

Volume XII - Issue 2

ALA MISSION

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.



The Cloud is Now!

By [Richard Blanco, Jr.](#)

Chief Technology Officer, New Global Solutions

More than ever, all kinds of businesses are considering moving some, if not all, of their IT infrastructure to the "Cloud". Cloud awareness has become rampant in firms of all types and sizes. The "cloud" conversation has become a central topic at many law firms. Why wouldn't it be? Cloud computing is being touted as the future of the web and a new, integral part of any business strategy. If your firm has been considering moving some or all of your IT operations onto the cloud, then you may be wondering whether this flexible and reliable approach is simply another trend, or is it really the new generation of IT for companies of all sizes.



Here are some recent findings in regards to cloud computing which offer a clear indication of where this technology is headed.

- Gartner Research has predicted that the cloud market will reach \$150B by 2013, and Merrill Lynch predicts this figure to be \$160B by the end 2012.
- CRN, a major news source for IT solution providers, forecasts that by the year 2014, small to medium enterprise budgets for cloud computing will reach as high as \$100 billion.
- Gartner also predicted that the rapid growth of cloud computing will result in 60% of server workloads moving to the cloud within the next few years.
- When asked about the primary reason for moving to the cloud in a recent survey made of over 500 IT decision makers by Sandhill, 50% of the respondents said that "business agility" was the main reason for going to cloud applications.

Cloud computing is obviously facilitating a new generation of IT services, allowing firms and IT providers to manage needs through web based solutions. Your trusted IT advisor is the first step in developing a customized cloud hosted solution for your business. The mindset we strive to fuel with our clients when designing, implementing and consolidating some of these services is easy resource sharing, easy collaboration, increased security and many other benefits including an attempt to keep the implementation as a cost-effective solution. Most of the "business level" cloud services can be integrated into your network as well as your IT budget. It's interesting to note that many IT departments and company managers are unaware they may already be using some type of

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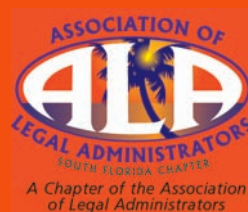
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The Network is published to provide information for the education and benefit of legal administrators, law office managers, managing partners of law firms and others interested in law firm management. Any article or advertising published here or in any prior issue of this newsletter should not be considered to be an endorsement by the South Florida Chapter of the Association of Legal Administrators of the opinions expressed therein or any products(s) advertised. Contributing writers are asked to disclose interests and affiliations that may influence their writing position so that those facts may be obtained upon request.



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PRESIDENT'S MESSAGE:

[Lisa Dasher, CPA, CLM](#)

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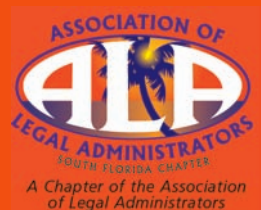
I am writing my first president's message while sitting on a plane on my way home from ALA's CLI (Chapter Leadership Institute) meeting. Each year ALA hosts CLI to assist chapter leaders in running their chapters and identifying opportunities for change and improvement. This two day packed event doesn't focus on education related to oneself or your career, but rather it focuses on chapter management. This year our chapter was lucky enough to send three people to this event. Chapter leaders gain insight and knowledge from each other and are able to identify projects and events that have worked well and were successful. The South Florida Chapter Board of Directors is constantly is looking for new opportunities to improve our members involvement and education; and attendance at CLI has always provided the Board with great ideas.

While the Board continues to struggle with the perceived participation and involvement of our chapter members it was nice to hear that other chapters have similar issues. But instead of focusing on the perception we should focus on the reality. What do our chapter members get for their membership: monthly education luncheons; the list serve; monthly webinars;

scholarships; website; job postings; charitable activities; networking and of course developing friendships.

The board is constantly looking for ways to improve our organization and part of this improvement comes from member feedback. One of my goals for this year is to challenge each one of you to identify what you want to see our chapter accomplish. Identify those areas where our chapter could better meet your needs. Tell one of the board members your interests, desires or needs from the chapter. Working together with all of our knowledge and strength combined our chapter can far exceed our expectations.

