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Technology Issue
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From the Editor

I just finished reading Hidden Figures. It was a great book. Back when these women were hired they were called Computers. That was their job title. They sat in pools and made calculations all day long. These calculations were used to determine how to fly the air planes during the war and later space ships during the space race. Years later when IBM developed the first computers, John Glenn said, “Get the girl (Katherine Johnson) to check the numbers.” He was second guessing the numbers that the computer spits out. Only when she gave her approval, did he agree to enter the capsule. That was in 1962.

We have come a long way in the last 55 years. The personal computer (pc) was introduced in 1981 by IBM. The first mobile phone call was made in 1973. I thought it was crazy that a person could talk on a phone that was not anchored to the wall in their kitchen. Technology today is commonplace. My kids do not know a time without it, and the advances do not seem to be letting up anytime soon. Although now along with technology, there is the risk of having that technology breached. We need to be ever diligent.

We have two excellent articles to let you know more about technology breaches. I hope our features on Cyber Risks and Ransomware Attacks give you some insight and knowledge to help protect you and your firms. While no firm is immune to attack, we hope they help give you a little understanding to insulate your technology.

Is your firm embracing technology or merely trying to keep up with it? Find out by reading 5 Factors of IT Readiness. Electronic media, research, and discovery are quickly replacing print and tedious time-consuming chores that would involve a paralegal or associate going through tons of paper to prepare legal documents and opinions. It might also give you some insight about where you are on the technology platform.

Along with these technological advances comes the need to protect your firm and its clients from “slips” that could lead to malpractice claims. I attended a brunch and learn on this topic from our author and feel that he has a lot to say to us about keeping our firms protected. I hope you agree. Please let me know after you read the article.

The last of our feature articles is one I particularly liked. Technology and its impact on Human Resources. I’m going to be honest, I would not know how to look for a job today. Employers used to post an ad in the Sunday paper and I would go through and send my “paper” resume by US mail and hope to get a call. I guarantee you, when my kids read this they will LOL! Read just how technology impacts and has changed the HR Department.

Legal Levity might just be one of our best. I asked you to send me some of the strangest things you heard or saw in an interview. You did not let me down. I laughed, gasped and just said WTF to what you sent. Please enjoy reading them. I dare you not to laugh out loud! Then, even though summer is waning, there is still much to do in around the Chicago area. Please read about some of these day trips and if you decide to take one, we at the newsletter would love to hear about your experience.

If you missed the bi-monthly, don’t worry we have a great recap, complete with pictures, for you. I missed the Gold Sponsor Soiree and after seeing the pictures, I am making it a point to not miss again. Kudos to the planning committee.

We could not do what we do without the hard work and dedication of our committees. I encourage you to think about joining one (and it does not have to be the newsletter committee, though we would love to have you). Our chapter is premiere because we pride ourselves on doing great things for our members. I encourage you to just attend a meeting of some committee to see what it is about before you commit. But if you are at all like me, it will grab you and you will be hooked. I absolutely love working on the newsletter for you. But I could not do it AT ALL without my excellent committee.

I truly hope you enjoy this edition of our newsletter. I thoroughly enjoyed preparing it. I would love to hear from you, so please let me know your thoughts. "

Sue Burdett
sburdett@sfgh.com
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**ALA Mission Statement:**
The Association of Legal Administrators’ mission is to promote and enhance the competence and professionalism of all members of the legal management team; improve the quality of management in law firms and other legal service organizations; and represent professional legal management and managers to the legal community and to the community at large.
Happy summer, everyone. I hope you all have been enjoying the great weather we have had in Chicago. And perhaps you have had some great adventures traveling someplace wonderful!

I have just returned from CLI (Chapter Leadership Institute) in Minneapolis, Minnesota. For those of you who have not attended or are not familiar, CLI is a 3-day immersive conference for current and future chapter leaders to help build skills and enhance leadership experience and also provides ideas and tools to elevate chapter management.

One of the hot topics at CLI was Millennials OR The Next Generation. The keynote session speaker, Dan Negroni, had very interesting tips on how to understand, engage and maximize Next Generation leaders in our workplace. He also had very interesting statistics: there are currently 83 million Millennials in the U.S., representing 36% of our workforce. By 2025, that number will grow to 75%. Millennials will be our biggest pool of employees and clients.

Dan also narrowed down Managers’ top disconnects/frustrations with their Millennials:
- Lack of initiative/problem solving
- Sense of entitlement
- Overly self-focused
- Too emotional
- Unrealistic advancement goals
- Impatient
- Inability to remain engaged and loyal
- Poor work ethic
- Not taking responsibility

And, as you would expect, Millennials expressed their top disconnects/frustrations with their Managers:
- Unavailable / too busy
- Lack of timely feedback
- Lack of positive feedback
- Lack of training / development
- Lack of consistent check-ins
- Lack of communication / transparency / consistency
- Ineffective business planning
- Lack of trust

No, it wasn’t George Washington or George Bush; actually those words were widely attributed to Socrates almost 2,500 years ago – the more things change, the more things stay the same!

So why are we struggling with Millennials in our firms? Why can’t we seem to know how to “handle or deal with” Millennials? Why do we find it so difficult to work with or manage “them”? Especially when they are our future? Here are some interesting statistics: there are currently 83 million Millennials in the U.S., representing 36% of our workforce. By 2025, that number will grow to 75%. Millennials will be our biggest pool of employees and clients.

So what does this mean, you ask? It means that there is a huge disconnection, communication and understanding gap that exists between Non-Millennials and Millennials. Because the problem isn’t just them, we can’t just “fix” Millennials - that only reinforces the gap we’ve already created – we must now find relevance in bridging the gap to create the next-generation leaders. Ways to accomplish this, as suggested by Dan, are:
- Creating powerful, authentic relationships;
- Promoting behavior that creates a culture of openness;
- Delivering value and shared purpose;
- Teaching real-deal skills and increasing individual accountability to drive sustained results;
- Being better leaders;
- Guiding those millennials and letting them guide us and care enough to connect;
- Pushing ourselves to be better leaders, coaches and mentors; and
- By not ignoring and dismissing the generational divide.

Has this topic piqued your interest? In our next issue I will continue the conversation by delving deeper into what we can do as Legal Managers to be better leaders, coaches and mentors to our new generation – stay tuned! A

Betsy Kopczynski
Epstein Becker & Green, P.C.
President, Greater Chicago Chapter of the Association of Legal Administrators

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July / August 2017
The Administrator’s Advantage
My name is: Tom Kosloskus

I work for: Next Day Plus

The company’s product or service is: Print environment solutions including printers, copiers/MFP’s, software, supplies and service. From transactional to MPS – we are a trusted source for all things print.

My title is: CEO

Before becoming a business partner to the legal market, I was: A fool. I love this crazy bunch! Truth be told, the ALA got us “on the map” with the legal community and solidified our legitimacy as a leader in this industry.

I entered the legal market because: I love a challenge. Did I mention you guys are crazy?

Degree: Finance from Illinois State University

I support ALA because: It is the truest definition of Chicago. People know people and that’s how business gets done. Relationship. Relationship. Relationship.

To be successful in the legal market, one has to: Hold these three keys (1) Understand “Now” means “Yesterday.” (2) Operate under “nothing less than excellence is acceptable.” (3) Love what you do, love where you work.

The thing I like best about being a business partner to the legal market is: Relationships. Period.

The best advice I have received is: Turn off your phone when you are on a date with your spouse.

The best advice I would give to someone just entering the legal market is: Give it time. Relationships are earned, not given.

I try to motivate myself and/or my staff by: Continually measuring the activities of today vs the successes and failures of yesterday. When all else fails, 3 day weekends work well too.

Three things I do well are: Strategize. Communicate. Motivate.

While I love my current job, my dream job would be: NASCAR driver.

The last good book I read was: The Heaven Trilogy by Ted Dekker.

The last good movie I saw was: Kids: The Lego Batman Movie. Adult: Lalaland.

The last vacation I took was: An RV trip to the East Coast. Best decision I made was to accept the damage waiver protection. And yes, I needed it. Ask for details on this – it’s a great story!

In my free time, I: Have a great time being a kid with my three kids, volunteering at my church, and getting out to exercise.
The Greater Chicago Chapter Welcomes its Newest Members:

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Cyber-attacks like ransomware gained more than their share of both industry and mainstream press covering the Petya attack, and subsequent, significant outage at DLA Piper. And while the firm will undoubtedly recover its IT infrastructure and services, the one thing it can’t restore from back-ups, is its reputation. If you take one thing from this article, take this: You can’t back up your brand.

