

Volume XI - Issue 2

ALA MISSION

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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.

The Challenge of Information Management

By Rachel Villamonte, Manager of Account Services, Iron Mountain

rachel.villamonte@ironmountain.com

Managing information used to be easier. Before the digital age, information lived primarily on paper, and it died either in storage or from shredding.

Today, the rise of technology, regulation and litigation has made managing and discovering information much harder and riskier for the organization trying to do it all themselves. For one, information exists in more places due to the proliferation of laptops, smartphones, iPads, thumbdrives and more – and if data growth weren't enough of a headache, the heightened regulatory climate has placed more rules on how we protect and handle our information. The penalties for losing information, or even failing to find it fast enough, have increased and become stiffer. Additionally, information exists in multiple formats and is decentralized like never before across an organization and its employees.



For these reasons, the need for an effective information management strategy has never been greater. An effective plan informs you on what to throw out and what to do with what you keep. When it comes to discovery requests, the right policies and processes ensure relevant data can be found; corporate clients and their law firms with formalized records and information management policies are far better positioned to respond to litigation and avoid the embarrassment and penalties that come with not being able to provide data in a timely manner.

Despite these stakes, a remarkable 66 percent of nearly 3,500 publicly traded, government, and non-profit organizations surveyed by Iron Mountain have no formal methods in place for accessing and managing data for discovery. Moreover, only 13 percent of organizations manage electronic records in accordance with a retention schedule. An inability to account for information – or understand what to keep and what to destroy – are recipes for non-compliance and the penalties that ensue, both in fines and potential loss of business.

In response to this lack of oversight in the discovery process, Iron Mountain asked its customers what they need to close this gap, meeting with 109 law firms all over

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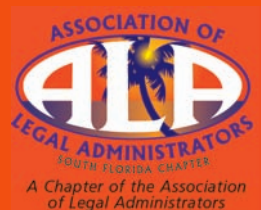
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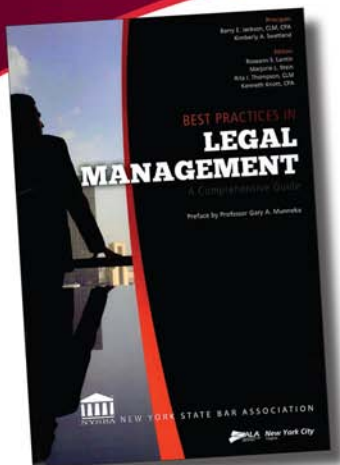
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PRESIDENT'S MESSAGE:

Victoria L. Allen, CLM
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Ten years ago when I first joined ALA, I never thought I would become president of my local chapter. During that first year of membership, I read every newsletter, went to almost every lunch meeting and never once thought about the work that went on behind the scenes to make it all possible. I was so overwhelmed by all of my new responsibilities and so grateful for the help ALA provided.

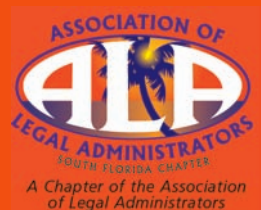
Fast forward ten years, and I have learned the work is done by busy people who care about making ALA the best organization it can be, while trying to have a little fun along the way. I am so grateful to Cheryl Mingo for calling and asking me to get involved ("It's no big deal, you just need to take a few pictures at the meetings"). That first year I was shy and intimidated by some of the people at the meetings. They all seemed so confident and sure of themselves and I was sure they knew I didn't have a clue. Taking pictures gave me a great reason to speak to a lot of people. And I have learned that no one knows everything, we all have different pieces of the puzzle and working together we can solve almost anything.

Getting more involved in ALA is one of the best investments I have made, both in my personal and professional development. Each time I have

stepped outside my comfort zone to try something new, I have been rewarded in countless ways. I have made lifelong friends, traveled places I would otherwise never see, and laughed so much it hurt.

One of my goals for the coming year is to increase awareness of ALA and professional legal managers. In that regard, we have begun an alliance with the Broward County Bar Association and are working on similar arrangements with the Miami-Dade County Bar Association and the Florida Bar. We will continue to look for other opportunities to promote ALA and professional legal management throughout the legal community.

Enough about me, I'd like to know more about you, all of you. At times it feels like there are only 20 members in our chapter when in reality we have over 170 members. I understand that not everyone can make every event but we do offer many different opportunities to get together. Face time is so much more valuable than email exchanges (said the queen of emails). This is your chapter and I'd like to work with you to make it even better. Over the years we have tried breakfast meetings, dinner meetings and cocktail hours. Call me, or email me and let me know what you would like to see happen in your chapter.



