

Law Practice Management

OREGON STATE BAR



LAW PRACTICE
MANAGEMENT SECTION

Volume 9 • Number 2 • Fall 2001

Does Your Firm Have An Email / Internet Policy?

By Mark Oldenburg

Remember when Microsoft Windows was new and all that employers had to worry about was how much time employees were wasting playing Solitaire or Minesweeper. The solution was simple - take the games off the computers. Yet many of us convinced ourselves those games were necessary to improve the user's dexterity with that new thing called a 'mouse'. And we left the games alone. Things were so much simpler then.

The '90's saw exponential growth in the Internet and e-mail for business communications. The United States Internet Council reports that Internet use has grown from 90,000 regular users in 1993 to more than 304 million in 2000. Employees send billions of e-mail messages every year. Businesses have embraced e-mail and the Internet as quick and effective ways to communicate business information, however this technology can present serious pitfalls for any employer.

"THE AVERAGE U.S. EMPLOYEE IS SAID TO SPEND SIX HOURS PER WEEK SEARCHING THE INTERNET FOR PERSONAL REASONS WHILE AT WORK. IT'S ESTIMATED THAT THIS LACK OF PRODUCTIVITY COSTS COMPANIES MORE THAN \$5 BILLION."

Still with us is the issue of how this new technology affects employee productivity; the issue is much bigger than with the Windows games we worried about before. The average U.S. employee is said to spend six hours per week searching the Internet for personal reasons while at work. It's estimated that this lack of productivity costs companies more than \$5 billion. Perhaps what is of greater concern is what employees are doing when they're surfing the web. They are not just trying to win big bucks at IWon, buy that special item on eBay or download music from Napster. WEBSense (<http://websense.com/management/stats.cfm>) reports some surprising Internet use statistics. The word "sex" is the No. 1 search term used at search engine sites. 70% of all Internet porn traffic occurs

during the 9-to-5-work day. During work hours 9% of employees earning less than \$35K surf the web for a new job, while 11% of those earning \$75K to \$100K do the same. It's this kind of use and more that poses greater concerns for employers than just lost productivity.

An employee's use of company-owned technology to injure another employee or harm a client or third party can expose an employer to liability if it knew or should have known what the employee was doing. Employees can sue for sexual harassment or discrimination based on electronic communication displayed or circulated internally. By now most of us appreciate that even a well-intended e-mail can set the wrong tone because people are less careful in their choice of words. The joke that might have never been said or taken differently if said, in person, becomes harassing or risks offending the e-mail recipient.

Employers should also be concerned that employees may be using the Internet (chat rooms for example) or e-mail for purposes that are in direct conflict with the employer's business interests.

