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**THE ADMINISTRATOR’S ADVANTAGE**

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**ALA Mission Statement:**

The Association of Legal Administrators’ mission is to improve the quality of management in legal services organizations; promote and enhance the competence and professionalism of legal administrators and all members of the management team; and represent professional legal management and managers to the legal community and to the legal community at large.
President’s Message

I can hardly believe that I am entering my eighth month as the President of the Greater Chicago Chapter ... believe me, I have no idea where all the time has gone. I do know that, as a Chapter, we have packed a lot of great educational sessions, events, etc. into the past eight months, and I am excited to see what we will be able to accomplish before the end of my term on March 31, 2009.

Carol McCallum, CLM, has done an excellent job bringing speakers to our Chapter at the bi-monthly luncheons. As you may recall, we had a very timely update on MCLE by Karen Johnson in May, just as the first CLE deadline of June 30, 2008, was fast approaching. In July we had Egil (Bud) Krogh do a presentation entitled, “The Integrity Zone.” He was a very entertaining speaker and also very inspiring. Our focus in September was on Human Resources, where David Miller from Dykema presented “Effective Performance Management and Conducting Internal Investigations”. Finally, in November, we had Joel A. Rose speak to us about the “Characteristics of the Irreplaceable Administrator.” Looking to 2009, in January we will have David Weinstein from Wildman Harrold speak about the new ADA regulations that become effective January 1st. Susan Riegler, Clinical Director from the Lawyers Assistance Program, will present “Striving for Balance” at our March bi-monthly luncheon. I hope that you will be able to join us at the January and March bi-monthly luncheons!

With respect to social events, Jena Neisler, CLM, outdid herself with the Vendor Appreciation Party at The Green at Grant Park. I know that the members and vendors who were able to join us had a great time, and the weather could not have been better. Jena again went above and beyond at our annual Holiday Party that was sponsored by Next Day Toner. I think that I speak for everyone when I say that it was a great party, and everyone had a lot of fun. It was a great way to ring in the holiday season.

Sally Mendoza, CLM, worked very hard this year with the Horton Group, Chicago Bar Association, Lawyers Lend a Hand Program, and Coats for Kids for our annual Community Challenge Weekend project, entitled “All You Need Is (G)love.” The goal for the project was to provide warm winter coats, mittens, gloves, and scarves for 2,000 needy children in Chicago, and I am sure that they more than surpassed the goal. Thank you to all those individuals and firms that participated! Sally is now working with Kyle Woodward and their committee on the Fat Tuesday Challenge that is on February 24, 2009, at Dave & Busters. As you may know, it always been at North Beach, but they closed, and so it has been moved to Dave & Busters. Please put this on your calendar. I would love to have a record number of ALA members there this year to support the committee and help raise money for the Chicago Bar Foundation.

Deb O’Donnell and her committee have been diligently working on a new website. As we mentioned at our November bi-monthly meeting, we are working with Keno Kozie and have selected the final mock-up. They are now in the process of putting it together for us, and then we will be adding the content to it. Deb and her committee are working very hard to have our new website “rolled out” before the end of the year. This was one of the projects that I had set out at the beginning of my term to accomplish, and this never would have been done without all the work and ideas that Deb and her committee provided.

Thirteen members of the Greater Chicago Chapter traveled to Indianapolis for the Regions 2 and 3 Education Conference at the Hyatt in downtown Indianapolis. The conference was filled with great educational sessions. Diane Brummel and I met with the other Region 3 chapters to learn about what they are doing in their chapters, as well as what the international organization is doing. We both got some great ideas that we hope to implement in the Chapter. Friday night we all had a great time touring the Indianapolis 500 speedway and riding around the track in one of their tour buses. Then we had a wonderful buffet dinner and music and dancing. I have put some pictures up on the website, so I hope that you will check them out.

(continued on page 6)
(continued from page 5)

We just received word that Donald M. Anderson, Executive Director at Crisham & Kubes, Ltd; Susan M. Gerovasil, Firm Administrator at Coplan & Crane, LLC; and Cinthia M. LeGrand, Office Administrator at Epstein, Becker & Green, P.C., passed their CLM examination. This now brings our Chapter total to 16 Certified Legal Managers. Speaking of the CLM, Marie Fiorito, CLM, is in the process of organizing another CLM study group. They had their first meeting in November, but, if you are interested in taking the exam, please contact Marie so that you can join the study group to help you prepare for the exam.

As I said in the beginning, my presidential year is going by far too quickly, but looking back I am reminded of what a great Chapter we have and how thankful I am to be a part of it! I hope to have seen all of you at our Holiday party in December, if not then at our next event. As always, if you ever have a concern about the Chapter or a suggestion, please do not hesitate to contact me. I would love to hear from you!

By Sherri Kessler Holquist
Office Manager
Carmell Charone Widmer Moss & Barr

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Coming Soon...The New Face of The Greater Chicago Chapter Website!

You asked for a revised website with more robust features; we answered! In just a mere few weeks, the new and improved ALA Greater Chicago Chapter website will go live! We know you cannot wait to see it, so we wanted to give you a sneak peek of our work in progress. Besides a fresh face, some of the key features of the new site include:

- A portal-style home page that displays key information and makes website navigation a breeze.
- A Member Login right on the home page, making “Members Only” information quick and easy to access.
- New resource links and resource areas, like our new CLM Resource Center.

Of course, there is so much more! And, updates will continue beyond the launch, keeping our website fresh and making the site even more useful to our members.

Giving credit where credit is due, this project has been made possible by our website sponsors, Keno Kozie, FirmWise, and MaverickMaven LLC, who have donated their time and resources to making the vision become a reality.

An email announcing the launch will be routed as soon as a date has been set. Please be on the lookout for that exciting email!
Walking in the Footsteps of Diversity—Lincoln to Obama

In August 1858, in the small North-central Illinois town of Ottawa, thousands of individuals crowded Washington Square Park to hear a debate – an initial debate so pivotal that it is still discussed around the world and has transformed history. This was the first major political debate that questioned the morality, logic, and values underlining the institution of slavery. The topic of the debate was brought about by Illinois attorney Abraham Lincoln in his bid to defeat the incumbent Senator from Chicago, Steven Douglas. Lincoln lost the Senate race to Douglas, but it proved to be a trivial setback in his political career.