Without the distractions of the office, cell phone, or blackberry I was able to think about my new position on the board. This year will definitely be filled with challenges, road blocks and pitfalls. However, I know that I am able to accept these things because of the support network I have around me. The chapter's board is built on the strength of various individuals and we work as a team. Two past presidents remain on the board as directors to assist with the transition of the new board and provide guidance. These two individuals provide continuity and strength to the board.




I challenge each of you to look at every situation as an opportunity rather than a roadblock or pitfall. Look around and identify those individuals that add strength to your team and encourage them to continue to add value to your organization and themselves. Then look at yourself and identify those challenges that are

important to you and work towards accomplishing those goals.

Please take advantage of everything that ALA has to offer you. ALA's tag line is "Your connection to knowledge, resources and networking". This is not just a marketing endeavor, but one that truly fits our organization. Many

of us have been in the field for a number of years, but others are new. There is so much information out there to assist us in our daily responsibilities, but also for those one time situations when we have no idea how to proceed. I am excited about the upcoming year and welcome any feedback our members are willing to share with me.



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Discover the Key to Your Success at the 2012 Regional Conferences & Expos ...

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Region 2 — September 27-29
Loews Atlanta • Atlanta, GA

Region 3 — September 13-15
The Depot Renaissance • Minneapolis, MN

Region 4 — October 4-6
Sheraton Denver Downtown • Denver, CO

Regions 5 & 6 — October 11-13
Disneyland® Resort • Anaheim, CA

Mark your calendar for the ALA Regional Conference near you! Fees and hotel rates are available at www.alanet.org/regionals. Conference registration opens summer 2012. Stay connected!

Tax Law Incentives for Software, Technology and Equipment Purchases

By Dean Morrison, CIT

Now is the perfect time to finance your firm's acquisition of new software, new technology solutions and any new office equipment because Section 179 deductions were extended through the end of 2012.

Many people and businesses believe that Section 179 is some obscure and complicate piece of tax code. The reality is quite the opposite and yet many law firms are unfamiliar with Section 179 and the beneficial tax impact it creates.

In 2010, new tax laws were enacted that extended and enhanced tax incentives to stimulate growth and employment through 2012. This is a continuation of the policies implemented under the Economic Stimulus Act of 2008 which among many things, increased the Section 179 limits for small businesses across the country. Changes to Section 179 deductions and bonus depreciation (which allow businesses to recover the costs of capital expenditures faster than ordinary depreciation) make it particularly favorable for law firms to acquire the various software solutions, technology systems and office equipment needed to run their busy offices and keep their competitive advantage.

The Section 179 deduction limit in 2012 is \$139,000 on new equipment and software solutions. The Section 179 deduction threshold is \$560,000 which represents the maximum amount that a law firm can spend on software and equipment before the Section 179 deduction begins to be reduced. As mentioned, the 50% Bonus Depreciation is also available to the law firm after the \$139k deduction limit is reached.

"In 2010, new tax laws were enacted that extended and enhanced tax incentives to stimulate growth and employment through 2012."



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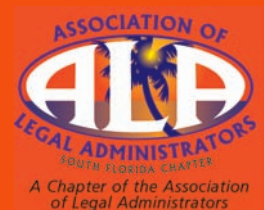
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ALA – Your Resource for Retreats

"The involvement of ALA's Retreat Planning Plus team allowed me to focus on the strategic components of the retreat rather than worrying about logistics. ALA's professional meeting planners do this well and we ended up with a better experience for their involvement."

- Lorri Salyards, CLM
Executive Director
Tulsa, Oklahoma

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By financing your software and/or technology & equipment acquisition the law firm may can write off \$139,000 without actually spending \$139,000 during the first year. That is because the purchase is being financed through monthly payments. The example at the right demonstrates the simplicity of Section 179 and clearly communicate its powerful benefit to the law firm.