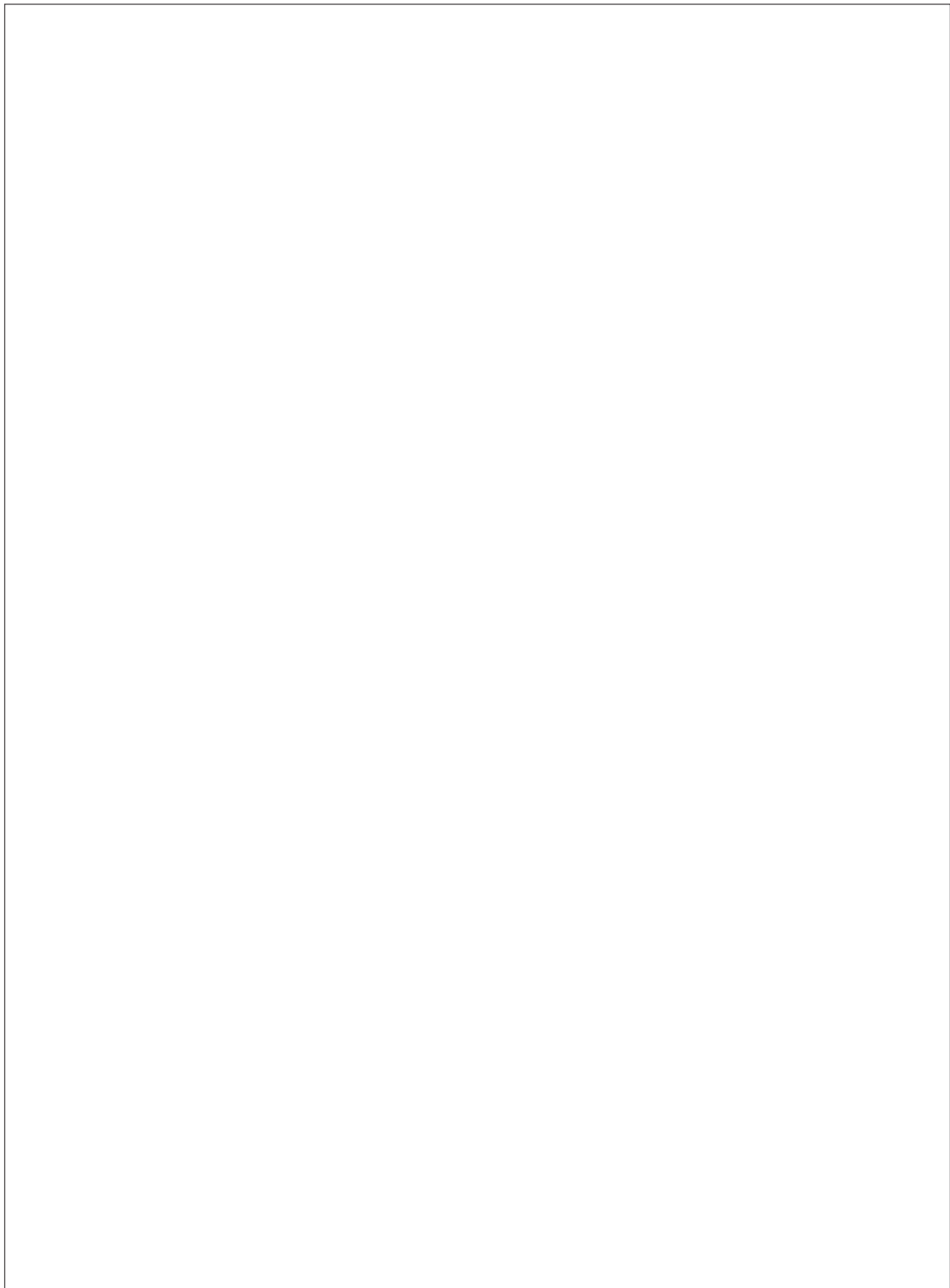
Disgruntled employees have been known to post on the web company trades secrets, sensitive information and defamatory remarks about the company and its senior management. E-mail has been used to pass large amounts of sensitive information and trade secrets to competitors.

Finally, as we all learned in the Microsoft case, e-mails are a more permanent record of our communications than we might think. Electronically stored documents including e-mail can almost always be retrieved even if they have been 'deleted' from the system. These systems are one of the first targets for discovery.

With companies becoming aware of these very real risks brought on by the use of this technology, monitoring employee activities such as personal Internet use and personal e-mail during work hours is increasingly being viewed as a legitimate employer activity. The American Management Association (www.amanet.org/research/specials/monit.htm) reports that 45% of major U.S. firms electronically monitor their employee's communications and performance. The number of firms that check employee e-mail has nearly doubled since 1997.

Monitoring results is another risk companies are subjected to as employees may claim invasion of privacy. Having a well thought out policy is critical to avoiding such claims.

(continued on page 5)



Committees & Boards, 2001

LPMS Executive Committee 2001

Stephen A. Hutchinson

Chair

(541) 686-9160
(541) 343-8693 (fax)
stevehutch@haccd.com

David O'Brien

Past Chair

(503) 242-2514
(503) 274-7895 (fax)
dobrien@nwstaffing.com

Evan Boone

Chair Elect

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

Craig K. Edwards

Treasurer

(541) 318-0018
(541) 318-0062 (fax)
craig@cns-nw.com

Janet A. Stuemke

Secretary

(503) 323-9000
(503) 323-9019 (fax)
jstuemke@cvk-law.com

NEWSLETTER

EDITORIAL BOARD:

Mary P. Sauer

Co-Editor

(503) 276-7317
msauer@legalnw.com

David O'Brien

Co-Editor

(503) 242-2514
dobrien@nwstaffing.com

Darla Pierce

(503) 227-1515

Carol Wilson

(503) 639-6911

Stephen A. Hutchinson

(541) 686-9160

LIASION POSITIONS:

BOG:

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

OSB STAFF:

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

PLF:

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

BOARD MEMBERS:

James O'Rourke (01)

(503) 221-1425

Craig Emerson (01)

(541) 485-5151

John Wolf

(541) 485-5151

Fern Puls (02)

(541) 687-4757

Mary Sauer (02)

(503) 276-7317

Mark Oldenberg (02)