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History and Importance of the Business Card

By: Kim Pfaff, Pfaffco Engraving

A business card is one of the most compact and powerful marketing tools in existence today. Most firms have them but few know how the business card actually came to be. In the late 16th century, “bearer cards” first appeared in England & France. They were actually considered as legal documents used to communicate an obligation, such as conveying a debt, promissory note or other messages of intent.

Before the telephone or internet, in-person visits or “calling” on someone, was the primary form of social interaction. In 15th century China and 17th century France, aristocrats and royalty began using “visiting cards”. Servants would deliver the cards to the servant of a prospective host, announcing their employers’ arrival for a social visit.

During the reign of Louis XIV in France, cards were handed out by the elite, as a means of social introduction and as a polite way to request meetings with potential hosts. This practice was used by both ladies and gentleman, and the “calling card” was born. There were strict guidelines for proper etiquette and use of the card. By the

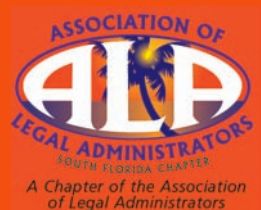
mid-1800s calling cards and their proper etiquette arrived to America. The complex rules would indicate if the caller was single or married and what the specific intent of leaving the card was. Often people would write French expressions of congratulations, Happy New Year or other sentiments.

Earlier cards simply had the name of the sender engraved on them. In the 19th century cards became more elaborate bearing coats of arms, hearts, doves, scrolls and forget-me-knots. This practice was the precursor to exchanging Christmas and Valentine’s Day cards.



In the 17th century calling cards morphed into larger trade cards and were used by anyone that had a business or product to promote. They often served as maps to a business before streets were numbered. They were also used as invoices, receipts and places to jot down proposals.

After the civil war, multicolor printing gained overnight popularity and colorful trade cards became affordable to all classes of people



with a business to promote. Because color printing was so rare at the time, these cards quickly became collectable.

By the 20th century technology made newspapers and magazines a less expensive way to promote business and a more practical way to distribute information. Trade cards became obsolete and considered old fashioned.

Visiting and calling cards were used socially and trade cards developed into vehicles for mass advertising particular products. But, individuals still needed a way to introduce themselves, and or their firm, exchange contact information and leave a message that they called in person. And thus, the need for a modern business card arose.

A business card is often your first chance to make a first impression, good or bad. If your card is not well thought out, it may be perceived that your firm is not well thought out. The same concept applies to a flimsy card or cluttered or poorly printed card. A neat, clean and impressive card says "I/our firm pay(s) attention to detail". Remember, your card is the least expensive marketing tool you have.

It should be made pithily clear on your card who you are and what you have to offer. Your card is also the means by which a potential client can get contact information needed to get back to you to express interest in your firm or request additional information about your firm. Phone numbers, e-mails & a web address are equally important, for that reason.

Your cards should stand out from the pack and give you an edge. Colors, design, paper and printing process play a big part in making your card differ from others. The prominence of information should be in the order the recipient should read it in. For example, your firm name and logo should be the 1st item the eye goes to, followed by your name, address and contact information, respectively. A super large telephone number or tag line, i.e.: "Call now for

a free consultation", is distracting, sounds desperate, and is certainly not professional. A well designed card should look great and perform perfectly, with little effort, just like the finest defense attorney.

Kim Pfaff is the CEO and President of Pfaffco Engraving - A Wells & Drew Company located in Miami Lakes, Florida
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The Do's and Don'ts of Making Tech Hardware Purchases at Law Firms

By: Robert C. Mattern, President, Mattern & Associates LLC

Over the years, a law firm will spend millions of dollars of technical hardware for the benefit of its employees and physical plant. These technical items can range from multi-functional devices to cost recovery systems to vertical lifts for 34-story office buildings – quite a diversity of purchasing decisions to contend with. Given the complexity, importance and variety of these purchases, we propose the following suggestions to insure your law firm benefits most from what you buy.

DO'S:

1. Examine Total Cost of Ownership

When procuring equipment, the bottom-line purchase or lease price is normally the number everyone is scrutinizing. Yes, this number is important, but equally as important are the supply and maintenance pricing requirements that support the procurement itself. Know what each component of the Total Cost of Ownership costs at the projected volume (if applicable). For a very simple example, an inkjet printer costs initially much less to purchase than a laser printer, but not when you add supply costs at certain volume levels.