And the coverage of DLA Piper only stokes the flames that draw cyber criminals to a vulnerable industry. Cyber criminals also profit by digitally pilfering from local law firms, which frequently don’t consider themselves targets. Law firms manage tax and banking information, mergers and acquisition records, and intellectual property filings. These data sets can be monetized by criminals, which all too often comes at the price of the law firm’s reputation, regulatory fines or financial losses.

The 2016 breach of Mossack Fonseca (dubbed the ‘Panama Papers’) demonstrated that even a boring subject like personal tax filings has economic value in the wrong hands, and can cause serious consequences. Closer to home, when the Wall Street firms, Cravath Swaine & Moore LLP and Weil Gotshal & Manges LLP were breached, the Department of Justice, FBI and Securities Exchange Commission (SEC) were less concerned about the theft itself, and more concerned that the stolen information could be used to front run trades, or otherwise illegally manipulate the stock markets.

For this reason (a) criminals are targeting law firms, and (b) clients and regulators now take an interest in a law firm’s cybersecurity. Consider the case of Johnson & Bell Ltd., a Chicago-based law firm, being sued by its clients for alleged malpractice and disclosure of confidential data through ‘shoddy cybersecurity presages’.

Regulatory obligations are three-fold: attorney-level professional conduct rules; firm-level breach notifications as set out by state breach notification legislation; and the regulatory obligations of their clients. And that’s because all roads lead to Rome: law firms. Law firms work with financial institutions (say SEC governed), investment targets like healthcare providers and biopharma research facilities (both FDA and HIPAA regulated), and insurers. This means a firm’s client can come under the scrutiny of the SEC, HIPAA, FDA, or other state regulators. And for this reason, clients are now demanding a higher standard of cyber readiness from their solicitors.

Once criminals identify a vulnerable industry like law firms, they continue victimizing similar businesses using well honed, target-centric methods. The Texas Bar warns of numerous phishing (fake emails) schemes that target attorneys. Often the fraudulent email contains an attachment that looks relevant but contains a strain of ransomware (malware that locks your files and demands payment for the key) or key stroke loggers (used to capture user login information), or both. Ransomware is quickly moving from a nuisance financial loss (payable in an internet currency) to either a large financial loss (one firm lost $500,000 in billable hours), major business disruption (locking servers housing active case files) or significant data loss (another firm lost 20 years of litigation records when they discovered post attack that their file back-ups didn’t work).

So why is ransomware so prolific? Simple: over 70% of victim companies pay the ransom, with payments ranging from $17,000 to $150,000. And the losses are higher. Take for example, the Rhode Island law firm, Moses Afonso Ryan Ltd., currently suing its insurer, Sentinel Insurance Co., for breach of contract and bad faith after it denied its claim for lost billings over the three-month period while recovering from ransomware siege. The firm claims to have suffered $700,000 in lost billings.

The costs of ransomware merely starts with the ransom and balloons by one estimate to nearly $75 billion annually once down time, lost revenue, and the cleanup cost are added to the tally. However, lost productivity is the true cost. Most clean-up efforts take two days, with losses closer to $10,000. Considering billable hours for partners average $604/hour, and associates around $370, the average loss per attorney per hour is closer to the $500 mark. Two days of lost billable hours represents about $8,000 per attorney. And that doesn’t consider active cases, reputation and the harder aspects to quantify.

Ransomware is particularly successful in industries which have a sense of urgency and reliance on encrypted data, and those industries tend to be heavily regulated just for good measure. This oversight and criminal targeting puts industries like financial services, healthcare providers, and law firms in a cyber vice, squeezing out juicy ransom payments.
The DLA Piper attack hides a great risk: A systemic campaign against law firms that launches from a trusted, necessary service provider such as eDiscovery, document management, billing management or transcription services. In the case of the Petya outbreak, a little-known Ukrainian financial tech firm, MeDocs was breached and used as the unwitting accomplice in the attacks. As reported, MeDocs computer systems were compromised and infected a global software update that was pushed to customers. The malware then spread laterally (and stealthily) across networks before detonating. And like other forms of ransomware, the code delivered and also installed tools to harvest user credentials from infected computers.

This attack creates a blueprint for attacking, on mass, a significant swath of a homogenous industry, like law firms. It should serve as a wakeup call for these service providers who regardless of the innocuous nature of their software, represent a risk to their client base through a systemic (patch-based) attack.

Such targeted attacks are sophisticated and well-orchestrated. Every attorney has the obligation to take reasonable measures to protect the privileged information of their clients.

“Many lawfirms have historically used the lion’s share of their technology budgets to enhance employee’s desktop environments with integrated legal applications such as Document Management, Case Management, Docketing and others that increase productivity and efficiencies. We’re noticing and encouraging a shift in spend to get up to speed on the security front right now. Other industries, such as financial and healthcare, have been bolstering their network security for years due to regulatory obligations. Many law firms are playing catch-up, but it’s a short road if they stay focused and choose the right partners,” said Mike Mete, Co-founder of the Chicago based business and technology consultancy firm, Porcaro Stolarek Mete Partners, LLC.

It’s a balancing act between understanding the likelihood of a breach of sensitive information, against the cost and effort of preventing the breach. In all cases, there are steps both attorneys and law firms can take to protect their clients from a cyberattack:

**Understand Your Obligations**

Every firm should know their legal and regulatory obligations around the sensitive data they handle. Understand your client’s obligations up front and set ground rules around data transfer, storage and encryption.

**Conduct Security Awareness Training**

Conduct Security Awareness Training to bring awareness of the threats posed by ransomware to your user base, and run friendly spear phishing campaigns to test users’ preparedness.

**Encrypt Data and Lock Devices**

Lock your mobile device with a strong password, and use the device features to encrypt the data stored on your laptop, hard drive and mobile device.

**Back Up Critical Data**

Employ regular Backups of all critical information, and regularly test backups.

**Manage Application and Administrative Controls**

Use Application Whitelisting (pre-approved list of applications) and Application control (network-level control to limit application installation through a web browser) to help reduce the chance of unapproved programs installing themselves.

Application control at the host layer can prevent unauthorized installations:

- Disable wscript.exe to stop JavaScript files (.js files);
- Disable Microsoft Word macros via GPO to block malicious document files;
- Disable Powershell (restrict to IT personnel only);
- Deploy Email Filtering to restrict emails that contain unnecessary attachments: .js, .wsf, .zip, .docm, .vbs, .exe, .msi, .dll, and .html. And use Ad Blocking either at the network level using a proxy of next-generation firewall, or at the host layer using a browser plugin.


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  172 W Adams Street, Chicago

KEYNOTE SPEAKER:  J.T. Holmes
  Skier, Wingsuit Pilot, Airborne Sports Pioneer, Speed Rider, Stuntman, and Executive Producer

RECEPTION:  5:00 P.M.

CONFERENCE EDUCATION TRACK

+ Drivers, Disrupters and Adopters: How Advanced Technologies are Transforming the Legal Industry
+ Focused and Engaged: Taking Back Control in Your Day
+ Top 10 Metrics Every Firm Should be Analyzing
+ New Trends in HR
+ Cybersecurity
+ Closing Session - Maximizing Your Return on Attendance

SUPPORT:

We are proud to support the Legal Assistance Foundation (LAF) which provides free legal services in non-criminal matters to the poorest and most vulnerable people in our community, ensuring they have the same access to legal services as those who can afford it. Watch for more information and ways you can support this project and our community.
Member Spotlight

Randi Kohn

My name is: Randi Kohn.

I work for: Funkhouser Vegosen Liebman & Dunn LTD and am in my 29th year with the firm.

The firm’s practice is: General Corporate and Commercial Litigation.

My title is: Director of Administration and Development.

Before becoming an Administrator: This has been my sole career.

I have been working in the legal field since 1978. I started with Reuben & Proctor shortly after 27 attorneys left Kirkland & Ellis to form their new firm.

I joined ALA Chicago Chapter because: I was a member first of LOMAC. It was (and still is) a great opportunity for networking, and sharing ideas; learning on the job has always been important to me.

To be successful in legal administration: Stay current and don’t overthink every issue. Use common sense.

The thing I like best about being a Legal Administrator is: I have continued to learn and grow; it’s been a fabulous educational experience.

One of the challenges of being in legal administration is: Finding a balance, whether in the workplace or in my personal life. Technology has created this challenge!

The best advice I’ve ever received is: Listen before speaking.

The best advice I would give to someone who is just entering the legal management field is: Someone you know has done it before, don’t reinvent the wheel.

I try to motivate my staff by: leading by example.

If I weren’t an administrator … I cannot imagine any other career.

The last good book I read was: Lilac Girls.

The last good movie I saw was: La La Land.

The last vacation I took was: We rented a catamaran for a week in the BVI.

The one appointment I never miss is: my workout session.