(503) 248-1134

Candace Haines (03)

(503) 618-2434

Warner Allen (03)

(503) 255-8795

Darla Pierce (03)

(503) 227-1515

John Cummins (03)

(541) 485-0220

Comments From the Chair

Stephen A. Hutchinson

Our jointly sponsored Legal Technology 2001 Show was a success. The Law Practice Management Section and the Oregon Legal Management Association once again, co-sponsored this event. I want to give a big congratulations and thank you to Dawna Brophy, who chaired the Committee to put on the Tech Show and all of the OLMA volunteers who worked on the Committees. I also want to thank my little Committee of Carol Wilson, Carol Decker and Dee Crocker, who all worked with me on publicity and the design and mailing of registration materials.

The Technology Show gets to be a bigger and bigger project each time and so, it's been decided that we will put this on every two years, rather than trying to do it each year. So, the next Technology Show will come up in 2003. This year, we had great, nationally recognized experts, many of whom we were able to get from the ABA show, to deal with some strategies for knowledge management and communications management for today's law firms. There were many good presentations regarding security for our computer systems and what kinds of programs can be helpful to lawyers in organizing volumes of materials. There were also helpful presentations of alternatives we now have for billing systems and the economics of dealing with computer and software costs.

Congratulations to all who made the Technology Show such a benefit to our local legal community.

The last thing I want to mention is that the American Bar Association, Law Practice Management Section, will hold its Fall meeting this year in Oregon. The meeting will be at Salishan on October 25, 26 and 27, 2001. All local Oregon lawyers who are interested in this area are encouraged to attend. The ABA has a special block of rooms at the Salishan Lodge at a reduced rate. OSB member Bill Gibson, is Chair of the ABA Section this year.

If you have comments or suggestions about Section activities, please don't hesitate to contact me.

Have a great summer!



Stephen A. Hutchinson

ABA-LPMS Is Coming to Oregon

The Section of Law Practice Management of the American Bar Association will hold its fall meeting at Salishan Lodge at Lincoln City on October 24-28, 2001.

Clackamas attorney K. William Gibson will become chair of the 20,000 member Section in August and chose Salishan for his first of four meetings during the year. Gibson says that he is bringing the Section to Oregon because "I wanted Oregon lawyers to have a chance to see what the ABA has to offer to the average attorney and law firm administrator".

The ABA Section sells more than \$1.5 million in books on practice development, Internet and other technology for lawyers, solo and small firm practice management and time & billing, according to Gibson. The Section also publishes an award winning magazine and newsletters on current topics of law practice.

The Salishan meeting will include a reception on Thursday, October 25th; educational programs and dinner on Friday, October 26th; and a wine-tasting tour on Saturday, October 27th. The educational programs are tentatively entitled "The Best of ABA Techshow comes to the Oregon Coast". Gibson says that he hopes to have the leaders of the Oregon State Bar Law Practice Management Section in attendance and plans to hold a special meeting on co-operation between the ABA and state & local bar organizations.

"GIBSON SAYS THAT HE IS BRINGING THE SECTION TO OREGON BECAUSE "I WANTED OREGON LAWYERS TO HAVE A CHANCE TO SEE WHAT THE ABA HAS TO OFFER TO THE AVERAGE ATTORNEY AND LAW FIRM ADMINISTRATOR"."

Gibson has long been involved in the Oregon State Bar and was a member of the OSB Economics of Law Practice Committee, the predecessor to the Section of Law Practice Management. He served for several years as editor of the Committee's newsletter and in other positions.

OSB members can contact him at bgibson@cnnw.net or by telephone at 503-659-6187. Information will also be available at the ABA website www.abanet.org/lpm or www.lawpractice.org.



*Partners to the
Multnomah Bar Association*



LEGAL NORTHWEST
333 SW 5th Avenue, Suite 100
Portland, OR 97204

**Find out why
over 300 Law Firms and
Legal Departments trust
Legal Northwest**

Paralegals - Legal Secretaries - Receptionists - Project Assistants - File Clerks

Call Mary Sauer, David O'Brien or Kristine Curtis

503-242-2514
503-274-7895 (fax)

or visit our web site: legalnw.com

E-mail/Internet Policy... continued from page 1

A firm should address the following while implementing an email/internet policy:

■ **Electronic systems are company property and intended for business use.** However, a "business-use only" policy is probably not realistic or even desirable. In most instances a policy limiting usage to business-related reasons that also recognizes some personal use by employees at least during break and lunch periods will make the most sense.

