and Larry Johnson, a father-daughter team, discussed how generational differences often negatively affect our perceptions of our colleagues. They reminded us that we need to leverage the strengths from all employees of generational groups in order to achieve successful decision making in an organization.

Wait, did I mention the conference was in New Orleans? Oh yeah, aside from the outstanding programming inside the hotel we found a city alive with culture. The food was extraordinary and the cocktails exquisite. The nightlife in the French Quarter was lively and a bit raucous—a wonderful way to unwind after a two full days of programming. Between the exceptional programming and the great location, I suspect this conference will be the darling of many wise legal administrators.

## FRAUD AWARENESS AND PROTECTING YOUR LAW FIRM

*By: Kristine Lunde*

It seems as though hardly a month goes by without news of a data breach or cyberattack against a major institution, from retailers to financial institutions to government agencies. Law firms are not immune to these threats, nor are they immune to check fraud, email scams, and corporate account takeover, which we'll discuss in this article.

### **Checks or Electronic Payments, Which is Safer?**

Among firm leadership, and business leadership in general, there often exists a preconceived notion that electronic payments carry more risk than paper checks. But in today's fast-paced, evolving fraud environment, checks are proving less secure than electronic payments. The U.S. Department of Treasury shared some interesting statistics as part of their "Go Direct" campaign in early 2013. Their data shows that checks are 125 times more likely than electronic payments to lead to complications.

Because checks are a physical payment mechanism that can be intercepted along the payment path, fraud can happen in any of several ways. The check could be intercepted in the

mail and the account number and routing number could be used to create fictitious checks. The checking account and routing numbers, if intercepted, could also be used to debit the account electronically since those two pieces of information are all that is needed. The check could also be cashed using a forged endorsement. Tens of millions of dollars' worth of checks are fraudulently endorsed every year.

### **Email Scams Targeting Law Firms**

Law firms continue to be targeted by cybercriminals via email. One common scenario is as follows: a law firm receives a solicitation email from a "prospective client" purporting to seek representation. This would-be client has gone to great lengths to make his/her potential case appear legitimate – there may be fictitious but genuine-looking contracts, websites, and media reports. The "client" sends a cashier's check to the firm with instructions for the firm to subtract its legal fees, then forward the remainder to the "client." After the wire is sent, the law firm discovers that the cashier's check was fraudulent.

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## FRAUD AWARENESS AND PROTECTING YOUR LAW FIRM - CONTINUED

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### Fighting Corporate Account Takeover

Finally, law firms should be aware of the problem of corporate account takeover, a fast-growing electronic crime in which thieves use malware to obtain login credentials for a company's online banking accounts, then transfer funds from those accounts. This crime can be committed through wire transfers, business-to-business ACH payments, online bill pay, and payroll payments. Once the malware is unknowingly installed by a firm employee, the thief has access to the relevant account and can transfer funds at any time, and the money is gone by the time the firm realizes what happened. Corporate account takeover has cost U.S. companies more than \$370 million in 2015.

Law firms should educate and train staff to recognize this threat. Understand who you're doing business with and avoid opening any suspicious emails. Keep computers and networks secure, update spam filters, antivirus software and security systems, use firewalls, and review account activity daily. Corporate account takeover is preventable if your firm is proactive about protecting itself.

### Shielding Your Firm From These Schemes

There are a number of actions law firms can take, independently or with help from their banks, to combat check fraud, email fraud, and corporate account takeover. A few points to keep in mind in this regard include:

- Review account activity daily – spotting fraudulent transactions early can make a big difference.
- Know your client before accepting a wire – receiving wires means giving out your routing number and account number, which is all a fraudster needs to use your account nefariously.
- Implement internal controls governing the release of funds from client trust accounts/IOLTAs and consider dual controls for wire transfers.
- Independently verify information provided by your "client."
- Be suspicious of offers involving large fees or a commission for little or no work.
- When doubt exists, contact the bank the check is drawn on to verify.
- Reach out to your bank whenever you have questions or concerns. Preventing and rectifying fraud is top-of-mind for bankers, and they are happy to help.



#### Author Bio:

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## TO RENEW OR RELOCATE LAW OFFICES?

By: Paul Donovan

**While hard costs are always important, also consider whether your office is an effective tool for the future of your firm**

Law firms with upcoming lease renewals have a big decision: Should they stay or should they go?

While economic factors are always key to the decision, equally important is ensuring that you are creating office space that reflects your firm's business, financial and operational needs.

### Steps to take

Clearly identify and prioritize your business, financial and operational needs. Does your current office space support the direction you're heading? Do you want to reduce costs? Grow revenue? Create flexibility?

Next assess your ability to attract and retain talent. How are you perceived by new recruits and talent you want to retain? Younger attorneys are coming from an environment that is more collegial and collaborative versus the traditional hard walled environments. They are very interested in collaboration and learning from seasoned attorneys -- and your office design should consider this.

Cushman & Wakefield conducted two back-to-back, national surveys and found the top three reasons an associate initially joined a firm were reputation, areas of practice and compensation. However, they stayed at a firm based on compensation, mentoring and collaboration. So while a private office is important; collaboration, mentoring and technology are also very important to young attorneys.

How you connect the shareholders of your firm with the future generation is an art, certainly not a science, but your space should support that interaction.

### One way is adjusting office sizes and amenities

It's clear that attorneys and their legal staff are working differently today. Firms are increasingly prioritizing collaborative and flexible work and meeting spaces that provide better opportunities for informal interaction.

Some firms are even doing away with office sizes based on seniority and moving to "one-size-fits-all" offices. Also, many firms -- whether renewing or relocating -- are downsizing. Smaller offices and clustered workstations provide opportunities to downsize from the current average of 800 to 900 square feet per attorney to 600 square feet or less -- as much as a 20 to 30 percent reduction in space.

Firms are also leveraging technological advances, which is helping eliminate unnecessary space. Elaborate law libraries are being replaced with digital materials and digital filing systems.

### Get support early on

Whatever you're leaning toward -- whether it's renewing your lease, reconfiguring your offices or moving-- it's critical to gain buy-in early on from the key stakeholders in your firm. That might be the executive committee, the equity partners, the large producers or however your firm wants to define "buy-in." Once you have that support, you can move to the next level, which is assessing the market.



### Author Bio:

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