Two years later in Chicago at the “Wigwam,” located at the corner of Lake Street and current-day Wacker Drive, Abraham Lincoln accepted the Republican Party’s nomination for President. Months later, he became the 16th President of the United States of America. Shortly thereafter, one of the most tragic chapters in American History began – the Civil War. The goals of the Lincoln administration during this war were most honorable; however, the price the country paid was tragic. In the end, slavery was abolished by the Emancipation Proclamation along with the 13th Amendment, but racial tensions ensued for generations.

The Civil War gave rise to the second President to come from Illinois, Ulysses S. Grant, the victorious general of the Union Army. Grant was known for his hard stance against organizations that formed to suppress the civil rights of African Americans. To honor his achievements, Chicago named its “front yard” after him – Grant Park.

In 2004, another Illinois attorney was thrust into the national spotlight when he gave an inspirational speech at the Democratic National Convention. Many people knew this was a pivotal moment in the political career of Illinois Senator Barack Hussein Obama. A few years later on the grounds of the Illinois State Capital, where Abraham Lincoln began his political career, Barack Obama announced his quest to become the next President of the United States. Almost 150 years to the day that Lincoln thrust the slavery debate into the national political spotlight, this Illinois attorney, Senator Barack Obama, made history by becoming the first African-American candidate for the President of the United States for one of the major parties. And on an unseasonably warm November evening in Chicago’s Grant Park, blocks away from the historical site of the 1860 Republican National Convention, the entire world watched as Barack Obama addressed the world for the first time as President-elect.

This 150-year quest seems to have come full-circle right here in the front and back yards of the Chicagoland area. However, this is merely the beginning of the next chapter in the story of American diversity. Though now different in nature and covering a wider variety of ethnicities and social issues, the general struggle to overcome differences that existed prior to Lincoln’s first debate continues today. Diversity plays a large role in each of our everyday lives. We Legal Administrators of the Greater Chicagoland Chapter must remember those who have come before us when we walk the very streets where history was and continues to be made. Think of the attorneys who later became Presidents who gave and continue to give so much to improve the race relations of this country.

As legal administrators, we can have direct influence on our support staff and legal professionals in our offices. Take a moment to reflect what you have done to improve diversity within your law firm and in your lives and find ways to advance diversity in your office and community. In retrospect, take a moment to ponder the legal administrators who influenced our past Presidents and our current President-elect. Some of you reading this article had a direct impact on the legal careers of Michelle and Barack Obama.

No matter what your ethnicity, gender, or political affiliation, we have just witnessed an event that we will be telling to future generations. We will take pride in recalling where we were when we became eyewitnesses to history. Whether you were present at Grant Park in Chicago, watching it at home with friends and family in New York, texting in traffic in LA, or on your Blackberry while traveling abroad, we all shared in this momentous event.

Take Action! We must continue to embrace and learn from the differences that make each of us unique and strive to break down the barriers that distort our views of one another.

By Jim Beavers
Director of Finance
Much Shelist
Effective Performance Management:
Keeping Your Employees at Work and Out of the Courthouse and Conducting Successful Internal Investigations

The Greater Chicago Chapter’s bi-monthly educational luncheon was held on September 16, 2008, at The Standard Club. The speaker was David L. Miller from Dykema, and the topic was Human Resources. David’s presentation was very informative and well received by the 52 members and guests in attendance.

Here’s a recap of what we learned:

Effective Performance Management (“EPM”) is the employer’s pro-active approach to managing employee performance. Legal claims arise because employees say they didn’t know the rules, didn’t violate the rules, didn’t know they violated the rules, were never warned of the consequences of violating the rules, and they think co-workers were treated better or differently. Employers sometimes resist EPM because they consider all employees to be “at-will” employees. This is true, but it’s also true that anyone can sue his or her employer. Employers must have supporting evidence to prove that their actions were legitimate and non-discriminatory.

If employers are not consistent with the way rules are enforced and let some employees get away with more than others simply because it’s less disruptive than trying to make them comply, the result is a perception of unfairness and loss of productivity and efficiency. It also becomes very difficult to terminate a “bad” employee. Employers must remember that they, too, have rights. There must be open communication, because frequent feedback leads to increased performance and job satisfaction. Unacceptable performance can be corrected quickly, and good performance can be rewarded. Morale will be higher when employees view procedures and rules as fair. If there is any litigation, this consistency and communication will be seen by the judge and jury in a better light.

Some of the tools employers can use for EPM are:

Job Descriptions that tell employees what the employer expects of them and provide objective support for personnel decisions; Policies/Procedures Handbooks; Employee Orientation and Training to cover policies, what’s expected, and give the employer an opportunity to emphasize what is important; Progressive Discipline Policy—not legally required, but it makes the employer appear more fair and increases the ability to rehabilitate employees; Documentation of Discipline is VERY IMPORTANT! Why, How, What, When – This helps to eliminate disputes about what happened; Performance Appraisal should be truthful and accurate with no sugar coating, gives good employees positive reinforcement and unsatisfactory employees a chance to improve, and provides a record that can be used to avoid litigation or refresh memories and provide a defense if there is litigation.

David gave many excellent suggestions for use in performance appraisals, disciplinary documentation, and employee management. We should all remember that the primary goal is to improve employee performance.

The second portion of David’s presentation was Conducting Effective Workplace Investigations. This too was a subject of interest to many of us. We learned that workplace investigations are required when there are complaints of harassment or safety. Pre-employment investigations help to avoid negligent hiring claims and protect company assets. They can be conducted through the application process. Post-employment investigations are useful when faced with wrongful termination claims, theft, and violations of non-compete agreements. Investigations during the employment relationship are necessary when there are harassment complaints, suspected drug or alcohol use, and policy violations. Claims can arise from ineffective investigations, so it is important to conduct prompt and thorough investigations and develop an action plan.