■ **Any monitoring policy should be written.** In it employees should be notified that Internet use and e-mail may be monitored and that the employee should not expect any information in the employer's electronic systems to be treated as private or confidential.

■ **Companies should obtain some form of consent to the policy by the employee.** This can be either through acknowledgement that the employee has received a personnel manual including the policy, or a specific acknowledgement addressing directly the employer's electronic systems policy.

■ **The policy should carefully reiterate that all Internet and e-mail use must comply with the companies discrimination and harassment policies.** It is very difficult to describe everything that should not be viewed over the Internet or put in an e-mail. Certainly the policy should prohibit using company systems to send, receive, upload, download, or view at least the fol-

lowing content: sexually oriented lewd or obscene; violates copyright laws; disparages others based on sex, race, sexual orientation, age, disability, national origin, religious or political beliefs; proprietary data or work product; solicitation of money for personal gain; and chain letters.

■ **Other restriction may require employee training or coaching.** Use the 'mother' test - have employees ask themselves how they would feel if they had to show what they were viewing or putting in e-mail to their mother.

Employers can, and probably should, use technology to control the use of this technology. Software exists that can monitor e-mail and Internet searches without human intervention. When the software detects use that is inappropriate, notice is sent to a manager for action. In fact automated monitoring offers a greater degree of privacy protection; as long as the use is appropriate it is likely to remain private.

Employers will need to review their policies and practices often to ensure compliance with state and federal statutes, as well as the developing case law, addressing monitoring and workplace privacy.

Any one for Solitaire?

Mark Oldenburg is the Director of Administration at Bullard Smith Jernstedt Hamish, a Portland law firm specializing in labor and employment law.

Practice Tips for the Quarter

Practice Tip 1

Create a "Thank You" file. In it should go the letters from satisfied clients, the replies from speaking engagements, the Little League support letter-anything that demonstrates that you are making a positive difference in someone's life. What gets measured gets done. Start measuring the impact that you are having on the world. After all, it's a wonderful life!

Practice Tip 2

Remember that clients are often under considerable stress (from their legal problems) the first time they visit a lawyer. Your explanation of your fees and costs may be a model of clarity, but it may not sink in. Give your explanation in writing as well as verbally. If a lot of money is at stake (in the eyes of the client), allow the client time to think it over before committing to your fees. Clients who "buy in" to a fee agreement are more likely to abide by it. Then take the initiative to periodically discuss the amount of fees throughout your representation. If at any given point the fee does not comport with the client's expectations, resolve the situation as soon as possible—don't let it fester until the attorney/client relationship is irreparably damaged.

Practice Tip 3

Add a personal touch to voice mail: Change your greeting daily – or at least weekly – to reflect your schedule so callers will know whether you will receive their message in ten minutes, ten hours or ten days! There are few things more frustrating for a client than to call their lawyer and get the same "I'm either away from my desk or on another line," only to find out their lawyer is in trial for three days or in Tahiti for three weeks. Also, if you are going to be unavailable for more than a day, leave instructions on your greeting message on how to reach a real live person if they need to when you're unavailable. Your clients may not thank you, but they will appreciate it!

Reflection of Legal Technology 2001

EXPANDING OUR VISION AND UNDERSTANDING

John A. Cummins, CLM – Harrang Long Gary Rudnick PC – Eugene

By now we may be so shell shocked by the changes and the speed of change in technology that we came to the OLMA/OSB-LPMS Legal Technology 2001 Conference and Exposition on April 6th somewhat numbed. It is not that we have heard it all, but that we are dulled to the endless recitation of the latest and greatest new technology, which each week seems to make our entire office obsolete. So it was with great surprise and pleasure that I listened to the keynote speaker's presentation on "The Digital Art of Persuasion." These are my reflections on what I heard that morning about losing the fear of change and about "What will change?"

Sam Guiberson took the audience on a whirlwind tour of human's attempts to improve communication over several millennia. From cave paintings, where we learned that "to visualize an act is to make it happen," to the rather modern epiphany that "the challenge is not to standardize but to improvise," we saw that we must not only visualize the future that we want, but that this future is one of being flexible and able to learn quickly. Rather philosophical stuff, especially for those of us who are looking for a leg up on the newest technology that will give us the competitive edge. Sam's message is that "it's not the technology, stupid (my term, not his), it's the process."