In my free time, I enjoy spending one-on-one time with my grandchildren, reading historical fiction, and exploring restaurants in the city with my husband.
Avoiding Malpractice Claims
Using smart technology to minimize your risk

By Darren Braun

Malpractice – it’s a word that no legal practitioner wants to hear. Having a claim against you or your firm can make everything grind to a halt. The claim has to be defended, records must be searched, evidence gathered, and a viable defense offered. It’s time consuming and can be costly both in real dollars and lost productivity. Worse, if found guilty, these claims go on record and can damage a hard fought for professional reputation.

A few months back I was having a conversation with Catherine Sanders Reach, the Practice Management Advisor for the Chicago Bar Association who I have worked with on software reviews in the past. Catherine is an expert in legal technology and appreciates the difference it can make in running a successful practice. The main thing on her mind was the ABA Standing Committee report on Lawyers Professional Liability which is a survey that’s done once every four years of the National Association of Bar-Related Insurance Companies (NABRICO).

Looking at the report, we were both shocked at the sheer number of administrative claims that are still made, especially, because the correct application of legal technology makes these almost 100% avoidable. That of course got me wondering… how big of an issue is this? Why, with the dozens of affordable technology solutions available and the efforts of local and State Bars to educate their members is this still a problem?

So of course, I bought the book.

What follows is a high-level analysis of the most common claims from 2012-2015, the reasons why, and how you can and should be using your technology to make sure you’re not a statistic in the next report.

In 2015, total claims (both administrative and substantive) were down vs. 2012. That’s good news, right? Well, when looking more closely at the reductions, the vast majority came from just 3 areas of law: Real Estate, Family, and Corporate Business Organization. All areas that would have been affected greatly by the economic meltdown. We can’t make a definitive correlation, but generally speaking people with jobs purchasing a home are a lot less likely to have a problem with their lawyer than those without jobs facing foreclosure.

The top 5 claim areas (out of 26) make up 66% of all claims. They are (rounded) Plaintiff PI – 16%, Real Estate – 14%, Family – 13%, Estates/Trust/Probate – 13%, and Bankruptcy and Collections – 10%. It’s no surprise that each of these areas generally involve people rather than businesses that are facing emotional and financial distress. They’re more likely to make mistakes themselves and are far less likely to be able to think clearly and objectively about the problem that’s brought them to you in the first place. It puts more responsibility on the lawyer to communicate effectively and follow up with the client to ensure everyone’s responsibilities and objectives are met.

If we look further into the numbers, we can also see that less than 10% of total claims are derived from what are described as intentional wrongs such as Malicious Prosecution/Abuse, Fraud, Violation of Civil Rights, Libel or Slander. More than 90% of all claims are honest mistakes, either through unintentional neglect, clerical and drafting errors, conflict of interests or simply misplacing information.

Looking at the breakdown of those errors, almost 53% of them can be mitigated through the proper application of technology.

1) Failure to Calendar. A smartphone synchronized with your office calendar AND the calendar in your legal practice management system (LPMS) should be automatic. There is no reason in 2017 to not have this tech available to every lawyer in your firm. If your existing systems can’t support this, it’s time for an upgrade.

2) Failure to know/Ascertain Deadline. First, everything is online. A
quick google search should provide you with the relevant deadlines for your particular file. Further, your LPMS will likely have some sort of rules-based calendaring available. Being able to simply specify one key date and have your system create all the deadline work (including weekend and holiday recognition) is well worth the time to set it up.

3) **Clerical/Drafting Errors.** People make mistakes, a simple error in a legal description, transposition of numbers, it happens. Incorporating document drafting or assembly software, again linked with your LPMS, can vastly reduce these errors. The point here is to have data entered once, ideally in a place where many people can review it. Copying and pasting / transposing information increases the likelihood of mistakes.

4) **Failure to file and Procrastination.** Your LPMS should be able to remind you to follow up with your clients. Of course, if you schedule something in your calendar you'll likely do it. But what about routine file reviews? A good system will show you the last time a file was touched, by whom, and remind you to review the file on a routine basis.

5) **Lost File/Document/Evidence.** The good news is this is a relatively small amount of the admin claims at just under 3%. But with all the digital storage options available this should simply never happen. Have a firm-wide document storage retrieval procedure and ensure people adhere to it. No client documents or other files should be on someone’s desktop.

6) **Conflict of Interest.** This is still an issue for one very simple reason. Far too many lawyers are using Outlook as their primary conflict search tool. Outlook is a fine tool for e-mail and keeping track of your Nephew’s birthday. It should not be used when your professional liability is at stake. A properly maintained LPMS will have a centralized list of every party your firm has ever had contact with, everyone from the most adversarial opposing party down to the account rep at FedEx. You’ll know who they are, what your relationship is (or was), what lawyers and staff dealt with them, what documents and communications were shared. Everything. You need context to inform your conflict searches, not just a name match on a guy named Smith.

Beyond the numbers themselves, a few general best practice advisories have come out of this study, some new and some that have always been there.

First, a recommendation for dual calendaring. What this means in essence is that having appointments reside in a single place is not good enough any longer. Whatever calendaring system you’re using, your appointments should be tracked and visible both on a calendar and on the matter. The best systems will also include the next appointment date on your routine file review lists. It’s a redundancy that ensures that if one lawyer’s office calendar is not accessible the firm is not put at risk. Additional things to look for when assessing your potential liability are your internal processes. Do you know at a glance which person in the firm is responsible at every stage of the case? Better yet, do they? Use the tips below to analyze and hopefully improve your firm’s approach to client service.

- Identify your desired best practices for every aspect of client engagement. From initial inquiry through to successful closing of the file.
- Document your processes for each different file type. What happens in what order, who's responsible for each stage and who has oversight responsibility? It’s ok if the answer to that question is “me.” Solo attorneys need process automation and enforcement more than anyone simply because there's no one else to catch errors for them.
- Think about what information you need to be aware of on a matter at each stage of the file. Make sure the system you're using can easily track ALL of that information, and make sure you can access and review it just as easily.
- Understand that there is no “magic bullet” that will fix everything. You may need more than one tool depending on the complexity of your practice. If you do use multiple tools, as much as possible make sure they communicate with each other to reduce the chance of clerical errors.
- Know your systems and invest in training to learn how to use them properly. You may already have this tech available. Get involved and if you’re not sure, talk to your Practice Management Advisor.

What is conclusive is that the technological means by which you can help mitigate the risks of malpractice are available to every law firm. Up until now, many insurance companies provided discounts to firms who use legal technology because those firms are considered lower risk. There is discussion now that some companies are considering looking at the absence of these legal tools as a reason to assess penalties. Of course, adopting technology specifically to avoid malpractice is not the only reason to look into it. In general, firms that use legal practice management are able to better serve their clients and run a more successful and profitable practice.
Web-based services are taking the world by storm, and the legal field is not exempt. In the modern law office, technology plays a vital role in every element of daily operations. In fact, traditional brick-and-mortar firms are increasingly having to compete with virtual law firms for clients. To put it simply, the game has changed – and technology’s impact on law firms is constantly evolving.

On the 40th floor of 190 S LaSalle is the “Library,” an event venue that many enjoy visiting. But in another life, this space formerly served as the Mayer Law Library. The walls are lined with volumes of books, which were once used for research and reference, but are now just a part of the charming décor.

Law books have been replaced with legal databases like LexisNexis, which are readily available with an internet connection. Add the requirement of having 24x7 remote accessibility into the mix, along with resources like eDiscovery, litigation support software and collaboration tools, and it becomes evident that technology has embedded itself into the very essence of the legal profession.

In order to stay relevant and better serve clients seeking legal services, it is essential that law firms embrace technology excellence and innovation as a fundamental part of their practice. While we recognize that no web service or tool can entirely replace the benefits of individual counsel, it is a mistake to think that these services will not fundamentally change the way legal services are delivered in the future.

Advances in internet-based services and AI (artificial intelligence) are being made every day, so it is rapidly becoming easier to miss the boat and get left in the wake. This risk is why every law firm needs to be aware, and even a little bit obsessive, about technology right now.

It is 2017, and simply keeping things up and running has had its day – now is the time to innovate and ensure that your practice stays competitive far into the future. In order to even entertain ideas of business technology, your firm needs to establish a solid IT foundation of operational readiness.

So what is your firm’s IT Operational Readiness score?

Question 1: Where are your firm’s technology standards at today?

1. Not Defined. There is no goal to standardize workstations or programs. Business units may buy technology without IT approval.

2. Partially developed standards, but they are not actually enforced.

3. Largely developed, but not enforced. Exceptions to standards are frequently made for VIPs or other use cases. IT is consulted when the firm is making technology decisions, but their input is not the deciding factor.