2. Try Before You Buy

Everything looks great in the showroom. Insist on an on-site trial as part of any procurement process with no strings attached. If

the vendor won't allow it or wants to charge you for it, then you have the wrong vendor. As a component of the on-site trial, develop a checklist containing every possible situation or process this piece of hardware may encounter during its lifecycle.

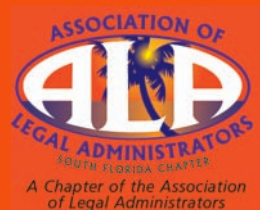
Make sure the end-users verify that the piece of hardware on trial was exposed to this process and was able to handle it effectively. A few years ago we were placing a very high-end color unit at one of our clients' offices. We followed the above process but there was certain cover stock they ran for projects with a cutout window. You guessed it, it wasn't on the checklist and when they did run it after the unit was procured, and the machine wasn't able to handle it.

3. Determine and Check your Specs

Based on your initial specifications, make sure you have outlined detailed performance criteria detailed in the contract (and the associated Request for Proposal). Having this detail incorporated into the contract, and having both parties agree on it, will only make it easier to address the situation if and when something doesn't work.

4. Build Flexibility into Every Deal

Make sure you build flexibility into any type of maintenance pricing based upon volume. Before you commit to any type of monthly or annual volume, make sure you are going to reach it, and that there are credits



in case you don't. Some ways to approach this is a zero-based plan where you only pay for the volume completed, or negotiation for an underage credit for under use.

On the procurement side, if it is a multi-unit deal, make sure you build some type of flexibility to upgrade, downgrade or "walk away" from a certain percentage of the units. Obviously if you purchase the units, this term does not apply which is one of the reasons we do not advocate purchasing of hardware. To illustrate, if a law firm merges with another firm, there will be redundant machines. If you have negotiated 100% flexibility on equipment under your outsourcing contract, you can return all of your equipment with no penalties or early termination charges. This flexibility does exist, but you have to negotiate for it. Vendors are reluctant to give it, since it impacts the way they can "book" the business. It may increase your price slightly, but the convenience and "peace of mind" is well worth it.

5. The Lemon Out-Clause

Have language in the contract that addresses what happens if the unit or units do not work to the specifications as detailed in the contract. Hopefully this will not happen, but if it does, make sure you can walk away from the obligation if the equipment does not perform as promised or specified in the contract.

6. Specify the After Plan

Be very specific on what happens at the end of the deal. Do you own the equipment? Is there a buyout? If so, how much is it? Who is going to support it after this point and what will it cost you?

DON'TS:

1. Don't forget to get it in writing!

Do not count on the same person who sold you the products to be there next year in other words – have everything in writing! Chances are the person who sold the product will not be there next year. Memories tend to fade when the going gets tough, so make sure all guarantees and promises are in writing.

2. Don't fall in love until you are walking down the aisle.

My Mother used to say this about any type of purchase or commitment until everything was signed and complete. In other words, do not be afraid to walk away from a deal or a purchase until everything is signed and the deal is done to your satisfaction. Too many people fall in love with a tech purchase and stay in love with it even though the

deal is turning out not to be in their best interest, or the product has not been proven through the trial to do everything they need it to do based upon the specifications.

In these economic times, the power is in the hands of the buyer. By following the Do's and Don'ts as laid out above, your chances of success for any tech hardware purchase will improve dramatically.

Robert C. Mattern is President of Mattern & Associates LLC, support services and cost recovery advisors that service mid-size and large law firms. Mattern & Associates is a supporter of the ALA - involvements include exhibiting at the ALA Annual Conference & Exposition, presenting educational sessions for Chapter events, and publishing in ALA's Legal Management Magazine. E-mail Rob at rmattern@matternassoc.com or visit Mattern & Associates website at: www.matternassoc.com.

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E-filing in Miami-Dade County

By: *Maria Elia Moya Posas*

mariamoyaposas@miamibeachfl.gov

On April 12, a room full of attorneys, paralegals, legal administrators and other legal professionals gathered for a seminar. All were there to learn when and how to start electronic filing. Florida Association of Court Clerks and Comptrollers, (FACC) members Jim Reynolds, its E-portal Project Administrator, and Melvin Cox, its Director of Information Technology, as well Harvey Ruvin, Miami-Dade County Clerk, and his staff, conducted the presentation.