If you would like a copy of the handouts from the presentation, please contact me. I’d be happy to email the information to you.

By Carol A. McCallum, CLM
Office Administrator
Lewis, Overbeck & Furman, LLP
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Diversity Leadership

On Wednesday, October 15th, Morgan, Lewis & Bockius LLP hosted a webinar entitled, “Diversity Leadership in the 21st Century.” This informative webinar was led by Hannibal B. Johnson, an attorney, author, and consultant in Tulsa, Oklahoma, whose focus is on diversity and ethics. Adrienne Watt, an attorney with Legal Aid Services of Oklahoma, Inc., and former diversity trainer, also participated in the discussion.

During this thought-provoking session, the discussion leaders stressed four learning objectives—promoting mutual respect, creating awareness, stimulating strategic thinking, and provoking critical thinking. Participants were encouraged to celebrate differences, while recognizing core commonalities shared by people. In addition to the most common types of differences normally associated with diversity (race, sex, age, etc.), Johnson suggested that we also be aware of other types of secondary aspects of diversity, such as religion, marital status, work history, family configuration, etc. A telling example that was provided was if the world shrank from the current six billion people down to a village of just 100 people, the demographics would be as follows:

- 61 people from Asia
- 13 people from Africa
- 12 people from Europe
- 8 people from South America, Central America (including Mexico) and the Caribbean
- 5 people from Canada and the US
- 1 person from Oceania

Johnson stressed that we should continue to think globally and understand that diversity is in the best interest of all humanity.

He also mentioned that diversity should be an ongoing focus of firms. A diversity seminar that is offered one time is not the “cure” or answer, but continuing a dialog within firms must be a priority. Obtaining agreement at the senior levels of management is necessary in order to support diversity. By establishing a connection between diversity and the bottom line and understanding that clients are diverse and that they will require diversity from their providers may convince senior management to make a diversity commitment. Support will ensure that you can set goals, identify implementation strategies, and define timelines in terms of diversity initiatives and make a truly diverse workforce a reality.

Johnson suggested some easy ways to show that your firm is committed to diversity. One is to ensure that your firm’s marketing and recruiting materials, as well as your web site, show a diverse workforce and client base. Highlighting diversity issues and initiatives within your employee orientation and other employee programs is another way to communicate efforts. Ensuring open lines of communication at all levels and supporting mentoring programs are key initiatives. Also provide confidential resources that allow attorneys and staff members to voice their concerns, doubts and ideas in a confidential forum without fear of retaliation or retribution from senior management.

This useful session was concluded with the following quote from Dr. Robert Putnam of Harvard University: “We must develop a new, broader sense of ‘we’ if we are to take full advantage of diversity.” This is the essence and true meaning of diversity and acceptance.

By Susan M. Suchy
Director of Administration
Morgan, Lewis & Bockius LLP
Chicago Firsts Quiz

1. What form of music developed in Chicago in the first half of the twentieth century?

2. What Chicago women’s liberation union, founded in 1969, was the first in the United States?

3. What is regarded as the first steel-framed skyscraper in the world, built in Chicago in 1885 and demolished in 1931?

4. What original ride, designed by George Washington Gale _____, Jr., first appeared at the 1893 World’s Columbian Exposition in Chicago? (The name later came to be used generically for all such rides.)

5. What Chicago hospital was the first Black-owned and operated hospital in America, established in Chicago in 1893 by Dr. Daniel Hale Williams?

6. What sport was invented in Chicago on Thanksgiving Day, 1887, by George Hancock as a winter version of an outdoor game?

7. What civil rights organization was founded by Sigmund Livingston, a Chicago attorney and first president of the organization?

8. What Chicago company was America’s first manufacturer of grips for golf clubs?

9. What event was on the sports program for the first time at The 3rd Pan American Games in Chicago in 1959?

10. What Chicago Lakeview neighborhood was the first officially recognized gay village in the United States?

(The answers are on page 31.)
Documentation – Why It’s Worth It

As legal professionals, we are often faced with the challenge of proving our firm’s position in an employment-related dispute. When it comes to disciplining an employee, we need to treat all employees as if they are going to file a lawsuit—because they might! You need to have your ducks in a row. All too often, a former employee will tell his or her case in a very different way, inevitably inconsistent with your version. How can you help your firm? The best defense is good documentation. Managers should be in the habit of documenting everything, especially disciplinary meetings.

Let’s face it – we are always going to be challenged by under-performing employees. Such employees need to be properly managed. This includes scheduling meetings with the employee to review the firm’s expectations of his or her performance. Be sure to document these meetings, even if it means a follow-up memo to the employee after the meeting. In the case of a follow-up memo, memorialize what transpired during the meeting, outline the firm’s expectations, establish a timeline for follow-up, and invite the employee to speak with you if he or she feels anything in the memo is inconsistent with what was discussed during the meeting or if the employee has further questions. Get the employee’s acknowledgment and signature on the document.

In general, we can come prepared with documentation to a disciplinary meeting. We know what we are going to discuss during the meeting, including firm procedures and expectations. Prepare the disciplinary memo ahead of time. Include references to firm policies and firm handbooks. You may want to include examples of the employee’s unsatisfactory performance and why continued performance would be harmful to the firm. Be sure to outline the firm’s expectations, along with a caveat that you will monitor the employee’s behavior, expecting immediate improvement. The final statement in the memorandum should always include a line that if the employee fails to improve, he or she will be subject to further disciplinary measures, up to and including immediate termination.

All documentation should include a signature block for the employee to sign and date. This is the employee’s acknowledgment that he or she read the memorandum, understood it, and received it. If the employee asks to make any changes to the memorandum, this may be done with the agreement of both parties and with initials of both parties directly on the disciplinary document. In the alternative, re-draft the document and obtain signatures after you have made the appropriate revisions. The employee’s signature is important, but, if an employee refuses to sign, simply make a handwritten notation that says: “Employee received this documentation but refused to sign on (Date).”