If we are to succeed we must learn how to select the technology that meets our organization's goals. We also must learn how to learn. And here is the rub with technology. Technology, as a

"IF WE ARE TO SUCCEED WE MUST LEARN HOW
TO SELECT THE TECHNOLOGY THAT MEETS OUR
ORGANIZATION'S GOAL."

binary system, is linear, that is, it proceeds in straight lines. But the process by which humans learn is not an analog (linear) process. A further difficulty for law firms and lawyers is that the formalized legal process is linear, too. But the process of discovering what we need technology to do for us, and the types of technology we need to accomplish our goals, operates in terms of a very different process. It reminds me of the distinction between the process of scientific investigation and discovery (lateral thinking) versus the process of presenting scientific evidence and argument as a proof (linear thinking).

Of what relevance is this to your law firm, and to you? Just this: do not let the process by which the profession of law proceeds, or the model of scientific proof, lull you into the misconception that the process of determining what technology should be doing for your firm (or life, for that matter) will be the same. Sam pointed out that the method of organizing information dictates what information you get and when. In one article he writes: "Buying technology to accumulate information offers no

competitive edge to the advocate who doesn't also learn how to maneuver through it."ⁱ

Much of what technology does for us in the practice of law is simply organizing information. If Sam is correct, then, whatever technology we use to organize that information determines what information we get and when we get it ("information tactics have become trial tactics."). Take, for example, electronic legal research versus research conducted with law books. Any lawyer can tell you that you proceed differently and that you will get different results in your research, which is why so many lawyers want to use both methods. They do not get the same answer, nor do they get it in the same way and at the same speed. This is not to say one is good and the other is not. They simply are different, and we need to be aware of that fact.

Sam did, in fact, connect his insights to our everyday approaches to organizing and utilizing information. He noted that there are three ways that human beings think, and he gave three everyday examples of these. First, there is recollection, and this is evidenced in text retrieval systems. Second, there is categorical thinking, which can be found in the use of data bases (like things are organized into data patterns). "The art of the data base is not in the data, but rather in sensing what questions about relationships in the data need to be asked."ⁱⁱ Finally, there is associative thinking, which is how the Internet web works. Reflect on these different technologies, how we use them, the speed at which we get our results, the types of results we get, and the use to us of the results (or, how we are able to use the results).

As in Gilbert and Sullivan's Mikado, we should "let the punishment fit the crime." That is, we must learn how to use the technology appropriate to the type of learning we want to employ. Conversely, we need to understand what each type of technology will enable us to produce and use. The various technologies are not interchangeable. As lawyers we need to understand that it is not enough, in order to be persuasive in this digital and intergalactic age, to use only one form of technology.

Lawyers, according to Sam, need to be more than just word-smiths. Lawyers need to be video-smiths, audio-smiths, and whateverelse-smiths. Administrators and IT professionals need to understand not only the practical "how-does-it-do-what-it-does" characteristics of technology, but also understand how humans learn, communicate, and, above all, persuade, so that we will not try to cram the wrong message into the wrong technology bottle. Choosing an inappropriate technology will only sidetrack the process at best, and scuttle the process at worst.

My apologies to Sam Guiberson if I have misrepresented or distorted any of his ideas. But my hat is off to him for helping me to stand back from the raging stream of technological change. I have been assuming that whatever comes out of Silicon Valley must be right, useful, appropriate to the task. Not so. Palm or Blackberry? It is more than a decision about spending money and setting up a particular system. It is about how you communicate, to whom, and what.

You are missing a "best buy" if you do not read through all of

continued on page 7

the articles authored by Sam Guiberson that were included in the session handouts. They not only go into greater depth, but they provide eloquently and precisely Sam's message – and it is a powerful message. Sweet dreams.

Tara Bomberger - Office Manager for Kent Custis LLP – Portland

Shopping For Ideas

Our managing partner, an associate and I attended the legal technology seminar because we were shopping around for some ideas to upgrade our computer system.

All of us found some sessions interesting and helpful in aiding us in our mission of updating our system. There were some sessions that were more useful for the attorneys from a case or trial related standpoint, but there were some sessions that were helpful to me as a firm administrator, and that would help me obtain more information for our new computer system. Below, I have outlined a few of the major highlights that I learned from the seminar.

Participation in the e-commerce world is not optional as a lawyer, it is a must. Clients now expect instant communication to keep the attorney-client feedback loop short. Clients are more apt to find a law firm that can communicate more quickly by using technology than a firm who is still using just a message pad and a telephone.