First, they started by telling the audience the reason for moving towards e-filing. Reynolds explained that the Florida legislature requested it.

Then, they walked us step by step through the process. First, one must log into the Florida e-Filing Authority website. This entity has been designated to oversee the operation of the portal. The page is located at: <https://www.myflcourtaccess.com/>. After registration is completed, users receive a confirmation via e-mail. The system provides a document entitled "filer documentation" where one can find step by step instructions. Reynolds told the audience to think of the process as "Turbo Tax".

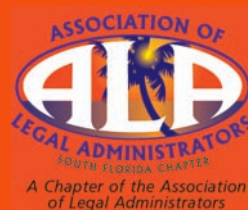
The clerk's office staff explained that there is a limited amount of motions available to be filed at the

present time because they wanted to avoid motions requiring a fee while they determine the methods of payment that will be accepted.

The presenters offered several ways to get support:

- The Miami Dade County Clerk of the Court maintains a web page with frequently asked questions at: http://www.miami-dadeclerk.com/faq_efiling.asp.
 - E-mail: support@myflcourtaccess.com
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 - Telephone: (850) 414-2210
The court accepts pleadings in word and in PDF; in the future they will accept wordperfect documents.
- On a prior seminar entitled "Meet the Clerks" offered by the Florida Bar, there was an interactive e-filing demonstration as well. In this instance, the panel was asked if e-filing would be mandatory in the future. The panel agreed that it would be mandatory; they just don't know the exact date yet.

Harvey Ruvin said that: "Right now we are taking the first steps and we hope to make it the best system with your help."



BROWARD SCENE

By: Judith Pawloski, CLM
Peterson Bernard

Leasing tips were the topic of discussion for the March meeting held on the 10th at Timpano's on Las Olas Boulevard. Despite the rain, 10 administrators braved the storm and discussed the "Evergreen" clause, automatic renewals of leases, annual percentage increases to payments and negotiating tips to avoid these pitfalls.

April's meeting introduced Ann Mezadieu of Becker & Poliakoff

who presented on "How to Avoid HR/EEOC Litigation in the Current Market." The laws and policies are frequently changing and are tricky to navigate. Ann's presentation was informative and was a good reminder to stay abreast of the rules.

At our May 12th luncheon, Edna Rosen, of Rice, Pugatach, Robinson & Schiller, P.A. (and also the Chapter's newly minted Secretary) presented on "Fraud Controls." Penny Arbulu of Eisinger, Brown,



Lewis & Frankel, P.A., was the co-presenter. Their motto was "Love Everyone, but Trust No One!!"

June's luncheon will be a presentation on new court reporter trends and technology with Gary Reif of Reif King & Welch Court Reporting.



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the country. Topics ranged from coping strategies inside the firms to which services have been most valuable to them over the last year. Participants were asked to cite three issues Iron Mountain could help them solve. What began as a lively exercise at these luncheon events quickly became a roadmap for the direction of needed improvements.

The mandate from these firms was clear: Help us repurpose the traditional law firm experience for off-site storage and service into one that made more sense for the changing and more complex information management needs of its organization. In response to this mandate, we have created solutions that deliver both value (cost and performance) and flexibility to adapt with these changing needs. This has enabled our customers to make better decisions on, and investments in, the solution they needed, while also creating a clearer path to efficiency and optimal performance.

Law firms need to learn to manage client information with greater compliance, less cost and in a way that gives them a competitive advantage. Achieving outstanding results doesn't happen by chance. Organizations that adopt best practices and work with a provider to conduct a risk assessment, survey and audit records, and build physical and digital systems to streamline and automate processes are poised for far greater success. "Today's records management environment is increasingly complex and challenging," says Bob Brennan, president and CEO of Iron Mountain. "But with the right solutions in place, it's possible to transform processes, reduce risk and manage costs."

Rachel Villamonte is Manager of Account Services for Iron Mountain, responsible for providing Total Customer Satisfaction through custom solutions, contract management and service excellence for many of the South Florida area's most prominent law firms. She has many years of experience with Iron Mountain, and has had multiple roles with the company.
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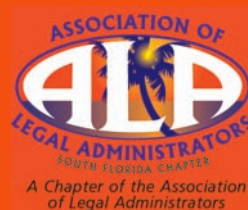