Proper documentation can be very useful during employment-related disputes, especially when you can prove that the employee was aware of the expectations (signature on document), that you had warned the employee, and that he or she had an opportunity to improve but failed to do so. Additionally, it is very difficult for us to remember every detail – it’s impossible, and we are too busy. Do yourself a favor. Get in the habit of documenting meetings, especially when they are disciplinary in nature. Be sure to have a witness present for a disciplinary meeting, and note the witness’s name in your documentation.

When a file is properly documented, opposing counsel will find it difficult to defend the ex-employee’s position. Certainly, it would be difficult for the employee to deny that he or she was present during the documented meetings! I understand that legal administrators are very busy, but taking a few extra minutes to document the file could result in your winning an important dispute later down the road. It will reflect positively on you as a legal administrator. With any luck, the disciplinary meeting and documentation of the firm’s expectations may lead to a nicer outcome – the employee improving his or her contribution in the workplace and becoming a good employee! Isn't that the real goal?

By Rita Nielsen
Director of Human Resources
Wildman, Harrold, Allen & Dixon LLP
“Points to Ponder”: Thoughts from One 401(K) Plan Administrator to Another

Whether you are a firm administrator or a functional specialist like an HR Manager, chances are you have some responsibility in managing your firm’s 401(k) plan. Of course, you perform your fiduciary responsibilities: you make sure that your plan has a diverse selection of investment options; you hold 401(k) education meetings; you may have your plan audited or at least conduct an annual review of your plan statements; and you likely have some responsibility in the timely filing your plan’s annual Form 5500. In times of prosperity, managing your 401(k) plan is probably fairly straightforward. But, in turbulent times like those of recent weeks, you are probably on the front lines trying to offer education and comfort to the employees who come to you to talk about their 401(k) accounts. You are likely not a licensed broker or a certified financial planner—it is not your background. But you are the “face” of your plan, and, as such, it is assumed by your participants that you have an understanding of how 401(k) plans work. Your plan likely offers some third-party advising, but often it is you that your employees seek for guidance.

Finance is not my background. But as my firm’s primary 401(k) plan administrator, I have learned a great deal about our 401(k) plan and about investing generally. Employees have been stopping by far more frequently to ask me about their accounts, looking for guidance, and seeking some ray of light that everything will be okay. As a plan fiduciary, I cannot legally advise them about the investment choices that they should make. Over the years, I’ve made such an effort to point out my plan-imposed limitations, that I’ve actually had employees enter my office and start the conversation by saying, “I know that you can’t legally advise me on how I should invest the money in my account, but I hope you can answer some general questions about....” What I can and do offer those who visit with me are some “Points to Ponder.” I offer these Points in the hope that it will inspire them to seek out additional information so that they can then make well-informed, independent decisions about their accounts.

I thought I would share with you the “Ponder Points” that I seem to be sharing with my employees most often these days. You may find that my Ponder Points offer nothing new, and, in truth, you may be right. But, I’ve found that the oldies really are the goodies, and the goodies often are exactly what your folks want to hear when times are rough.

**Ponder Point #1 – The Stock Market is really a "Safe" Investment**

Many of my employees are nervous and scared. They’ve watched their account balances diminish quarter after quarter. Some even have joked that in today’s market, their mattress offers a safer investment strategy than their 401(k) plan.

I often remind my employees that when they invest in a 401(k) plan, they must focus on the long-term. What is most easily forgotten in tumultuous times is that the stock market over the long-term yields a very respectable rate of return: historically between 7-12%, depending on adjustments for inflation. This means that, on average, investment balances will double every seven to ten years. Historical data on the stock market has been tracked since the Great Depression. Since that time, our country has been through its share of geopolitical conflicts and times of economic difficulty. For the stock market to yield such a respectable, positive overall rate of return, it is evidence enough that investing needs to be a long-term proposition.

**Ponder Point #2 – It May be Bad, but it’s Not as Bad as You Think!**

I cannot argue the point that we have all seen our portfolios suffer recently. But, I am willing to guess that most of our participants’ portfolios have out-performed the market. Why is this? Dollar Cost Averaging. Dollar cost averaging is one of the strongest benefits of 401(k) plan investing. It works because investing (in the form of regularly scheduled contributions) is done without regard to the share price of a chosen investment. A greater number of shares will be purchased when prices are low; fewer shares will be purchased when prices are high. Dollar cost averaging spreads out risk of loss by continuing to lower an investor’s average cost-per-share. And, as the market increases over the long term (as history shows it has), dollar cost averaging helps investors to gain more favorable overall profits.
Here’s a very simple example of how dollar cost averaging works. Let’s say I commit to invest $100 in “DAO Industries” every month for three months, regardless of share price. In January, the share price is $25 per share; accordingly, I purchase four shares. In February, the price is $10 per share; accordingly, I purchase ten shares. In March, DAO Industries is trading at $50 per share; accordingly, I purchase two shares. At the end of March, my portfolio will show ownership of 16 shares of DAO Industries and a total investment of $300. My average cost-per-share at March 31 is $18.75. Let’s assume that I continue investing for another three months with monthly share prices at $20, $25, and $5 respectively. When I review my portfolio on June 30, it will show ownership of 45 shares of DAO Industries and a total investment of $600. Note that my average cost-per-share now is $13.33: 29% lower than it was just three months earlier.

To see why this is a benefit, let’s pretend that I had invested the entire $600 back in January when share prices were $25 per share. At $25 per share, I would have purchased only 24 shares, and by June 30th the value of my portfolio would have dropped some 80%: from $600 to $120. But, because I purchased DAO Industries over time and at different share prices, the value of my portfolio stands at $225. Sure, DAO Industries lost market value—there is no changing that, and there is no changing the fact that my portfolio shows a loss. But notice that, compared to the 80% I lost in value by making a one-time purchase of 24 shares of DAO Industries, by buying shares at regular intervals over the span of six months I was able to mitigate my loss to 63%.

Going forward, when the market value of DAO Industries rebounds, I will have the opportunity for a greater return on this investment since I now have 45 shares instead of 24, and my average cost-per-share is $13.33.

Dollar cost averaging helps to stabilize an investor’s risk against large fluctuations in share price, both in good times and bad. But it only works if investors are committed to long-term investing.