There are of course other rules associated with the tax laws in this example and it is suggested that every law firm consult their tax and accounting advisors. As of this writing the Small business Jobs and Credit Act of 2010 phases out to an immaterial amount after 2012. If the firm has decided to delay their acquisition of new software, technology and/or office equipment, the availability and implementation of Section 179 benefits might be

Example: Software and Technology Solution with total cost of \$200,000

Section 179 Deduction in 2012 (Maximum Deduction = \$139,000)	\$139,000
50% Bonus Depreciation in 2012 (For the remaining \$61,000 of this purchase, 50% can be depreciated in the first year)	\$30,500
1st year Depreciation (typically 20% for 5 years)	\$6,100
Total 1st Year Deduction (Sum of above deductions)	\$175,600
Tax Savings (Assuming a 35% tax rate)	\$61,460
Net Cost (After 1st year tax savings)	\$138,540

worth considering before making that final decision.

Dean Morrison is a National Account Manager with CIT, a publicly traded Fortune 500 company specializing in

providing law firms with customized and tailored technology and equipment financing credit lines. CIT is a proud sponsor of the South Florida ALA. Dean can be reached at 800-707-8853 or via email at Dean.Morrison@cit.com



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cloud system, given that there are so many applications already out there on the cloud, such as Google Documents, Microsoft SkyDrive, Dropbox, Sharefile, GoTo Meeting and many others. The cloud has become a huge part of how we share information nowadays, but it's important to keep in mind that in a business environment, not all cloud services "fit the bill", particularly if they are consumer oriented. Many of the solutions that NGS has set in place for those we manage are geared towards business, and many times, the proper solution may even involve the use of a "private cloud", where no public equipment or shared use is available. Worried about security? Don't be. Cloud computing can even be safer than your own network. It's a commonly held belief that Cloud computing may not be as secure as having your own in-house IT set-up. That's not necessarily true. An in-house IT network is only as secure as your equipment, building, user habits, disaster recovery system, and policies and procedures.

A professional IT Service provider will only use Cloud computing providers and hosts with excellent reputations and security records. What does that mean to your law firm? That the cloud provider has got their own security experts working constantly to ensure the integrity of their systems, and they use leading-edge security software to protect the integrity of the clients' data. The security of most cloud services today is similar to that of your bank's online web system. It's secure and

encrypted as much as any other reputable institution's website and service.

The great advantage of a fully hosted or hybrid (on-premise & cloud) computing solution is the breadth of that security and peace of mind. All your crucial data is stored online and is usually replicated across different servers in different geographic locations. To give you an example, the data centers that house the Hosted Microsoft Exchange services we implement, are geographically dispersed here in the U.S. and even Europe. This allows for a better Outlook connection experience for users to the closest server to their location and that data is also replicated throughout those data centers. Backups, which are a built-in feature with most of these cloud services, are distributed as well in the provider's cloud – a real "set it and forget it" strategy for any firm worried about the integrity of their data.

Cloud is even playing a key role in allowing companies like ours to implement real offsite data backup solutions for our clients. With the increase of bandwidth speeds and lower cost for those speeds, getting in-house data offsite for backup purposes to the cloud is easier than ever. Even if you suffer a fire or break-in at your property you'll never lose a single byte of information. Full disaster recovery can be put in place, allowing you to gain access to previous days' data if anything should ever go wrong.

The time to get into the Cloud is now. It's an IT reality that is here and available and firms should plan and budget for it. Coupled with a great integration and management plan put in place by your IT provider, the benefits of cloud are scalable, reliable and can even remove single points of failure in your environment.



BROWARD SCENE

By: Judith Pawloski, CLM
Peterson Bernard



The Chapter hosted our annual Legal Expo on March 8th at the Hyatt in Miami. Numerous administrators from the Broward area attended the hip 70's style event. The vendors loved the event and so did those who attended.

The Broward Happy Hour on March 15th was held at Morton's Steakhouse and although there was no sponsor, approx. 12 attendees enjoyed the early evening get-together.

On Wednesday, March 21st, four administrators attended the ALA Webinar on "Listening" held at Viki Allen's office.

Our monthly luncheon was held on March 2nd. There was a great turnout of administrators and vendors which was hosted in Paula

Lawson's office. Viki Allen addressed the group on "Marketing YOU." Viki did a great job and everyone took away valuable information on developing relationships with vendors and positioning yourself for your next position, if ever needed.

Also on Friday, March 23rd, a contingent of approx. 4 administrators from Broward attended the Palm Beach Chapter's Vendor Expo to show their support. The theme was Hawaii, in keeping with the upcoming ALA Annual Conference this year.