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By: Marie Colon, Littler

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On May 22, 2011, I attended my very first ALA Conference in Orlando, Florida. After initially receiving the Conference brochure in the mail, I knew I just had to attend! I went to work on putting together a thoughtful e-mail to my Office Managing Shareholder listing all my arguments as to why the Firm would be crazy not to send me to this amazing Conference and to my delight, the Firm agreed and approved my request! Honestly, I did a little happy dance in my office when the approval came in, that's how excited I was. So now, I've got my approval, I've made my flight and hotel reservations, and I have no idea what to expect! I reached out to some of my fellow chapter members who were incredibly supportive and assured me that they would take good

care of me at the Conference. I arrived Sunday afternoon on May 22nd in time for the Newcomers Reception. Luckily, I ran into some of my chapter members and didn't feel too out of place during the reception. The ALA had us play a game of bingo where we had to go up to other members (who we didn't know) and ask if they matched any of the descriptions on the bingo card. This really broke the ice. At first, I was little embarrassed to go up to someone I didn't know and introduce myself and ask, "so do you own a dog, do you workout, or have you ever been a chapter president" - and these questions were only a select few. But as I looked around, no one else was embarrassed, so off I went introducing myself, asking crazy questions and getting those initials

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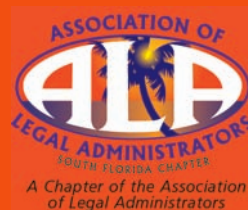
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on that darn Bingo card so I could have a chance to win a Newcomer's prize. Lisa Dasher, who is part of the Conference Committee, drew a name to win a registration to the ALA Region 2 Conference in Charlotte, North Carolina, and to my great surprise, she called my name! As I did my little happy dance to the stage to collect my prize, I thought, this is the greatest conference ever and it's only Sunday! Sunday evening, I attended the Welcome Reception at the poolside. I thought Miami was hot, but Orlando gives it a new meaning! All kidding aside, it really was a lovely reception. The food and music was great, and it gave me a chance to continue to mingle with several members I would never have met outside this Conference. It's now Monday morning and time



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to get serious with my educational sessions. When choosing which sessions I wanted to attend, I focused primarily on the ones that dealt with HR and employee behaviors. All the sessions I attended during the week were incredibly insightful. Some stand out sessions were "Using Humor to Manage Stress and Conflict," "People – Difficult or Different," and my personal favorite "Contagious Culture: Eliminating Employee Attrition, Apathy and Attitude" where I learned I am a "Relater." Each day, I also visited the Exhibit Hall where I was able to meet new vendors and vendors I currently do business with. This was truly an overwhelming experience! I had never seen so many vendors set up in one location. As I met with each vendor, I took advantage of the opportunity to drop my business card and cross my fingers that I would be selected to win any of the many amazing prizes. The ALA also hosted a "5k Fun Run"

on the golf course Tuesday morning at 6:30. While I enthusiastically signed up for this "Fun Run," it wasn't fun having to get up at 5:30 am! But this was just another wonderful opportunity to get to know more ALA members and work off some serious calories I ingested the night before. As the week progressed, I continued to be impressed with the educational sessions, but I was equally delighted to have had the opportunity to attend an intimate dinner with Colliers International at Ocean Prime Rialto. I also attended IST's costume party where we had the option to dress up like a pirate or Tinker Bell. Sadly, I forgot my youngest daughter's Tinker Bell costume at home. (Yes, I'm kidding!) Even if you didn't wear a costume, it was an incredibly fun party and I even had a chance to watch the Heat beat the Bulls at the restaurant's bar! GO HEAT! On the final evening of the Conference, I attended the Grand Finale Event: An Evening on

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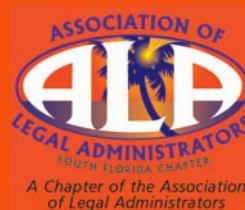
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Broadway. It was an enjoyable way to close the Conference in style. Now, looking back at my Conference experience, I can truly say it was more than I imagined. I was able to take advantage of the educational opportunities and implement what I learned. Additionally, I was able to network not only with my fellow chapter members but with members I would never have had an opportunity to meet had I not attended this Conference, and I had so much fun doing it all! I'm grateful that my Firm takes a great interest in my educational development by allowing me to attend this Conference. I look forward to submitting my future request for approval to the 2012 ALA Conference in Hawaii. Aloha!