**Ponder Point #3 – Buy Low, Sell High**
Investing is easy to do in times of prosperity. However, in difficult times, participants often choose to reduce their contributions or stop them all together. I have had several conversations with employees who are concerned about preserving every dollar that they have, fearful that continuing to invest at their current levels (or continuing to invest at all) is like flushing money down the toilet. Fear makes participants forget the golden rule of investing: buy low, sell high.

Some of the market reports tend to speculate that we have bottomed-out and that, despite a volatility that may last into next year, the markets should begin heading out of the depths and back into relatively upward levels. Warren Buffet himself, understanding the golden rule of investing, recently was on a buying spree, stating that investors should “Be fearful when others are greedy, and greedy when others are fearful.”

With his track record, if Warren Buffet recognizes a buying opportunity, surely we should as well!

Reducing contributions or suspending them entirely have costs that most participants don’t focus on: tax-savings and opportunity costs. Participants enjoy pre-tax savings when they participate in 401(k) plans. The higher the contributions, the greater the tax savings that they will realize. Reducing or suspending contributions will negatively impact these savings. Reducing or suspending contributions also results in an “opportunity cost,” which is simply defined as the cost of one decision compared with another. For example, an employee who chooses to suspend her contributions and instead puts those funds in a savings account risks an “opportunity cost” if she would have realized a larger return in her 401(k) account when compared to the interest she received in her savings account.

**Ponder Point #4 – 401(k) Loans: The Good, the Bad and the Ugly**
Our 401(k) plan, like many, allows participants to borrow from their 401(k) accounts. In my experience, a greater number of inquiries about 401(k) loans are made during times of uncertainty or when participants fear further loss in account value (i.e., if they take the money out, at least they will not lose it!).

There are two schools of thought when it comes to 401(k) loans. One school supports taking 401(k) loans when warranted. Since there is no true application process, nor is a credit check required, 401(k) loans are relatively easy to take when compared to the conventional loan process. Moreover, proponents of 401(k) loans will tell you that the (continued on page 16)
biggest benefit of taking a 401(k) loan over a conventional loan is that the interest charged on the loan will be paid directly to the borrower rather than to a bank or other financial lending institution.

The other school of thought (and the one that I personally support) cautions that borrowing against a 401(k) is something to do only as a last resort and preferably for an appreciable asset, such as a primary residence. While I do not disagree with the fact that a 401(k) loan is easy to get (it is!) and that the borrower pays interest to herself (she does!), there are a number of potential downfalls to borrowing from one’s 401(k). First is our old friend opportunity cost. Unless the loan taken will be repaid in less than one year, the interest rate charged to the borrower and repaid to the borrower’s account will likely be less than the rate the plan funds would have earned had they been left within the plan. Second, many participants who choose to borrow from their 401(k) accounts also choose to either reduce the amount of their 401(k) contributions or cancel their contributions entirely. They do so because they fear that the combination of their existing contributions and their new loan payment will adversely impact their net income. The effect of this approach is a double-whammy: there is the opportunity cost of monies not being invested and the loss of tax savings from the pre-tax dollars that were once contributed. Finally, there is no tax benefit when taking out a 401(k) loan. Yes, it is true that taking a 401(k) loan is not considered a withdrawal and, therefore, is subject to no tax penalty (unless the loan is not repaid). However, a 401(k) loan is repaid through payroll deductions on an after-tax basis, and those repayment dollars will be taxed again when the participant withdraws funds during retirement. 401(k) loan interest also cannot be used as a tax write-off in the way that other types of loan interest can (e.g., mortgage interest, home equity loan interest, etc.).

My “Points to Ponder” are meant to offer a point of view that encourages my employees to arm themselves with as much knowledge as possible before making a final decision. In the end, I am asked to respect whatever decision they make and provide whatever assistance I can to help that decision come to life. After all, that is my responsibility as a 401(k) plan administrator. It is probably yours, too!

By Deborah A. O’Donnell
Director of HR & Operations
Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP

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**Member News**

There are three New Certified Legal Managers for the Greater Chicago Chapter of ALA!  
We are pleased to announce that the following Chapter members have successfully completed the qualifications and examination to become CLMs:  
Donald M. Anderson, CLM, Executive Director, Crisham & Kubes, Ltd.  
Susan M. Gerovasil, CLM, Firm Administrator, Coplan & Crane, LLC  
Cinthia M. LeGrand, CLM, Office Administrator, Epstein, Becker & Green, P.C.  
Congratulations to these members for their hard work and success!

Go to [www.ALAChicago.org](http://www.ALAChicago.org) for updated membership information.

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**Law Firm Support Practice**
Member Profile: Ivie Cohn, Firm Administrator, Kovitz Shifrin Nesbit

Kovitz Shifrin Nesbit has 35 attorneys and is located in Buffalo Grove, IL.

Ivie has a degree in Psychology from the University of Miami. She has been working in the legal field for seven years. Before becoming an administrator, Ivie was the controller of the firm.

I entered the field of legal administration because it was a momentary lapse of sanity!

I joined ALA because I saw it as a valuable resource and an amazing networking tool.

To be successful in legal administration, you need to be a good juggler and maintain an excellent staff while attempting to retain your sense of humor.

The thing I like best about being a legal administrator is that it is never dull.

One of the most difficult challenges of being in legal administration is figuring out which fire to put out first.

The best advice I received is slow down, think things through, and catch yourself “acting in type.”

The best advice I would give to someone just entering the legal management field is don’t run! Seriously, don’t try to change everything from day one – take things slowly.

I try to motivate my staff by showing them that they are appreciated and that their voice is heard, and their opinions matter.

Three things that I do well besides riding up and down on the elevator, talking on the phone, and eating lunch are: verbal communication with others, negotiation with vendors (they fear me!), problem solving.

If I were not a legal administrator I would be a beer vendor at Wrigley or a psychiatrist (same thing, really).

I recommend membership in ALA to others as a resource for answering just about any question or problem that may arise. The ALA also provides excellent educational programs. After attending an ALA seminar, I come back to the office on fire, barely breathing, ready to change the world with all of the new ideas and things that I have learned.