Lawyering in the future “will become more about relationships, the more it evolves technologically. Those professional relationships will be conducted in a progressively more instantaneous and effortless electronic medium that places a greater value on the broadest range of interpersonal and communication skills.”

To protect your firm and website, make sure you do the following things:

- Establish actual ownership:
specify ownership of IP and licenses in writing
- Stake a claim on ownership:
display trademark, copyright, and other notices
- Create proof of ownership:
use digital watermarks
- Avoid liability for your website:
police usage of IP and secure permissions
- Protect the IP on your website:
audit trails and other tools

Lawyers should not just use the web as an earning tool, but also as a learning tool. In the future, many people think books will be outdated, and the web will be where the world will learn from. It is important for lawyers to know how to gather, retrieve and understand information from the web.

Employees look for firms that can offer a technology sound environment. Secretaries and associates alike do not want to be

working on an outdated system or old computers that do not allow them to get their work done faster or in a flexible manner. Laptops for instance allow employees to take work home, or

Things to look at when shopping for case management software:

- Case calendaring and people calendaring
- Case information tracking
- Document management
- Conflicts checking
- Integration with billing system
- Easy integration of contact information with your word processor
- Document assembly building
- The timeline/chronology function
- Synchronizing with laptop/remote systems

work more flexible schedules, while still getting their work done.

Backing up your system

- Never trust your backup system: periodically perform mini tests to restore
- Alternate between at least five backup tapes or cartridges
- Store your most recent backup tapes out of your office
- Retire backup tapes after 1-2 years of use and replace them
- Train at least two people in your office on how to perform backups as well as conduct and test “restore” operations.

Dee Crocker – Practice Management Advisor for Professional Liability Fund - Oregon

Session Review: Communication Strategies: B2B Considerations for the Law Firm in an E-World

Although when I registered I wasn't exactly sure what topics this seminar would be presenting, I found it to be very informative. The speakers were well prepared and presented the information at an understandable level. The topic of intellectual property can seem overwhelming at times, but the three speakers were kind enough to include some humor to lighten the subject matter. The panel of speakers worked well together and provided an excellent insight into the problems that arise for both lawyers and their clients in protecting their intellectual property.

The information regarding digital signatures and encryption was thorough and answered my questions about how these procedures work in the business world. Ownership of articles and forms which may be posted on a law firm's web site was discussed, as well as unauthorized use of copyrighted material on web sites. There was also discussion of domain name poaching and ownership. The handout was very helpful and included legislative information and descriptive charts which enhanced the discussion.

ⁱ Information Tactics

ⁱⁱ Information that Shows Up, Not Shows Off

LAW PRACTICE MANAGEMENT SECTION OREGON STATE BAR
Executive Committee Meeting Minutes

MARCH 9, 2001

The March 9, 2001 meeting of the Law Practice Management Section Executive Committee was called to order by Chair Stephen Hutchinson at 3:00 p.m. The meeting was held at the offices the Oregon State Bar, Lake Oswego, Oregon.

Present: Stephen Hutchinson, Chair, Evan Boone, John Cummins, *Craig Edwards, *Craig Emmerson, David O'Brien, David O'Rourke, *Fern Puls, Margaret Robinson, Mary Sauer, Jan Stuemke, (*Denotes by Conference Call.)

Absent: Warren Allen, Candace Haines, David Hytowitz, Mark Oldenburg, Darla Pierce, Carol Wilson, John Wolf.

1. Welcome and Introductions of New Members: Chair Hutchinson welcomed and introduced new members to the Committee.

2. Minutes of January 26, 2001: The minutes were approved as written.

3. Treasurer's Report: Craig Edwards reported receipt of \$4,700 from membership fees. Our Year-end 2000 balance was \$744.00. Our January 31, 2001 balance was \$4,692.00. We received two bills for conference calls, leaving a current fund balance of \$4,627.90. Margaret Robinson will check into one of the conference call amounts as it was thought to be in error.

4. Newsletter: Mary Sauer and David O'Brien circulated a draft of the section newsletter and reported that it should be in the mail next week. We have approximately 294 labels including LPMS, section leaders and BOG. We will print extra for marketing. IKON will print the newsletter and it now contains advertisements. Mary Sauer reported that the next deadline is May 12.

6. Web Site: The LPMS web site is up but the Bar is revamping their site at the moment so it is not currently available. They are expected to have it completed next week. Part of the newsletter will be on the web. Mary Sauer suggested putting part of the OLMA/LPMS Resource Guide on the web site.