4. Developed and driving towards standardization. Even the senior partners are starting to support technology standards.

5. Completely defined, understood and enforced within the firm. Senior partners fully support standardization and this is considered a key element of each technology decision.
**Question 2: How failproof is your infrastructure?**

1. Basic monitoring is in place, but hardware redundancy is not a priority. Technology infrastructure is either mostly or all on premises. There is no clear after-hours support.

2. Basic monitoring. Some hardware redundancy. No clear after-hours support. Mix of on premise / data center / cloud architecture.

3. Better monitoring. Redundancy of key components. IT people “on call” nights and weekends. Most hardware is in private/public cloud.

4. Proactive monitoring. Redundancy and proactive testing of key components. 24x7 IT team. Most hardware is in private/public cloud.

5. Proactive, preventative monitoring. Fully redundant; Proactively tested. 24x7 Expert IT team. All hardware in private/public cloud.

**Question 3: How effective is your tech support solution and change process?**

1. Service level is poor to OK. Informal. “Bill gets job done.” Changes made as needed; not tracked. No after-hours support. Key man dependency.

2. Service level is OK. Most issues/requests / changes documented in ticket database. No after-hours support. Repeat problems frequent and wearily accepted.

3. Service level is OK to good. Ticket database used for workflow. After-hours support is there; not good. Repeat problems solved when someone screams.

4. Service level is good. Ticket database used; KPI metrics reviewed quarterly. True 24x7 support: After-hours same as working hours. Repeat problems identified proactively.

5. Service level is A+! >80% issues resolved in 1st call 24x7. All tracked;

**Question 4: Are you secure and compliant?**

1. What’s a security policy? How should we monitor for cyber threats?

2. Some documentation of policies. Formed a committee. IT Security is best efforts. No detection / response program.

3. External body telling us we need this. IT Security Compliance Project underway. Some standards with general adoption. No 24x7 detection / response.

4. Most or all IT policies are documented and followed. All employees trained on processes. Some basic detection / response in place.

5. All IT policies and processes are documented and followed. True 24x7 cyber security detection / response in place; tested.

**Question 5: Is technology viewed as an expense, investment or competitive edge?**

1. Technology is a business expense. IT Budget is “pay as we go.” < 1.5% of operating budget.

2. Expense. Some purchases pre-planned, but most of the money is spent in response to pain. < 1.5% of operating budget.

3. Investment. Have technology roadmap – basic annual budget. 1.5% - 3% of operating budget.

4. Investment. Technology roadmap drives detailed budget. 3% - 4.5% of operating budget.

5. Competitive edge! Technology roadmap aligns with business strategy. 3% - 6% of operating budget.

Now that you have completed all 5 questions, add up the numbers associated with your answers to get your IT Operational Readiness Score. Check out the ranges below to learn your IT Operational Readiness Score.

**If you scored between:**

- **5 - 10:** You are in danger of becoming obsolete sooner than you think.

- **11 - 15:** You have some serious foundational IT work to do that can be efficiently and effectively completed by a strong outsourced IT partner.

- **16 – 20:** You have a few areas that can be shored up – probably faster than you think – by leveraging a qualified IT partner. Start thinking about innovative ways to compete!

- **21-25:** You are ready to innovate and win the game if you’re not there already!
HR is a critical part of any business, and for many businesses, the HR Department manages one of the two largest business expenses: labor. This in itself should be a reason for all of us to be aware of, and understand, the significant changes in technology that are affecting and will continue to impact the HR Department, so that HR professionals may manage such changes appropriately and lawfully.

Technology has greatly influenced the way businesses operate. Within an HR Department, technology’s impact can be felt across a variety of areas, including the management of an organization’s human talent, personnel recruiting, workplace policies, internal policies, personnel recordkeeping, and strategic planning.

Whether small or large, law firms have already been impacted by automation and technology. One remembers the time when employers used paper sign-in sheets and time cards to keep track of employees’ work hours and to prepare payroll. However, within at least the past decade, those sign-in sheets have been replaced by electronic time management systems that provide employees the opportunity to clock in and clock out at their own computers. This simple automation has allowed HR Departments to simplify certain payroll procedures. Employers can now customize today’s time management programs to keep track of PTO, overtime, vacation requests and approvals, employee benefit information, etc. Moreover, such programs allow the employee and the HR Administrator to readily access payroll data. This has reduced the time that an HR Department would otherwise spend tracking employee hours, and an employee can also easily access his or her personal attendance records, employee benefits, and firm policies.

Whether we realize it or not, technology has also impacted how HR Departments handle recruiting efforts, as the local law journal is no longer our only option to place ads for qualified personnel. Technology allows us to simplify those processes, from storing the files in an electronic format, to having employees download electronic versions of applications and various employment forms. The recruiting resources available today are vast, whether we are doing our own recruiting or using an outside recruiter for our open positions. HR Departments can now share job postings across a wider variety of available resources, such as LinkedIn and other social media and on-line services. One example is the Chicago Chapter of the ALA Job Bank, which features open positions for employees in transition or candidates looking for other opportunities. This resource allows employers to cast a wider net and reach a larger audience of qualified candidates. For many larger businesses, even interviews of job candidates can be virtual using available technology, and so long as the right processes are in place, the results of such interviews may be positive.

Gone also are the days (at least for the most part) where a personnel file was a stack of hard copies of job applications and various employment forms. Technology allows us to simplify those processes, from storing the files in an electronic format, to having employees download electronic versions of applications and forms such as the W-4 or the I-9, making the process a lot easier
and more streamlined and leaving more room in our filing cabinets.

The changes are not limited to payroll or personnel files. Advances in technology have also affected how employees receive job training. Many firms are embracing virtual training for their employees, making it easier for newly hired employees to get trained and up to speed on the firm’s systems, as well as providing easy access to program refresher training for more seasoned employees. Smaller firms are also making use of current affordable online training resources for programs such as Microsoft Excel or Word. Access to on-line training resources allows an HR Department to provide its employees with the right resources so they can succeed at their positions. This in turn can also provide the HR Department with very useful analytics once employees complete such training, which can help an HR Department analyze employees’ strengths and weaknesses and ensure that the firm’s talent is properly allocated to the right positions.

One of the biggest changes in technology that HR Departments are seeing and will continue to see is with respect to strategic planning for the business. The buzzwords in HR for the past few years have been “telecommuting,” “working remotely,” or “mobile access.” In response to advances in technology and work arrangements, an HR Department has, and must continue, to review the changes and adjustments required by its organization. Currently, various technologies are available that allow employees to remotely access their work. This poses various questions regarding whether an HR Department is ready to manage those technologies and is prepared to put policies in place to ensure that its remote access users are complying with firm policies and applicable labor and employment laws outside of the workplace. For example, does an HR Department have appropriate policies and recordkeeping practices in place for managing remote or mobile access by non-exempt employees? Are the firm’s payroll systems equipped and ready to account for employees’ working time while accessing their work remotely? Has the HR Department addressed how telecommuting may impact workers’ compensation insurance, other insurance policies, and cybersecurity policies? An HR Department also may need to consider how to respond to clients’ concerns regarding remote access and implement appropriate security measures to avoid placing client files or other confidential information at risk. Another common question raised by mobile access technology is whether the employee will use their own device (commonly referred to as BYOD or “bring your own device” policies) to perform work for the firm or whether the firm will provide an employee with a device. This raises additional questions regarding how to best adopt mobile access technologies in the workplace, which an HR Department should be prepared to address in a mobile device policy. For example, if the firm adopts a BYOD policy, will the firm then provide the employee with a small stipend? If so, how will the employer handle the stipend in connection with the employee’s compensation and W-2? Moreover, how will the firm ensure that an employee’s personal device has adequate security features? Will the firm expect employees to allow the firm to install security features on their personal devices? What training programs should the HR Department roll out to instruct employees to secure any firm or other confidential information on their devices? Finally, is there a policy that addresses what happens to any firm or client information on the personal device if an employee leaves? Given the various concerns that technology raises, an HR Department should strategically design any applicable policies to ensure that its employees receive appropriate training and education in using such technologies.

Technology has grown, and HR Departments cannot be left behind. If a firm is investing in upgrading its technology, should the department that manages one of the largest expenses of the business be left behind? This is a question that the firm’s managing committee or managing partner will need to address.

The technology available today allows for a more efficient HR Department, resulting in less paper, less need for storage rooms, and information being kept more securely in electronic, confidential, and secured files. Technology can also help with the burden of keeping track of employees’ information, working time, and benefits. Some firms may also have an intranet or an internal online portal where employees can easily access their personal information, including compensation and basic details about benefits, which can free up an HR Department’s time that it would otherwise spend responding to routine employee inquiries. When used properly, many of today’s HR systems and technologies can provide an employer with useful analytics and knowledge, allowing an HR Department to review and measure employees’ performance, providing additional information to better facilitate HR processes, and affording an HR Department the improved ability to make adjustments based on their organization’s needs.