The last good book I read was The DaVinci Code.

The last good movies I saw were Ironman and The Great Debaters.

The last vacation I took was a cruise two years ago.

The one appointment that I never miss is to color my hair.

In my free time I play tennis.
All You Need is G(love)

The legal community of Chicago came together during the months of October, November, and December to provide warmth for needy Chicago children. The Greater Chicago Chapter of ALA, working on this year’s Community Challenge project, partnered with our friends at the Chicago Bar Association, the Horton Group’s Law Firm Support Practice, and the Sun-Times Judge Marovitz Lawyers Lend-A-Hand to Youth Program to collect new and gently-used winter items for some of the many children who participate in the tutor/mentor programs funded by Lawyers Lend-A-Hand to Youth. And added this year was the collection of monetary donations which will to be used to purchase brand new winter coats through our friends at the Coats For Kids Foundation (CFK).

(To learn more about CFK, please visit their website at [www.coats-for-kids.org](http://www.coats-for-kids.org).) By providing collection boxes in their law firms and encouraging monetary donations, members of our Chapter were responsible for the collection of items that were then dropped off at the Chicago Bar Association.

On December 9, volunteers from all of the partners met at the CBA to distribute many of the items to the groups of children, as well as the brand-new items purchased on our behalf by CFK. Volunteers assisted the students as they “shopped” for warm items, and we then enjoyed pizza and pop provided by the CBA.

The volunteers were treated to many great big smiles and thank yous, and we look forward to making this project even bigger and better next year.

Our efforts were such a rousing success that the items collected and purchased far exceeded what was needed to give a new coat to each child at the December 9 event. At press time, more than $5,000 had been collected for new coats, and more money is expected to be received. All of the items collected and new coats purchased will be distributed to other needy children, including those participating in the Chicago Public School’s homeless children project.

Without the commitment of the members of our Chapter, this effort would not have been a success. Thanks to all who held coat drives in their firms, as well as those firms who volunteered to be drop-off locations for other firms. As we all know, Chicago winters can be long and cold, especially without warm outer clothing. By first meeting the physical needs of Chicago school children, it is our hope that they can then excel at learning.

By Sally J. Mendoza, CLM  
BryceDowney, LLC
Return to Regional

I had not had the opportunity to attend a regional conference in a number of years. I was glad that I was able to go to Indianapolis this year. There were 264 members in attendance from Regions 2 and 3. Plus, there were over 80 vendors exhibiting. The networking, education, and product/service research were invaluable.

Thursday began with a rousing presentation by Bruce Christopher entitled “It’s Hard to Lead the Charge...If You Think You Look Funny on a Horse.” He motivated all of us and got us thinking about what makes us successful. This was followed by the welcome reception in the Exhibit Hall, where we were able to meet and greet our vendors – familiar as well as new – and network with fellow administrators.

Following the reception, many of us traveled the streets of Indianapolis to vendor-hosted parties. Our vendors...what would we do without them? They support us at our firms by providing valuable services and products that enable us to run our firms more effectively, they support the ALA so that we can continue to attend valuable and cost-effective conferences, and they provide us with great parties that enable us to let loose and reconnect with our social selves.

Friday came, and there were numerous classes to choose from and a jam-packed exhibit hall to explore. It was difficult to fit all in all of the vendors offering products and services ranging from furniture to stationery to professional liability insurers to facilities management to staffing to time and billing systems ... one-stop shopping for those of us who must stay on top of emerging trends and products.

The next stop was the Indianapolis Motor Speedway. We were treated to a trip around the track – in a bus going very slowly (still impressive!) – and a reception at the Speedway Museum. Dinner and dancing followed. Some members of the Greater Chicago Chapter ended their evening in the revolving bar atop the conference hotel. What a great way to end our time together – good friends enjoying each other’s company who know they are there to support each other back home. (That night, we were there to help those getting motion sickness from the incredibly fast-moving revolving bar!)

I cherish the friendships and supportive bonds that I have established through my involvement in ALA. Vendors, Chapter members, and ALA members from other cities help to make me a better administrator. Attendance at conferences only enhances those relationships! My appreciation to the Chapter for continuing the fine tradition of awarding scholarships to conferences!

Mark your calendar ...
Region 3 Conference in St. Louis ...
October 8-10, 2009.

By Laura W. Thompson
Office Administrator
Gould & Ratner LLP
H.R. from Start to Finish and Effective Communications for Leadership—A Synopsis

How often do we take the time to charge our managerial batteries? Chances are, not often enough. However, that is just what the attendees of the 2008 Regions 2 & 3 Educational Conference and Exposition were given: an opportunity to recharge. Speaking from first-hand experience, this opportunity to revitalize does not merely impact one’s work attitude. The energy, enthusiasm, and information that are shared provide participants with renewed strength and vision to face all sorts of life’s challenges.

Of the educational sessions I attended, two in particular seem to have dominated my thoughts and prompted me to redirect my management focus. The first, a human resources session entitled HR from Start to Finish: Correcting Employee Behaviors (with Effectiveness, Grace, Skill and Clarity), was presented by Michael Nash of Nash Consulting. Michael Nash’s methods were straightforward and direct. Coincidentally, this is his recommended strategy in dealing with H.R. issues. Regarding communication, Michael counseled on giving and receiving feedback and stressed the importance of remaining silent, when necessary, and really listening (not pondering our response to a person’s comments while that person is still speaking).

The session provided detailed steps on correcting (a.k.a. coaching) bad behaviors. A Coaching Preparation Worksheet was provided, as well as a list of coaching prompts — recommended phrases to assist us in what can be difficult or uncomfortable conversations. Lastly, participants learned how to “Set Standards for Employee Accountability.” The 15-point accompanying handout defined which issues should be taken into consideration and offered common sense suggestions for successfully dealing with these matters. A few of the “Commandments of Confrontation” included: (i) keeping conversations confidential; (ii) providing timely feedback; (iii) addressing one issue at a time (“don’t sandbag the employee by collecting a list of misdeeds”); (iv) anticipating a negative response; (v) offering resources and suggestions to alter a behavior or circumstance, and lastly; (vi) following-up with the employee either to continue with a course of action or to close the matter.