7. Legal Technology 2001 and Trademark Issue: Jan Stuemke reported that the early bird discount had been extended for Legal Technology 2001 by one week. Forty-nine have signed up so far. Ten more booths need to be sold at \$500 each. David O'Brien will circulate a list of those sold and asked if committee members could assist by contacting prospective vendors. It was discussed and agreed that we continue a two-year schedule for the Legal Technology show due to the size of the program and effort needed to do it. Chair Hutchinson will write a letter to this effect to the OLMA President.

George Reimer and Chair Hutchinson have responded by letter to the New York firm that contacted OLMA and OSB regarding the trademark issue, explaining that we utilized the "Legal Tech" name long before they were in the northwest market, and we probably have prior rights. The letter also stated that we would not use the name for this year. No reply has been received to date.

8. OSB Bar Convention and CLE: Chair Hutchinson reported that the form was submitted to the Oregon State Bar to do a section on Six Tips in 60 Minutes. Evan Boone moved that we not put the CLE on at the Bar convention this year and after discussion the board agreed and directed Margaret to withdraw our application.

9. Lawyering 101 Program: Scott Palmer is still interested in putting a program together in a law school. David O'Brien will talk to Scott Palmer and do an assessment of workload to put together. Chair Hutchinson will explore the program and report back at next meeting.

10. Service Mark: Our Service Mark will expire on July 12, 2001. Last time it cost \$340 and it lasts for 5 years. Chair Hutchinson will check to see if we can renew for less money.

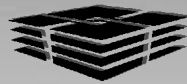
11. Section Reports: The initial section report has been submitted. David O'Brien stated he would complete and submit the Annual Report for 2000.

12. Meeting Dates: Future dates of the LPMS Section will be May 11 at OSB, July 20 in Bend, September 21 at Seaside Bar Convention and November 2 at OSB..

13. New Business: Evan Boone discussed the possibility of conducting a CLE on marketing and office management, possibly targeting ten attorneys or less office. There was much interest in conducting such a CLE. Evan Boone will look into this further.

The meeting was adjourned at 5:00 p.m.

Template and Workflow Automation | Network Integration | Systems Management Outsourcing
Intranet / Extranet Design | Web-based Applications Development | Web Site Design & Hosting



Advanced Legal Systems

CREATING TECHNOLOGICAL CALM

We provide the highest quality technical and web-based services to law firms: calmly.

www.advancedlegal.com phone | 503 227 5400
828 SW First Avenue | Suite 210 | Portland Oregon 97204 fax | 503 227 4585

LAW PRACTICE MANAGEMENT SECTION OREGON STATE BAR

Executive Committee Meeting Minutes

MAY 11, 2001

The May 11, 2001, meeting of the Law Practice Management Section of the Oregon State Bar was called to order by Chair Stephen Hutchinson at 3:00 p.m. The meeting was held at the offices of the Oregon State Bar, Lake Oswego, Oregon.

Present: Stephen Hutchinson; Chair, Evan Boone, John Cummins, Craig Edwards*, Craig Emerson*, Candace Haines, David O'Brien*, Mark Oldenburg, Fern Puls, Mary Sauer*, Janet Stuemke, Carol Wilson, Margaret Robinson; bar liaison.

Absent: Warner Allen, James O'Rourke, Darla Pierce, John Wolf

1. Welcome: Chair Hutchinson welcomed the members and thanked them for attending.

2. Minutes of March 9, 2001: The Minutes were approved as written, with the correction of Candace Haines as present.

3. Treasurers Report: The newsletter expense is not reflected on the April, 2001 statement. Conference call expenses are averaging \$70 per meeting.

4. Newsletter Report: The newsletter committee met. They will contact the bar's Design Center (Anne Lettin) to determine the costs of having the newsletter compiled and formatted by the Design Center. The deadline for the next issue is the end of May. This issue will include the following: Privacy Policy article by Mark Oldenburg; reports on the Legal Tech conference by Steve Hutchinson and John Cummins; an article from Dee Crocker; reports from two legal administrators; evaluations from the conference; LPMS mission statement; membership information.

5. Legal Tech 2001: Carol Wilson reported that 96 registrants attended the show. \$3,000-\$5000 in revenue was lost because 10 vendor booths were unsold. In addition, speakers made last minute flight changes resulting in \$1200 in unbudgeted expense. The members of the Executive Committee agreed that we do not have an obligation to cover the unbudgeted speaker expenses. The consensus about the conference was that both attendees and vendors figures have not been determined.