There is however one thing that technology can never change; it can’t take the HUMAN out of Human Resources.
The threat is real and the stakes are high
There were an estimated 638 million ransomware events in 2016 - more than double that of 2015 - and attacks like Locky, Crysis, Dharma, and WannaCry are becoming more sophisticated, frequent, and effective. Ransomware payments topped $1 billion last year and the business impact of ransomware continues to make global news. Individual ransomware demands have increased from an average of $294 per incident in 2015 to $1,077 in 2016, but demands in excess of $20,000 or more are not unusual. The real cost of a ransomware attack, however, is measured in business interruption, lost data, reputational harm, and investigative costs. Of those organizations impacted by ransomware last year, 491 reported a loss of data or hardware. Malware effectively shut down one of the world’s largest law firms for three days. Is your organization safe?

Ransomware defined
Ransomware is a type of malware that disrupts data, encrypts computer files, and demands a ransom payment, usually in Bitcoin, before restoring access to digital assets. The virus is often transmitted to a computer when an unsuspecting individual clicks on an email attachment that contains the malicious payload. Although ransomware has been around for many years, recent variants are more invasive and destructive, and criminal elements are cashing in. New ransomware versions are particularly hostile and can spread throughout an organization’s network, damaging or deleting files in the process. Making matters worse, organized criminal entities have even established websites on the dark web that advertise Ransomware-as-a-Service (RaaS).

It won't happen to me
This is one business risk in which a head-in-the-sand approach is very dangerous. The trend line for ransomware events suggests that most businesses will experience an event at some point. Recent examples of sophisticated companies falling victim to ransomware attacks should serve as a wake-up call.

Law firms are not immune
Consider the Moses Afonso Ryan case in which a ten person law firm in Providence, Rhode Island experienced a ransomware infection that disabled their network and files, rendering the firm’s attorneys less than productive for an extended period of time. The firm paid the $25K ransom and was eventually able to unlock many of their files, but only after experiencing lost billings of $700K. The firm’s insurance company paid the cyber policy’s $25K maximum for computer virus losses under a computer and media endorsement, but insisted the firm’s policy only covered losses from physical loss or damage to property. The law firm sued their insurance company for $700K. 63% of organizations impacted by ransomware in 2016 experienced business-threatening downtime.

Insurance loopholes
While purchasing cyber insurance is generally a good idea, don’t assume your coverage will protect you from all threats. The Moses Afonso Ryan case previously mentioned is a good illustration. In addition, a well-known 2016 case involved an insurance company that refused to pay a cyber policy claim when an accounts payable manager at their insured client responded to a fraudulent email. The manager made millions of dollars in payments to a criminal posing as a legitimate vendor. The insurance company refused to pay the claim because the organization’s IT systems were not hacked; they simply fell victim to a fraud.
Preparation is key
As is the case with most business risks, preparation is the key to navigating through a ransomware event with minimal business impact. Here’s a protection roadmap:

Security. Conduct a risk assessment of your organization’s IT systems and calibrate your security profile. A good security program will include routine software updates, regularly updated antivirus software, endpoint protection, email security, privacy-centric internet browser settings (like ad and pop-up blockers), and proactive network threat intelligence. For an additional layer of security, you can also whitelist programs to block malicious programs from executing.

A response plan. Identify a few members of your organization that will serve on the incident response team. The response team is often composed of individuals from IT, Legal, Risk Management, HR, and Operations. Create a plan outlining the steps your organization will take if victimized by a ransomware incident. Define roles, keep contact information up to date, and include outside vendors like your insurance company, outside counsel, and information security/forensics professionals on your team.

Employee awareness and training. Most ransomware attacks are launched when an unsuspecting employee clicks on a phishing email attachment or hyperlink, so addressing the human component is critical. An incoming email may, for example, come from a URL that is perhaps one letter different from a legitimate entity (e.g., “acmee.com” vs “acme.com”). Provide your employees with ongoing training to increase awareness about the risks of malware, including tips on how to spot phishing emails, avoid high-risk websites, create secure passwords, and respond if they believe they are infected with malware.

Backup your data. Ransomware events become less effective when an organization has robust data backup systems in place. Keep your backups offline to prevent the spread of ransomware to data stores. Make sure to back up systems on a regular basis and verify and test backups regularly.

What to do if you suffer a ransomware attack.
No security system is foolproof and the human element is difficult to mitigate, so organizations must have a strategy for responding to a potential event.

Follow your incident response plan. Don’t panic. Keep a running record of what is happening and your response team’s actions.

Isolate. Remove infected computers from your network to prevent the spread of ransomware to other machines. This can be done by unplugging LAN cables and disconnecting Wi-Fi routers. Do not turn the machines off; it can further harm your data.

Inventory. Run an inventory of which computers have been impacted and prioritize them with respect to the importance of the data they contain.

ID the variant. Attempt to identify the type of malware/ransomware on your computers. Some malware, for example, looks like legitimate ransomware, but does not actually encrypt data on a system; it merely locks the user’s screen. Relatively easy fixes may exist for those types of primitive attacks.

Notify. Contact law enforcement, typically the FBI, depending on the value of the ransom demand. You should also consult with your attorneys as ransomware incidents can trigger notification requirements.
Ransomware is a persistent and viable threat with consequences that can have board-level impact. While no organization is immune, proactive measures can greatly reduce the impact of an attack. Organizations must employ reasonable security measures and have a thoughtful and defensible response plan in place.

**Do no harm.** Preserve your network logs, firewall activity, and other critical information as this data can be extremely important during the investigation.

**Hold that patch.** Resist the urge to run antivirus and other mitigation activities until you completely understand the nature and variant of the malware on your systems.

**Restoration feasibility.** Once you know the nature of the malware on your systems, determine the feasibility of recovering data and restoring impacted systems. If the data can’t be decrypted or you lack good backups, you will be faced with paying ransom, giving up your files, as well as cleaning and restoring your systems (installing new operating systems, etc.).

**Don’t go it alone.** Investigating and responding to ransomware events is a highly sophisticated process in which mistakes made in the early stages can have disastrous consequences. Seek experienced legal help from an attorney with solid cyber incident response credentials. Acting as a breach coach, that attorney can bring other experts to the table. A reliable group of experts can be the difference between a catastrophic data loss and an annoying, but temporary bug. Recovering encrypted data is a highly specialized process; even the best internal IT team may not have the forensic capabilities required to be effective. Qualified partners that handle ransomware events regularly are more likely to quickly identify decryption tools for mitigating the type of ransomware variant that has infected your systems.

Outside experts can also be invaluable if your case requires negotiating with or paying Bitcoin to the ransomware culprits. Have relationships and agreements in place with outside resources before an event occurs. You don’t want to be negotiating billing rates and indemnification language with vendors and other professionals in the heat of a ransomware battle.

**To pay Bitcoin, or not to pay Bitcoin, that is the question.**

Law enforcement and most security experts advise against paying Bitcoin ransoms, as these payments are often used to fund future attacks and can increase the likelihood of being attacked again. In addition, paying a ransom is no guarantee that the bad guys will decrypt your data. While this is an understandable argument, will you be willing to face the fallout of losing millions of critical records? This is a discussion your management team must have in advance of a ransomware attack.

Ransomware is a persistent and viable threat with consequences that can have board-level impact. While no organization is immune, proactive measures can greatly reduce the impact of an attack. Organizations must employ reasonable security measures and have a thoughtful and defensible response plan in place.

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**About Jeffrey L. Hartman**

Jeff is a 30 year veteran of the corporate security, computer forensics, and eDiscovery community and a co-founder and partner at 4Discovery. 4Discovery is a leading provider of incident response, computer forensics, and expert consulting services to attorneys and corporate security executives.

Want more information? 4Discovery offers a FREE one hour ransomware CLE course in the convenience of your firm’s conference room! For more information call or email today.

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Don’t let the fact that summer is winding down discourage you from exploring on the weekends. Below is a list of ideas of areas around Chicago that could be visited in a day (or two).

If you’re adventurous and hungry:

Fennville, MI
(2 hrs by car)
You don’t have to wait until fall starts to check out this “ripe” town. Fruits like peaches and cherries are in season and ready to be picked. Start off with some pie at local favorite Crane’s Pie Pantry (6054 124th Ave., cranespiepantry.com), a bakery-restaurant housed in an antiques-strewn converted barn. Once you’ve gorged out on pie, you can head over to Virtue Farms (2170 62nd St, virtuecider.com), founded by former Goose Island brewmaster Greg Hall. Not full yet? Salt of the Earth (114 E Main St, saltoftheearthfennville.com) has wood-fired breads and seasonal dishes centered around ingredients sourced within a 50-mile radius.