I exited the session with a renewed confidence for tackling small and large H.R. problems and proceeded to my next educational session, presented by Psychologist Bruce Christopher: Effective Communications for Leadership/Emotional Intelligence (Street Smarts for Success). Bruce delivered the keynote speech two nights prior, and I did not want to pass on an opportunity to hear him speak a second time.

Bruce’s fast-paced, high-energy presentation provided his audience with improved insight on negative emotions and the impact of those emotions on a person’s overall attitude. Anger management tools were provided, as audience members learned techniques such as the 9-9-9 rule: will this situation matter in 9 days? 9 weeks? 9 months? In many instances, those circumstances causing us great discomfort or anger (stressors) will make little difference in our lives. We must learn to adjust our emotional responses to fit the magnitude of any given situation.

As leaders, Bruce stressed the importance of having a positive attitude, adding that our positive outlook would directly influence those around us. Further, as administrators, we must ensure that our emotions are controlled before we can attempt to positively influence the emotions of others. This philosophy can and should be applied to relationships with our employees and partners. We cannot expect others to remain calm if such feelings remain uncontrolled within ourselves. Our calm, we learned, can be re-directed to those around us, especially in stressful situations. The following steps may assist in this regard: 1. Project what you wish others to be (never let them see you sweat); 2. Reflect understanding for the feelings of those around you (be empathetic—show care and concern, but do not placate); 3. Offer an alternative perspective (provide another viewpoint, point out the big picture, explain the 9-9-9 rule); and 4. Facilitate options and choices (folks feel more in control when presented with options).

The end result of my attending the conference was a strong sense of renewed enthusiasm. My batteries have been recharged, and I can proceed in my job and life with gusto. And when this feeling of exuberance fades, as I know it will, I will be prepared to attend another ALA conference, seminar or luncheon, where new ideas will be born and my batteries will be re-charged, yet again.

By Michele F. Taylor
Firm Administrator
Lawrence, Kamin, Saunders & Uhlenhop, LLC
Difficulty is Your Gift: Thriving in a High Performance Environment

Before I attended the Regional Conference in Indianapolis, I could not imagine how auto racing could have anything to do with managing a law firm. I was enlightened very quickly when professional sportscaster and former racecar driver, Derek Daly, presented a motivational session on “Thriving in a High Performance Environment.”

Mr. Daly suggested that with the speed of business today, we need a great team to meet high performance expectations. He did not suggest we work faster; rather, we need to remove all of the speed bumps that are slowing us down.

So what can we draw from the skill set necessary to be part of a successful racing team that will help us manage law firms? First, we need preparation. Things are not the same as they were years ago. Next, we need to adapt and change, or we will get run over. Good teams, he said, embrace change. Finally, we need to embrace creativity and innovation with both products and process. He quoted Gandhi by saying “We must become the change we want to see in the world.” Difficulty can be a gift – a chance to grow and show how productive we can be.

I was intrigued by an illustration he made about creativity. Studies have shown, he said, that five-year-olds usually show 98% on a creativity index. By the time they are ten years old, they have dropped to 30% on that index. Once people reach 30, their creativity measures around 2%. One challenge we have is to allow fertile ground for creativity and also encourage it when problem-solving.

Mr. Daly illustrated how a team that is aligned can communicate, be flexible, make changes on the fly, and execute a winning plan. His photograph of a winning Indy team showed everyone appearing alert, lined up straight, and in perfect matching uniforms minutes before a race. That team was already ahead because of their preparation. He contrasted that with photographs of two other teams with slouchy posture and mismatched uniforms. Minutes before the race they were still assembling parts on the racecar. Those two teams had already lost valuable time before the race had even started.

He said the same winning strategy can be applied to the law firm environment. If we emphasize teamwork, preparation, and flexibility, we will be able to thrive in a high performance environment.

Conference attendees had the opportunity to visit the Indianapolis Motor Speedway on Friday evening. We rode around the track in a bus at about 20 MPH (okay – this was not the thrill you expect at Indy). The Speedway itself covers a lot of ground, but the actual track is much narrower than it seems on television. It is easy to see how split-second decisions must be made when traveling at over 200 MPH! We also visited the museum that housed historic Indy racecars, and we had a group photo op.

Thanks to ALA for the scholarship and the opportunity to attend this worthwhile conference.

By Patricia Morrow, CLM Office Administrator Swanson, Martin, & Bell, LLP
Mike Trumbold and his pit crew get ready for a race at the Indianapolis Motor Speedway Museum.

Cynthia LeGrand and Diane Brummel ride the elevator to their next session.

Mike Trumbold and Pat Morrow enjoy the bus ride back to the hotel.

Sherri Holquist and Diane Brummel check out the Vendor Hall.
Annual Holiday Party

The members of the Greater Chicago Chapter of the Association of Legal Administrators would like to thank Next Day Toner for hosting our annual holiday party, held on December 2, 2008, at Midtown Kitchen & Bar. Special thanks to Jeff Bollman, CEO, President, Tom Kosloskus, Vice President of Sales, and Todd Walters, Executive Account Manager.

Todd Walters and Tom Kosloskus welcome members to the annual holiday party.

Larry Fujara and Sherri Holquist

Jean Bouslog, Charles Gurian, and Rita Nielsen

Ben Shames and Ray Heniff
The Greater Chicago Chapter of The Association of Legal Administrators held a “Sponsor Appreciation Party” at the Green at Grant Park on Tuesday, August 12th, 2008. Representatives from 16 different vendor sponsors joined members of the Chapter at the 18-hole putting green. It was the perfect summer evening for members and sponsors alike to enjoy great food and drink, to show off their putting skills, and to have some time to network. Members also had the opportunity to thank the sponsors firsthand for their continued support of the Chapter. To cap off the night, a drawing was held, and the winners, Laura Marlin and Robert Karnia, each received a $500 VISA gift card. A great time was had by all who attended.
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Working Toward Wellness

What does “Workplace Wellness” really mean to administrators? To some it may mean replacing the Friday chocolate donuts at the firm with fresh fruit; to you it may mean getting a team of co-workers together and running a 5K; to others it may mean providing an in-house smoking cessation or stress management classes for your employees. Whatever the meaning, wellness programs should be designed to improve your employees’ health. If law firms want to reduce costs associated with poor health, workplace wellness is the way to do so. Numerous studies have found as an employee’s health is improved, productivity improves, morale is lifted, absenteeism is decreased, and eventually health care costs decrease. This is a win/win for both the employee and the employer. All administrators, whether your firm size is five or five hundred, can implement a wellness program and reap the rewards. According to the Wellness Council of America (WELCOA) there are seven key benchmarks administrators should follow to ensure their law firm’s wellness program is a success.