The April luncheon was held the 12th with labor attorney, Ria Chattergoon, from Fisher Philips addressing the group on Wage & Hour issues. Attendance was over 25 and a mix of administrators and business partners. Ms. Chattergoon was very

informative and another session will be planned soon for the future.

The Broward Happy Hour on April 19th was held at Morton's Steakhouse.

The May 10th monthly luncheon was a roundtable highlighting the recent ALA Annual Conference in Hawaii and the benefits of joining ALA. The room at Timpanos was packed with 16 administrators and business partners.

UPCOMING BROWARD EVENTS:

Thursday, June 14, 2012
Tuesday, July 17, 2012



Region 2 Conference & Expo

September 27-29, 2012
Loews Atlanta
Atlanta, Georgia
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stay for the networking opportunities and
leave prepared, informed and connected
to build an even stronger future for you
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...THE ROAD LEADS BACK TO ...*you!*



APRIL MEMBER LUNCHEON



Chad Volkert and Vicki Smith-Bilt



Lisa Dasher with Dean Morrison and John Dondey of CIT



Chad Volkert of Robert Half Legal presented
"10 Secrets Your Employees Aren't Telling You" at the chapter's April luncheon

**Welcome to the 2012-2013 Board of Directors
of the South Florida Chapter**



Mario Rumasuglia and Yvonne Iturralde
at the April Installation Dinner



Outgoing Chapter President Victoria Allen and current
Chapter President Lisa Dasher at Installation Dinner

Hitting the Reset Button at Work

Tillman Coffey

Reprinted with permission from "A'la Carte," the newsletter published by the New Orleans Chapter of the Association of Legal Administrators, Summer 2011

If you have ever attended an employment law seminar or a management training class, you have no doubt heard the speaker extol the virtues of consistency when dealing with employees. Consistency provides your employees with clear direction and minimizes uncertainty. Once your employees know what you expect, they are more likely to meet those expectations without the need for discipline.

Consistency is also the key to prevailing in the unemployment compensation arena and reducing your company's exposure to discrimination claims. In both contexts, the issue of whether the disciplined or discharged employee engaged in inappropriate conduct, or failed to meet the performance expectation, often is not in dispute. Instead, the basis for many claims is that the company allegedly failed to treat the claimant the same as it did another "similarly-situated" employee who engaged in comparable conduct. In other words, the employee complains that the company acted inconsistently and the reason for the inconsistent actions is the employee's protected status.

The Problem

Allegations of discriminatory or inconsistent treatment may also arise after an employer takes disciplinary action against an employee who has recently made a complaint

of inappropriate conduct (e.g., discrimination, harassment, safety, etc.), filed a workers' compensation claim, or requested or taken leave protected under federal or state law. The circumstances and timing of the disciplinary action may give rise to a claim of retaliation, especially when the employer relies upon a seldom- or never-enforced rule or performance standard as the basis of the discipline after the employee engaged in a form of protected activity.

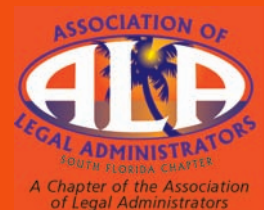
Again, the issue ultimately may not be whether the employee broke the rule, but instead whether the employer's enforcement of the rule was consistent with its normal or past practice. With the growing number of retaliation claims being made (retaliation was the number one charge filed with the EEOC in 2010), employers should be cautious when taking disciplinary action under these circumstances.

How Did We Get Here?

One reason for enforcement failure is that most supervisors prefer to avoid confrontation with their employees. The common thought is that they have to work with and rely upon these employees day in and day out, and believe it is hard enough to get work done when they do not have an adversarial relationship with their employees.

Still other supervisors fail to act because they do not know what to

"Once your employees know what you expect, they are more likely to meet those expectations without the need for discipline."



do. They are afraid that if they do the wrong thing, the Company, and maybe the supervisor, will be sued. Faced with this perceived dilemma, many supervisors take the path of least resistance, do nothing, and hope the problem goes away on its own. The supervisor feels safer doing nothing about the underperforming employee and simply lives with the problem.