Fairbury, IL
(1 hr 50 mins by car)
Kilgus Farmstead (for dairy) and Slagel Family Farms (for a range of meats) are located in Fairbury, IL and are just waiting to be sampled. Many chefs in Chicago get their goods from these guys. Take a tour at Kilgus (21471 E 670 North Rd), and learn all about the dairy life and try some freshly spun soft-serve. You’re welcome to take home some dairy and meat from the on-site store as well as goods like eggs and honey from nearby producers. Slagel has teamed up with Chicago chefs from spots like Bad Hunter and Publican to put on a program of farm dinners throughout the summer (slagelfamilyfarm.com/dinners). After an interactive tour, you can head over to a family-style, BYOB meal prepared by the guest chef.

Harbor Country, MI
(1 hr 30 mins by car)
Just across the Indiana border, Michigan’s lakeside “Harbor Country” is only an hour and a half drive from downtown Chicago. Start at the north end, in Sawyer, with the original Taproom (5885 Sawyer Rd, Sawyer, greenbushbrewing.com) and the Annex and beer garden across the street both serving Greenbush’s craft brews and the adjacent Clean Plate Club serving breakfast every morning. Once you’ve filled your bellies how about emptying your wallet? Take the Red Arrow Highway down the lakeshore for great shopping, through the Harbert Antique Mall (13887 Red Arrow Hwy, Harbert, harbertantiquemallmi.com) or perusing the high-end goods at furniture store Lovell & Whyte (14950 Lakeside Rd, Lakeside, lovellandwhyte.com). Head back inland to the artsy community of Three Oaks to finish your day at Journeyman Distillery (109 Generations Dr, Three Oaks, journeymandistillery.com). A $10 tour and tasting nets you samples of 18 different spirits made in the converted corset factory. Since you’ve worked that appetite back up again, enjoy a meal at the distillery’s new Staymaker restaurant.

Monroe, WI
(2 hrs 15 mins by car)
We can’t talk about places to eat around Chicago without mentioning cheese! Start the fun at the National Historic Cheesemaking Center (2108 6th Ave; nationalhistoriccheesemakingcenter.org), where you’ll get a crash course in south central Wisconsin’s cheesy history. Next, continue up the road to the Swiss chalet-style complex that houses Emmi Roth (2108 6th Ave; emmi.com), whose nutty Grand Cru Surchoix took home top honors at the 2016 World Championship Cheese Contest. When you’re ready for lunch, make your way to the old-school Baumgartner’s Tavern on Monroe’s pleasant courthouse square and order the infamous specialty: a slab of Limburger on rye crowned with raw red onion shavings. For a chaser, stroll around the block to Minhas brewery (1208 14th Ave; minhas-brewery.com). Don’t forget to put the windows down on the car ride home!

If you’re more of a culture vulture:

Milwaukee, WI
(1 hr 30 mins by car or train)
Milwaukee has changed a ton since I lived there during the late nineties. I would love to go back and check out all the new places and things to do now that I’m not a broke college student. I would begin with a round of loaded Bloody Marys and brunch at the Wicked Hop (345 N Broadway,thewickedhop.com). The His-
Holland, MI
(2 hrs 15 mins by car or 3 hrs by train)
Go Dutch for the day! Start off with a breakfast of flaky, almond paste-filled bankets and house-roasted coffee at deBoer Bakkerij (360 Douglas Ave, deboerbakery.com). Afterward, head across town to Veldheer Tulip Gardens (12755 Quincy St, veldheer.com), where 5 million of the flowers explode into bloom each spring. When hunger hits, make your way downtown for lunch and a beer at New Holland Brewing (66 E 8th St, newhollandbrew.com), one of the Midwest's best-loved brewpubs. Make a dent in the calorie count with a leisurely stroll around Windmill Island Gardens (1 Lincoln Ave, 616-355-1030, cityofholland.com), a picturesque park centered around a 250-year-old Dutch windmill purchased by Holland residents in the 1960s.

If you tend to get thirsty often:

Madison, WI
(3 hrs by car)
Located on an isthmus between two lakes, Madison is a city that's filled with beautiful sights—in addition to all the cheese and beer you've heard so much about. Begin your visit with a scenic tour of the college town on two wheels. You can rent a bike from dozens of BCycle stations (madison.bcycle.com), allowing you to make 30-minute trips. The Capital City trail winds around Lake Monona (the smaller of the two lakes) and provides plenty of picturesque stops for an Instagram of the skyline. But enough about exercise, let's talk cheese and beer. To drink like a local, head for the Malt House (2609 E Washington Ave, malthouse tavern.com), a "craft beer oasis" that dates back to the Civil War-era and boasts taps from local brewers like New Glarus and Central Waters. Head for Capitol Square to visit Fromagination (12 S Carroll St, fromagination.com), where you'll find artisanal Wisconsin cheeses and knowledgeable cheese mongers to help you make a decision. And hey, if you can't decide, just try them all! Take an evening to visit the Terrace at Memorial Union (800 Langdon Street, union.wisc.edu), a lakefront space where you can enjoy brats, beer and live music during the summer months.

New Glarus, WI
(3 hours by car)
For those of you who have friends that live in Wisconsin, hopefully they're like mine and anytime they come down to visit they bring you a six-pack of your favorite New Glarus brew (mine is Totally Naked, when in season, or Two Women). For the best cheese and beer you've heard so much about. Begin your visit with a scenic tour of the college town on two wheels. You can rent a bike from dozens of BCycle stations (madison.bcycle.com), allowing you to make 30-minute trips. The Capital City trail winds around Lake Monona (the smaller of the two lakes) and provides plenty of picturesque stops for an Instagram of the skyline. But enough about exercise, let's talk cheese and beer. To drink like a local, head for the Malt House (2609 E Washington Ave, malthouse tavern.com), a "craft beer oasis" that dates back to the Civil War-era and boasts taps from local brewers like New Glarus and Central Waters. Head for Capitol Square to visit Fromagination (12 S Carroll St, fromagination.com), where you'll find artisanal Wisconsin cheeses and knowledgeable cheese mongers to help you make a decision. And hey, if you can't decide, just try them all! Take an evening to visit the Terrace at Memorial Union (800 Langdon Street, union.wisc.edu), a lakefront space where you can enjoy brats, beer and live music during the summer months.

If you just want to get outside and move around:

Grand Rapids, MI
(3 hours by car)
Summer and fall are peak seasons to visit Grand Rapids, but you'd do best to plan ahead and book your visit during ArtPrize (artprize.org), a 19-day international art competition in September and October when art is displayed in museums, bars, public parks and hotels. Regardless of when you go, Grand Rapids has you covered on the beer front with over 60 breweries. First stop: Brewery Vivant (925 Cherry St SE, breweryvivant.com) for French and Belgian lunch fare. A quick 10-minute drive will put you in the middle of downtown, where you should find parking and hoof it a while. Stop in Mada-cap Coffee (98 Monroe Center St NW, madacapcoffee.com) to recharge as you wander south to Grand Rapids darling Founder's Brewing (235 Grandville Ave SW, foundersbrewing.com) for your second (or third, or fourth, we don't judge) pint of beer. Finally, head to Sovengard (443 Bridge St NW, sovengard.com) for a dinner replete with delicious Scandinavian dishes.

Oglesby, IL
(1 hr 30 mins by car)
It may not be the mighty Colorado, but Oglesby's Vermillion River offers the best rafting you're liable to find within a quick jaunt from Chicago. A 9.5-mile run with Vermillion River Rafting (779 N 2249th Rd; vermillionriverrafting.com; 3–4 hours; $30, cash or check only; reservations recommended) will shoot you over 14 rapids, most of them class I and II. After you've handed over your paddle, hop in the car and head up the road to Starved Rock Lodge (2668 E 873 Rd; 815-667-
Strange but True Interviews

She did not get the job!

We were in desperate need of an associate; a first or second year was preferred for this position. I received this perfect resume… Education, school, great experience in law school, everything we were looking for. I was already making my way down the hallway to the hiring partner when I read her extracurricular section. “In my spare time I knit ugly scarves, read trashy novels and make fun of other people to feel better about myself.” WHO SAYS THIS??? I literally screamed.

I had a situation years ago where I received a pump shoe in a shoe box. There was a note in it that said, “now that I have one foot in the door” …. (corny but true)

I was working with a search firm on an open position. They sent me a few resumes and one in particular stood out. Great experience, etc. When the candidate walked in, she looked familiar to me. As we began the screening I realized that I had met with her before, about two years prior, and asked her if she remembered me. She said that she did remember our earlier meeting and simply wanted to understand why she was rejected after the first interview. I was speechless and ended the screening as quickly as possible!