Other points of discussion about the legal technology conference:

- Sponsor rates should be increased to help offset the deficit.
- Four new members were recruited from the registration forms.

- More volunteers are needed to recruit more sponsors.
- Margaret will check with the Bulletin editor to determine why the section could not put a notice in more than 30 days prior to the event.
- The door prizes were exceptional.
- Target small and sole practitioners.

6. Six Tips/OSB convention report: By the July meeting the CLE planning committee will propose a topic and date for the Spring 2002 CLE session. Carol Wilson informed the committee of the possibility of holding a joint CLE with OLMA on the subject of telecommuting for lawyers. Evan, Craig E., Jan Candace are members of the planning committee.

David O'Brien will report at the next meeting on the Lawyering 101 sessions that may be held at Willamette University Law School and the University of Oregon School of Law. These would be 2 hour weekly sessions with 2 credits.

The section will not hold a CLE session at the OSB convention in Seaside.

7. Webpage report: The calendar is up and the page is accessible. It was suggested that the webpage address should be in the

newsletter

8. Nominating Committee: The nominating committee consists of Evan Boone; chair, David O'Brien, John Cummins and Carol Wilson. Nominees are needed for the officer positions plus three Executive Committee members. Nominations are due by the end of September to be presented at the October meeting.

9. New Business: The ABA LPMS section is holding meetings in Salishan on October 25. Carol Wilson will check to see if expense reimbursement is available to members of Oregon's LPMS Executive Committee should they wish to attend.

OLMA is open to co-sponsoring a managing partners dinner in October, 2001, with our section. Jan Stuemke will follow up with OLMA president, Dawna Brophy, to inquire as to the involvement they want us to have.

10. Annual Section Report: Margaret Robinson report that our Annual Section Report has now been filed with the Bar.

The meeting was adjourned at 4:00 p.m.

Meeting Schedule for the remainder of 2001

October 5, 2 p.m.- Eugene

November 9, 2 p.m.- OSBC

The original meeting date was November 2.

OREGON LEGAL MANAGEMENT ASSOCIATION (OLMA)

**ANNOUNCES THE 2001 SURVEY OF ATTORNEY
AND SUPPORT STAFF COMPENSATION & BENEFITS**

AVAILABLE JUNE 1st

The 2001 Survey of Attorney and Support Staff Compensation and Benefits is a great success with over 100 firms participating again this year. You, the participating firms and legal departments, were asked last year to comment on the Survey results. Your comments were very positive, with a few recommendations for change. Based on those recommendations the position of Recruiting Manager/Coordinator was added to the Survey.

Survey information is reported in three geographic categories: All Firms Reporting, Firms in Portland Metropolitan Area, and Firms Outside Portland Metropolitan Area, in addition to Compensation Data for Participants in Selected Counties based on data received. Selected positions are reported for Lane and Marion Counties in Oregon and Clark County in Washington. In addition, information is reported by size of law firm or legal department and years of experience.

If you have not purchased a Survey, but would now like to do so, please contact Kathi Rutten, (Chairperson of the Survey Committee) at 503.221.1440 or kathi@tonkon.com

The purchase price of the 2001 Survey Report is:

- \$150 for OLMA member firms/departments,
- \$200 for nonmember firms/departments that participated by completing the Questionnaire,
- \$250 for firms/departments that did not complete the Questionnaire (both OLMA member and nonmember firms/departments).

The purchase price of the Small Firm Report is:

- \$75 for OLMA member firms/departments,
- \$125 for nonmember firms/departments that participated,
- \$175 for firms/departments that did not complete the Questionnaire (both OLMA member and nonmember firms/departments).

YOUR CONTINUED SUPPORT IS APPRECIATED

Inside This Issue

Does Your Firm have an Email/Internet Policy?.....	1
Comments from the Chair.....	3
ABA-LPMS Is Coming to Oregon..	4
Reflection of Legal Technology 2001.....	6
March 9 Meeting Minutes.....	8
May 11 Meeting Minutes.....	10

Upcoming CLE Seminars

August 2001

Persuasive Trial Advocacy Techniques
Summer Video Week

September 2001

New Takes On Depositions

Upcoming Board Meetings

October 5, 2001

Eugene 2 PM

October 5, 2001

OSB Office 2 PM

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

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

Oregon State Bar

Law Practice Management Section

5200 SW Meadows Road

Lake Oswego, OR 97035

Presorted
Standard
US Postage
PAID
Portland, OR
Permit #341