When the problem does not correct itself – and it rarely does – and the supervisor has no choice but to act, the timing may be bad, or the discipline may be inconsistent with established “precedent.” In a recent case, an employee alleged race discrimination and retaliation following his termination. The facts showed that the former employee had an eight-year history of documented performance problems and numerous “final” warnings. The company had finally had enough and terminated the employee, but did so a few months after employees complained about race discrimination. The company eventually prevailed, but its failure to act earlier subjected it to the costs and disruption of litigation.

A supervisor’s inaction creates several potential problems in the workplace that go beyond the “problem” employee. Good employees may lose respect for supervisors because they fail to enforce the rules and standards, and good employees may move on. Most employees adhere to the rules, and think it’s only fair that other employees be required to do so as well. Employees like structure. How often do supervisors hear from the co-workers of the former employee: “it’s about time you did

something” or “we were wondering when enough would be enough?”

Failure to enforce the rules and standards also may actually lower the standards for everyone, not just the problem employee. In most cases, the lowest conduct or performance standard accepted by management by not enforcing the rules becomes the de facto standard for everyone in the group. For example, if the standard is to produce ten units a day and an employee is allowed to produce only seven without penalty, then seven may be the new standard for everyone. If 7:30 is the “official” or posted starting time, and an employee is regularly allowed to start at 7:45, is the new start time 7:45? The same concern applies to conduct issues. Once the supervisor establishes a tolerance level for employee conduct, that tolerated level may be the new code of conduct, not

the one set forth in the handbook.

Employers and supervisors may be left thinking that they are damned if they do and damned if they don’t. Fortunately, it does not have to be that way: There is there is a way out. You can escape the history of your inaction, or that of your predecessors, by “resetting expectations.” If expectations are reset correctly, you may be able to shed the past, get everyone on the same page going forward, and take necessary corrective action without creating unnecessary exposure for the company.

Getting From Here To There And Back Again

The resetting expectations process requires that the company give everyone a clean or almost clean slate on the specific issue at hand. Here’s how it can work: The first step



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is to identify where you are, where you want to be, and what it will take to get there. Next, communicate with your employees the new (or renewed) expectations of them. You can, and probably should, admit that you or the company allowed the standards to slip and that you and the company accept full responsibility for the past.

Management should then: 1) tell the employees what its expectations are going forward; 2) provide a date when employees are expected to begin meeting these standards; and 3) explain the possible consequences

for their failure to do so. The timeline should be reasonable under the circumstances and the message should include an offer of assistance to achieve the goal. The more reasonable your demand, the increased likelihood of success. Put these expectations in writing and request that the employees acknowledge by signing that they understand and agree. A copy of the signed form should then be placed in each employee's personnel file.

Once employees are put on notice of your expectations and possible consequences of failure, each supervisor must follow up and ensure that the employees are meeting the standards. For those who don't, take appropriate action – and do so on a consistent basis. Termination for failing to meet the reset expectations must be an unfortunate reality if efforts to regain control are to be effective.



Get Back On Track

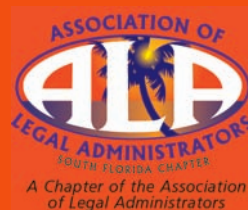
It's never too late to reset expectations. If you do, the next time you contact your human resources

department or your employment lawyer for approval to take disciplinary action and are met with the usual list of questions designed to determine whether your actions are consistent, you should be in good shape.

Tillman Coffey is a partner at Fisher & Phillips, a national law firm that limits its practice to representing management in labor and employment matters. He can be reached at tcoffey@laborlawyers.com or 404.231.1400

HAVE YOU VISITED WWW.ALASOFLA.ORG LATELY?

YOU CAN UPDATE YOUR MEMBER PROFILE
AND
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Member Spotlight

*Meet Lorna D. Maltbey, Administrator
Klausner, Kaufman, Jensen & Levinson*

Firm Size: 4 in-office attorneys, 2 of-counsel attorneys, 4 support staff

Years in Field: 38

What do you enjoy most about your job: The people I work with in the office.

What do you dislike most about your job: I love my job!

What impact has ALA had in your job performance?