A Candidate told me she had “stalked” my LinkedIn profile before the interview.

I had a candidate ask me how old I was and if I was single!

The candidate chewed a toothpick throughout the entire interview.

One time I had a candidate put her cell phone on vibrate and her phone buzzed during the entire interview. She was distracted and constantly looking at her backpack.

We had a candidate show up for the interview wearing a hoody and jeans.

We had one person tell us that he was going to school in the evening and so he would not be able to work any overtime for about 2 years and would it be pos-
sible for him to work 8:30-4:30 instead of our 9-5? Not hired.

I gave someone a typing test and she failed the first one. I told her she could take one more. She reached in her purse, grabbed a pair of nail clippers and clipped off her very long purple nails. Nails were flying everywhere. She didn’t clean them up. She took the typing test again and sadly, failed.

When I asked a candidate why she felt she was the best candidate for a reception job. Her reply, “Because I like to sit.”

I once had a candidate whose cell phone was ringing in the middle of the interview. They answered it and then jumped up and said, “I have to go, I’m late for another interview.” They didn’t get the offer.

We had a candidate who wore headphones to the interview.

In response to a posting for an admin position requiring 2 to 4 years of experience we received a letter along the likes of, although I do not have the working experience you are looking for, I feel that I would be able to handle the position as I have been thru the legal system many times over the past five years being arrested a few times and currently am incarcerated. I am being released shortly and would be able to handle the position based on my real-life experience.

As I was concluding an interview with a recent college graduate for an entry level accounting position (1st interview in my office), his first question was could he see his office. He felt that was an important deciding factor if he would accept an employment offer from our firm. Hence, he was not offered the job.

I had a partner sit in on secretarial interviews with me since the person would be working for him (and a couple of associates). To lure a secretary that he liked in, working for him (and a couple of associates) to view with me since the person would be assigned to other attorneys.

The candidate who came in dressed very casually because she was going to go to Millennium Park after the interview and didn’t want to have to change after the interview.

There was the candidate who couldn’t take the typing test because her nails were too long. She said she’d use a pencil to type if we hired her.

A candidate (from an agency) answered a call from his recruiter during the interview and chastised the recruiter for not telling him our interview would be “so long”.

We had a candidate who brought a bag of chips in to her interview and proceeded to eat them during the interview…talking with her mouth full! She explained she’d had a sandwich before the interview but didn’t have time to finish her chips.

This candidate came in late for a high-level IT position, and I casually mentioned I must have written the time of the interview down wrong (he was 45 minutes late). He said that I had the time right, but he was so busy he couldn’t make it on time. He said I should expect that for someone of his position. Thankfully, the person who would have been managing him heard this and told him that if that was his attitude for the interview, that we didn’t need to waste any time on the interview because he wouldn’t be a fit for our firm.

The candidate mentioned “Amanda” and gestured to me. Candidate asked another interviewer (in front of me – Ms. X) “Ms. X mentioned that there wouldn’t be much overtime with this position. Can you tell me if that’s true?” They fortunately hired this individual against my better recommendation. I wasn’t surprised when they came to me to terminate him a few weeks later because of his “disregard for authority.”

I was interviewing a candidate for a legal assistant position. The interview was being conducted in an office on our temporary floor while our space was being remodeled. The interview was going great, until a very large cockroach dropped from the ceiling tiles and ran across the candidate’s resume. I continued with the interview despite the shocked looked on the candidate’s face, and knowing full well that even if offered the position, the candidate was never going to accept. – The remaining interviews were held in another office.

In a recent interview for a legal assistant position, I asked for references from the candidate, who had three prior positions working in an office. She said that she really would prefer not to provide references from those positions because people didn’t really know her that well there. However, she said her best reference was from an adult book store in Champaign where she worked during the entire time she was in college. She said everyone knew her very well there!

I was interviewing for a receptionist. Seemed like a great candidate (except for the tattoos) until I did a social media search. It turns out she was a sex toy demonstrator. She did not get the job.

This is a personal experience, when I was interviewing many years ago. It was when the Blue Angel planes used to fly very close to the office buildings when they were practicing for the Chicago Air and Water Show. I was being interviewed by the CEO, facing the window, and planes were going by right behind him, so close I could see the pilot. Talk about distracting! We eventually stopped the interview and watched the planes for the next thirty minutes. I didn’t get the job, but it was a very entertaining interview!
The Chapter Leadership Institute is designed to build upon chapters talents and skills to enhance leadership experiences. This year’s institute focused on “Elevating ALA”. The Greater Chicago Chapter sent 7 members. I was one of the lucky attendees. It was a great experience and one that I highly recommend. If you get the chance to attend, seriously consider going. Here are some take aways from the other attendees –

Suzie Florez - I, by all means, am so truly grateful! This was such a great exposure to what our chapter and organization do as a whole. It made me even more excited to want to be a part of it. Thank you to the chapter for the investment. I hope to contribute in any way I can.

Deb O’Donnell - It was an honor attending CLI this year, both as a representative of the Chapter and as a member of ALA’s Membership Development Committee. The experience of CLI is always so engaging and inspirational. My passion for our organization, and my commitment to serving it in the best way that I can, is always reignited after collaborating with Chapter and Association leaders from all over the country. Inspiration + Collaboration = Endless Possibilities!

Most of all, it was an absolute pleasure to be with such amazing people!!

Ken Koehn - CLI was a wonderful experience – very inspiring. Great sessions, plus a chance to get to know all of you better. I’m really glad I went, and so happy that our Chapter supported our attending.

Rachel Benner - I learned a lot and really enjoyed my time with all of you and networking with other ALA chapter members. The event has motivated me to be more proactive in my role as a board member.

Betsy Kopczynski, our Chapter President - Thank you all for your interest in attending and learning more about Chapter Leadership. I am glad to hear that you came back with a broader understanding and insight on how we can continue improving on our offerings and how we serve our membership.

Without your time, dedication and passion we would not be the great chapter that we are! A
FSO (re)IMAGINES traditional onsite outsourcing services to provide you with 5-star, white glove service, backed by CEO Mitch Weiner’s 30+ years of experience in the industry.

Our employees are hospitality experts who combine friendliness with professionalism, and are committed to providing a standard of service that consistently exceeds expectations.

With the full strength and expert support of our Midwest team, we are excited to bring our innovative solutions and unmatched approach to front of house and back office services to law firms in the Chicago market.

My Managing Partner just walked into my office and needs:

Where do you begin?
At the Association of Legal Administrators (ALA) we understand that when you need information, you want it quickly and from a reliable source.

Put your ALA membership to work for you!
ALA Management SolutionsSM offers you access to a competent, experienced team of researchers — and it’s FREE to ALA members! Just tell us what you need; we’ll respond quickly with the best information available.

Send your questions to infocentral@alanet.org, or call 847.267.1385.
“Another Pisco Sour? Why yes, thank you! Peruvian cocktails and edibles were enjoyed throughout the evening as we celebrated summer and thanked UPS for their continued support of our organization at the Gold Sponsor level. It was only fitting that the signature cocktail of the evening was gold in color as well! The two regional scholarship winners were Jennifer Pogvara and Antoinette Burchard!”

Anna Sorensen
The definition of “successful” training and development programs for associates has changed significantly since the economic recession and end of the golden era of law firms. Not only must today’s associates hone their legal expertise and practical skills, clients now demand concierge-like levels of service, business acumen and consulting skills.

Law firms that are excelling in equipping their associates are doing so by combining substantive legal training and client experience best practices. In addition, high performing law firms are also fostering authentic relationship building among its associates. This aids in accelerating the integration of both new and lateral associates, increases information sharing across practice areas and helps associates exercise those relationship-building muscles in preparation for future client interaction and business development activity.

The July 18 Association of Legal Administrators program featured three panelists representing perspectives and best practices from big law to small law and from the vantage point of three different administrative departments: recruiting and development, professional development, and marketing and business development. Below are the highlights on how they’re working to prepare their associates for what clients expect from their outside counsel and to be successful within their respective law firms.

It Takes a Village...
This well-known proverb aligns to what high performing law firms are doing in the development, coordination and execution of associate training programs. Firms who share a collective responsibility in tackling the best approach to train their associates create well-rounded and efficient training programs. Representatives from professional development, marketing and business development, human resources, knowledge management and even information technology, bring different pieces of information and feedback on what associates need in their daily lives. Therefore, by hosting cross-department meetings before, during and post-training, departments can coordinate efforts, seek collaboration opportunities between departments and broadcast feedback that can benefit all. In addition, linking the skills training programs to a firm’s evaluation process reinforces the overall picture of what success looks like for that respective firm and allows strategic initiatives of a firm to work in concert.