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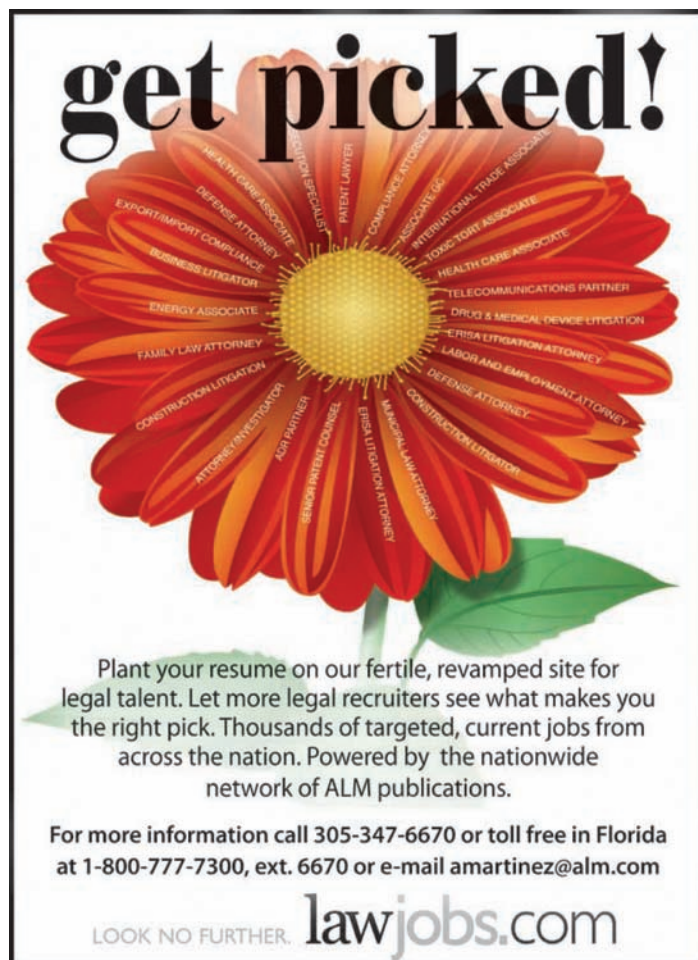
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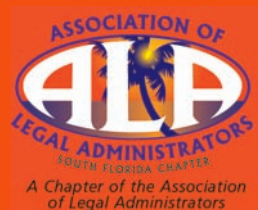
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Member Spotlight

Meet Jennifer D. Ternes

Director of Human Resources and Firm Operations

Kagan, Rodriguez & Silver, PL

Firm Size: 25 Attorneys (7 offices throughout Florida; 45 support staff members)

Years in Field: 8

What do you enjoy most about your job: knowing that the recommendations I make are respected by the Partners and that there is a common goal for us to be productive, but never at the expense of a healthy work environment.

What do you dislike most about your job: The fact that people do not understand the level of responsibility that we bear as administrators.

What impact has ALA had in your job performance? Although I have not had a chance to take advantage yet, it has shown great potential with regard to networking. Being able to bounce ideas and scenarios back and forth with professionals that are in exactly the same situation as you, is refreshing and encouraging.

The most difficult situation I have had to deal with was: all terminations remain difficult.

To be successful, legal administrators have to: balance the needs of the firm as a whole with the needs of the individuals that make up the firm. We have to wear all types of “goggles” when reviewing policies, procedures or metrics. We need to wear our accounting “goggles” to be fiscally practical and responsible; we need to wear our HR “goggles” to keep the needs of the workforce top of mind; and we need to wear our management “goggles” to help balance everything. You also have to surround yourself with a top-notch administrative team: office managers, Marketing Director, IT Director, etc.

As a legal administrator, I never thought I'd have to: interact so much with our clients. I certainly enjoy it, but at least in my firm since we are smaller, I tend to deal directly with some of our clients when there are issues with compliance or AR. In the office I try to set an example by: being respectful of all points of view and suggestions

If I weren't a legal administrator I would like to be: An HR Director for a professional athletic association or team

Favorite Musical Artist: Matchbox Twenty/Rob Thomas

Last Book Read: The Girl with the Dragon Tattoo

Hobbies: Spending time with my family; completing puzzles; supporting all South Miami sports teams – I am a huge Dolphins, Marlins and Heat Fan.



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July 14, 2011

12:00 - 1:30

Broward Lunch Meeting
Timpano's, Fort Lauderdale

July 20, 2011

2:00 - 3:00 pm

Webinar:
Finance 101: Finance
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July 27, 2011

12:00 - 1:30

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Reception
5:30 - 7:30 pm
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August 11, 2011

12:00 - 1:30

Broward Lunch Meeting
Timpano's, Fort Lauderdale

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