Keeps me up to date on what other firms are doing with issues most affecting law firms

The most difficult situation I have had to deal

with was: Haven't really had difficult situations to deal with but if I had to choose one it would be letting someone go, which hasn't happened in quite awhile. That's always hard.

In my role, I never thought I'd have to: Not applicable.

I'm ready to do whatever comes my way.

In the office I try to set an example by: Being positive. After all, things can always be worse!

If I weren't in my current position, I would like to be: Traveling

Favorite Musical Artist: Led Zeppelin, even to this day.

Favorite TV Program: Don't watch regular programming - Like Dexter, Lost, Breaking Bad, NFL football - can't wait for the season to begin.

Last Book Read: The Architect: Karl Rove and the Master Plan for Absolute Power

Hobbies: Travel, music (attending concerts), collecting albums (vinyl)

Performance Objectives for Chapters of the Association of Legal Administrators (ALA)

The Chapter Performance Objectives are intended to encourage chapters to take effective and collaborative action in support of ALA's mission to promote and enhance the competence and professionalism of legal administrators and 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.

All ALA chapters are expected to regularly meet or exceed these performance objectives and are urged to continually assess their progress. Members of the Regional Management Teams and ALA's professional staff are available to assist chapters in achieving the chapter performance objectives.

I. Responsibilities to Chapter Members:

- A.** Provide quality educational opportunities, beyond routine networking and/or social events, for members and prospective members on a regular basis.
- B.** Create awareness among members and the legal community at large of ALA's Mission Statement, Goals, Code of Professional Responsibility, and strategic plan. Develop and maintain communication methods to announce and promote all levels of ALA activities and events. Such methods may include announcements at chapter meetings, newsletters, websites, event calendars and/or other communications provided to members on a regular basis.
- C.** Enhance the visibility of members, the legal management profession, and ALA through activities such as community service projects and alliances with bar associations and other law-related professional associations.

II. Responsibilities to Chapter Management:

- A.** Adhere to and abide by the chapter's own bylaws. In addition, the chapter shall seek and obtain approval by ALA headquarters of proposed amendments to chapter bylaws prior to any vote by members on proposed amendments.
- B.** Create a workable structure to maximize chapter efficiency by taking into consideration leadership succession, chapter strategic planning, and the interests and expertise of members. Install officers annually in April to facilitate effective leadership training opportunities offered by the ALA.
- C.** Maintain a continuous retention and recruitment effort to create a diverse chapter membership from all cross-sections of the legal management community.
- D.** Obtain tax exempt status and annually file tax returns, where appropriate and as indicated by pertinent regulatory bodies. Maintain procedures for ensuring that annual filings and renewals are made with appropriate agencies.

Congratulations to our 2012 Chapter Scholarship Recipients!