Success Defined
While there isn’t a one-size-fits-all definition for what success looks like across all law firms, law firms can provide their associates specific examples of what success means for their respective clients and firm, as well as the metrics applied for measuring success and articulating goals and expectations for performance. Examples include, a roadmap that combines technical competencies for substantive skills (i.e., writing and trial skills) to legal expertise in a specific practice area and/or industry, which can include procedures and processes. Client service and business acumen benchmarks, such as communication, responsiveness, ability to read a balance sheet and/or staying abreast of industry trends, can form the link between applying legal expertise within the context of a client’s business—a consistent demand being heard from law firm clients.

Creating a Training Menu
Just as the specific training topics have changed and expanded over time, so have the formats and modalities of successful training programs. High performing law firms are emphasizing the experiential/interactive elements of training and are investing resources, where applicable, to bring associates together for shared, in-person learning experiences. Collaborating with and including a client in a program is another way to demonstrate the direct applicability of the topic and the impact it has on the clients they serve. Incorporating tech-based interactive components throughout a training program, such as live polling, is another tool to consider in designing future programs. And finally, offering a variety of formats for training programs can provide flexibility and enhance the specific skills you’re seeking to build. Format options can include live programs, video libraries, and best practices checklists, while the modalities offered could include bite-size learning options, like
factors as well as changing definitions of what younger generation attorneys, motivation years following their move. With the increase about half of all lateral hires remain after five 81 percent of associates leave their respec- Lawyer recently cited a source that reported impact law firms big and small. The American Associate attrition is a trend that continues to Accelerating Integration Through Authen- 5. Creating friendly competition between 4. Following the program, providing a va- tion topic trends we’re seeing include generational differences, mindfulness and substance abuse. With the fall season upon us, and as we gear up for planning for 2018 training curriculum, consider trying one of these best practices to enhance your associate training programs.

TED Talk-style programs, and multi-hour boot camps.

**Boosting Attendance and Feedback**
For many legal administrators, it’s an ongoing battle when it comes to attendance and collecting feedback on training programs. In addition to reinforcing the connection between the specific training topic and an associate’s roadmap for success, firms have leveraged the following to boost attendance:

1. Program invitations that feature endorsements from managing partners or practice group leaders, or the invitations are sent from these firm leaders;
2. Highlighting the participation and/or perspectives of a firm client;
3. Eliminating associate anonymity by noting that attendance is shared with firm leaders;
4. Following the program, providing a variety of feedback channels, including paper, online and smartphone apps;
5. Creating friendly competition between practice groups and/or office floors by offering a reward for the highest percentage of completed feedback forms;
6. Creating personal accountability after an in-person program by simply asking, “Did you complete the survey?” or “Will you complete the online survey following the program?”

**Accelerating Integration Through Authentic Relationship Building**
Associate attrition is a trend that continues to impact law firms big and small. *The American Lawyer* recently cited a source that reported 81 percent of associates leave their respective firms within the first five years, and only about half of all lateral hires remain after five years following their move. With the increase of younger generation attorneys, motivation factors as well as changing definitions of what these attorneys want and expect in their careers, impact how firms shape their training programs and foster relationship building.

For example, scheduling lunches for new associates with practice groups or sharing a brief questionnaire that includes a combination of expertise, experience and personal elements can be an efficient way to share information about these folks firmwide. To help accelerate integration for lateral associates, firms are leveraging roadshows with pre-scheduled lunches/coffees and CLE presentations to demonstrate the newest hire’s expertise and highlight the kinds of problems he/she solves and for whom. Also, legal administrators can be the conduits of sharing information, both professional and personal, to increase the number of connections our associates can make with their colleagues.

**Leveraging Your Resources**
Today’s legal administrator doesn’t have to go it alone. There are rich communities of information available, and legal administrators are tapping into a variety of professional associations such as ALA, the National Association for Law Placement (NALP), Professional Development Consortium (PDC), Legal Marketing Association (LMA), Legal & Professional Services Council (LPSC) and Practicing Law Institute (PLI), to name a few. Utilizing a combination of external experts and internal resources to serve as faculty for training can create well-rounded perspectives for a firm’s programs. In addition, specific training topic trends we’re seeing include generational differences, mindfulness and substance abuse.

Holly has presented at several national conferences, including the NALP Annual Education Conference and Legal Marketing Association’s Annual Conference. She also served on the Legal Marketing Association’s Your Honor Awards International Judging Panel in 2016 and 2017.

Holly graduated from the University of Michigan. She is a passionate ice hockey fan and player, home improvement DIYer and Chicago foodie.
Members Only Event

This year our members’ only event was held on August 2nd at the Godfrey Hotel on their rooftop terrace. It was a great evening with great company.
It doesn’t get any better than this. We missed all the members that could not make it. Maybe next year…
Still on the fence about taking the CLM exam? We asked for some feedback from our current study group members. Here are a few responses that may help you make the choice to prepare to sit for the exam:

Chicago Chapter Study Group Member Based in Chicago, IL:

1) Why did you decide to pursue your CLM? For me, it is not about pursuing my CLM as much as it is keeping current with information relative to my position. I purchased the original Barry Study Guide and have been attending the study groups on and off for many years.

2) Why did you decide a study group would work for you? Again, this is about learning from others. Study groups provide that opportunity for me. They also provide the ability for a give and take (i.e., back and forth conversations) in order to thoroughly understand a particular issue.

3) What study methods or resources are working for you? I’m relying on the SHRM study guides for the HR portion. The speakers and current articles are providing legal industry content. ALA headquarters offers the financial certificate programs to supplement that aspect of study.

4) Any recommendations for those individuals thinking of joining a study group? JOIN, JOIN, JOIN. There is no obligation other than to come ready to learn. I’ve been an administrator for a good many years. I always am excited when I attend a session and there is something new that I learned that I wouldn’t have known if I hadn’t participated.

Chicago Chapter Study Group Member Based in St. Louis, MO:

1) Why did you decide to pursue your CLM? Primarily to learn and become more proficient in my job.

2) Why did you decide a study group would work for you? I’m a great proponent of round table discussions and figured a study group format would provide similar satisfaction for learning.

3) What study methods or resources are working for you? So far, I primarily spend my hour commute to/from work reading all the material on the bus.

4) Any recommendations for those individuals thinking of joining a study group? Don’t let the reason of not taking the test be because of a fear of failure — regardless of the outcome, you’ll learn new things during the process that will nevertheless help in your career.

Chicago Chapter Study Group Member Based in Springfield, NJ:

1) Why did you decide to pursue your CLM? Since joining the ALA in March of 2013, I knew I wanted to pursue my CLM designation.

2) Why did you decide a study group would work for you? I am a firm believer in continuing education/personal development, and wanted to challenge myself while simultaneously learning all about the industry in which I have chosen to pursue my career. Also, being of a younger generation, earning my CLM designation early in my law firm management tenure will hopefully serve me well when the time comes for me to seek out future employment opportunities.

3) What study methods or resources are working for you? I am currently participating in three other review courses/study groups.

4) Any recommendations for those individuals thinking of joining a study group? Commencing my formal studying in early February of this year, I have tried to study something each day, even if it’s only for a few minutes. This advice was given to me by a colleague who passed the CLM exam on her first try, and I think it’s been extremely helpful in terms of both time management and content retention.
ALAE MEMBER SURVEY: PRODUCTIVITY AND PROFITABILITY TOP OF MIND

UPS surveyed 450+ attendees at the 2013 Association of Legal Administrators (ALA) National Conference to uncover the most pressing business and operational challenges and key focus areas of law firms in the future.

TECHNOLOGY & EFFICIENCY

The greatest day-to-day challenges

- 56% Time management
- 46% Managing costs & expenses
- 30% Office inefficiencies & technology issues

CLIENT SERVICE

Key focus areas for law firms in 2013

- 49% Client service
- 47% Business development
- 41% Cost management

49% Nearly half of ALA members surveyed reported that their firms plan to invest in technologies in the next year to increase competitiveness and grow their business

87% of respondents identified client service as their top priority

MARKETING & BRANDING

Reported marketing and branding as a key focus in 2013 31%

Will invest in marketing and branding in 2014 46%

More than half of respondents report that printing a firm’s logo or branding on an express shipping envelope is beneficial +50%

DIGITAL vs. PAPER

Following general correspondence items, invoices and court briefings are the most common documents moving to digital formats

- Invoices
- Court briefings

Overnight shipping is essential for contracts and client proposals, which are the documents least likely to move to digital formats

Client proposals & contracts

For more information on UPS services and solutions, contact:
Anthony Perrino at 630-800-6654, aperrino@ups.com, or visit ups.com/professional.

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