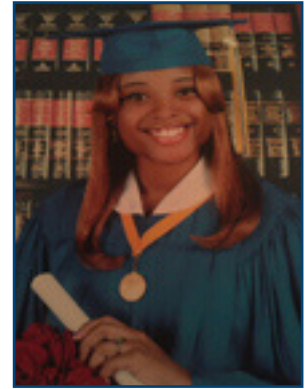
Alexander Jackson



Elio Estopiñan



Omar Paz



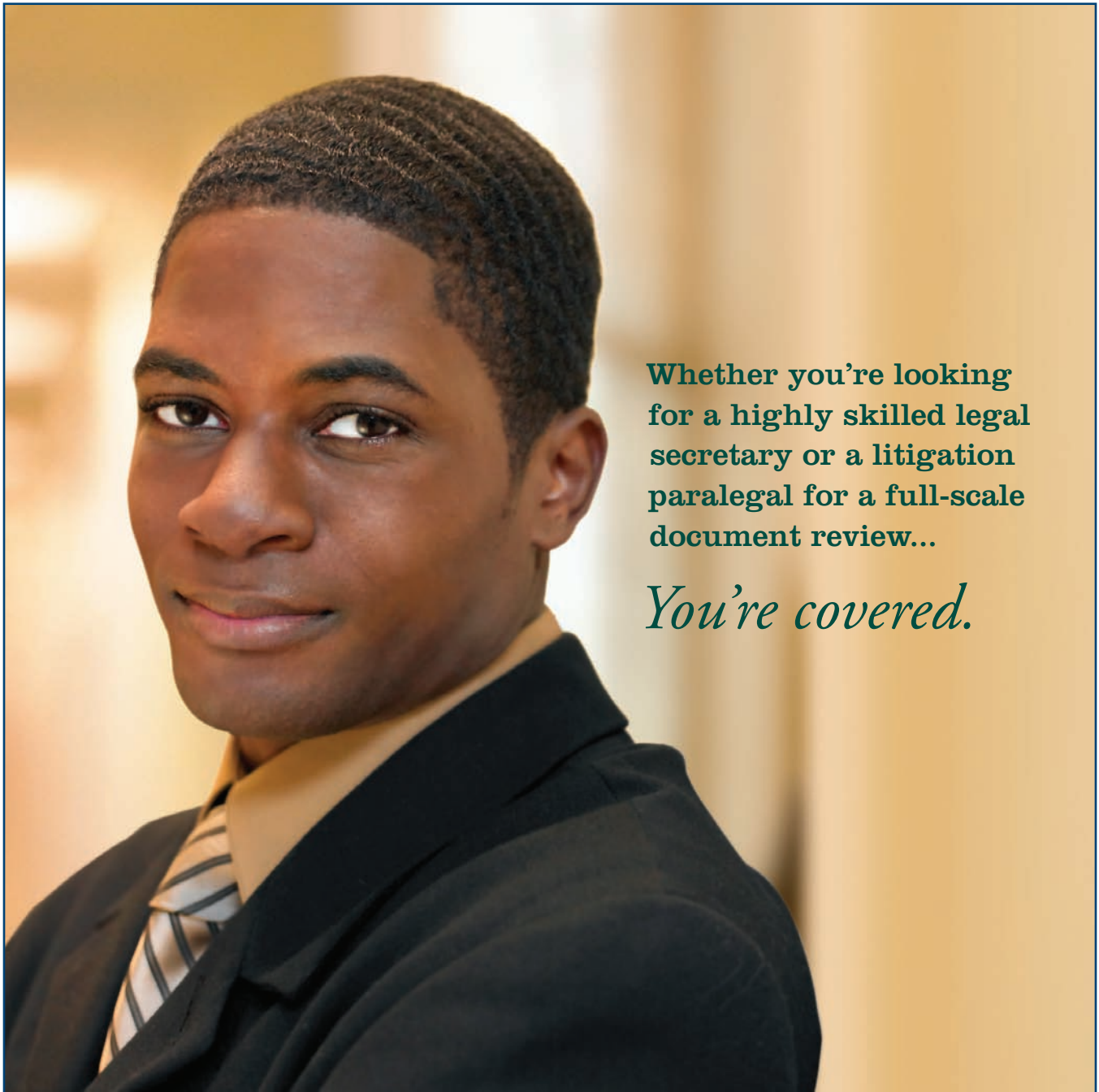
Tiara Hester

Aloha! The South Florida Chapter Crew at the 2012 ALA Annual Conference April 22nd – 26th, 2012, Honolulu, Hawaii



Top row from left: Jackie Fleites, Lisa Dasher, Sandra Boriello, Chad Jones, Edna Rosen

Bottom row from left: Mario Rumasuglia, Grace Lopez, Marlon Mendez, Victoria Allen, Bernadette Peters



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Calendar

July 12, 2012

5-6:30 pm

DT Miami Happy Hour

July 17, 2012

12-1:30 pm

Broward Lunch Meeting
Timpano's

July 18, 2012

12-1:30 pm

Monthly Member Lunch

July 18, 2012

ALA Webinar: Change
Leadership: A Boot Camp
to Drive Organizational
Change (CM)

Miami: Bilzin Sumberg
Broward: Rogers,
Morris & Ziegler LLP

July 26, 2012

5-6:30 pm

South Miami Happy Hour

August 9, 2012

12-1:30 pm

Broward Lunch Meeting
Timpano's

August 15, 2012

ALA Webinar: Records
Management: The
Bermuda Triangle (LI)
Miami: Bilzin Sumberg
Broward: Rogers,
Morris & Ziegler LLP

August 22, 2012

12-1:30 pm

Monthly Member Lunch

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