1. **Secure the support of top management.** Any kind of change needs to come from the top. Get your partners on board. Remember, these positive changes will affect the bottom line.

2. **Appoint a wellness leader/team to oversee the effort.** This could be the office administrator or a committee.

3. **Collect data and design a program based on employee needs and interests.** Conduct an employee interest survey and provide a health screening. A survey will target your employees’ health concerns, while the health screening will measure their physical health status. Health screenings are available online, or a blood workup could be as cheap as $30 per employee if you get your insurance provider involved.

4. **Create a simple plan and set simple goals.** What do your employees want to achieve – quit smoking, lose ten pounds, or run a marathon by year-end?

5. **Choose the appropriate intervention.** This could be anything from hosting monthly “lunch and learns” on stress management and nutrition classes to forming a walking club during lunch or providing a weight management program.

6. **Create a supportive environment.** Encourage healthy behaviors, display an in-house health promotion bulletin board, or provide a wellness section in your law library; offer employees rewards or incentive programs for participation.

7. **Carefully evaluate the outcomes and adjust accordingly.** Evaluate firm participation, behavior modification, and cost containment. WELCOA suggests if the desired result isn’t achieved, change the intervention or make the environment more supportive.

Administrators may ask themselves, “Why workplace wellness - what’s the ROI?” A company that cares about the health of its employees is often viewed as a good place to work. This will give your firm an advantage over others when recruiting and retaining employees. Firms that create a culture of health reap the benefits of a reduction in health care costs, lost work time, workers’ compensation, and disability claims – to name a few.

Implementing a program is easier then you think. There are a variety of resources and wellness sites available to assist you through the process: ALA’s Legal Management Resource Center (LMRC) www.alanet.org, Wellness Council of America (WELCOA) www.welcoa.org, or Health Enhancement Research Organization www.the-hero.org to get you started. Workplace Wellness is an initiative all administrators should embrace. You’ll promote positive health behavior for your employees and your firm and, at the same time, your employees will thank you for it!

By Patsy Carey
Office Administrator
Stamos & Trucco LLP
Membership Survey 2008

In August 2008, the Greater Chicago Chapter of ALA presented to its members a questionnaire to provide feedback as to how the Chapter was doing as a whole. Surveys are only as valuable as the questions that are asked but, more importantly, the number who responded. We heard from about 30 percent of the 300 plus membership, which is what we hoped for as a minimum. We were pleased to learn that 90 percent of those who responded were either satisfied or extremely satisfied with the Chapter as a whole. We wanted to share with you the results, along with the board’s response to some of the comments that came from this survey.

Chapter Size

According to ALA, small firms are those with fewer than 25 attorneys; mid-size firms have 26-75; large firms have 76 or more. Note that mid-size activities also incorporate a lot of the large firm members due to the fact that there are more functional positions associated with both size firms.

The survey respondents were comprised of 39 percent from small firms, 27 percent from mid-size firms and 33 percent from large firms.

The Chapter is comprised of 34 percent from small firms, 22 percent from mid-size firms, and 41 percent from large firms, with 3 percent as unemployed or life-time members.

The board is comprised of 35 percent from small firms, 20 percent from mid-size firms, and 45 percent from large firms.

Give Back to the Chapter - Volunteering

One of the reasons we are able to provide as many events as we do is because of the many volunteers within the organization. The board recognizes that time is a limited resource. About 50 percent of the respondents expressed interest in assisting in one fashion or another. These commitment levels ranged from short-term projects to low time-consuming assistance or a heavier involve-

ment by being part of the board. If you are interested in being involved at any level, please email Diane Brummel at: dbrummel@salawus.com, as not everyone provided contact information. Even if you did not participate in the survey, please let us know if you want to give back to the Chapter by becoming more involved.

Programming

Although we would like to see greater attendance at the meetings, we realize that there are various reasons for not attending. Of those who responded, about 50 percent indicated they attended a meeting at least every other month. Most often, the reason for not being able to attend as regularly as one would like was either work responsibilities or scheduling conflicts.

We recognize that, in order to attain higher attendance, the topic needs to be applicable to your firm or to your respective job function. Forty-six respondents indicated that the topic was considered “very important” for attending a function, with networking being a close second. One of the board’s objectives is to provide valuable programming covering a diverse range of areas. We ultimately have the challenge of determining the topics that would be meaningful to a myriad of law firm positions that make up the members of the Chapter. We are always open to hearing of either potential speakers or topics that would be of value.

The speaker can make or break a presentation. Almost 50 percent of the respondents noted that a speaker was considered “important” when one made a decision to attend a program. We certainly respect this consideration, and that is why we encourage participation in the survey that is provided at the end of each program. This information is placed in a database for future reference.

Communication

We want to make sure we get the word out to the membership; therefore, we try to provide communication via various means. The method of choice,
as indicated by 96 percent of the respondents, is email. We recognize that we are not the only ones to send email, and we do try to minimize the amount that is sent to the entire membership.

Another means of communication that 85 of the respondents use is the small or mid-size listserv. Overall, about 90 percent felt there was good value in this resource. One common theme expressed in the comments is determining a mechanism to eliminate the redundancy of the same question. The board acknowledges the redundancy issue and is looking into various ways to potentially minimize those queries so one’s email box doesn’t become so congested. Another popular comment was regarding the subject line of one’s inquiry. The request is to make sure the subject line is applicable to the content, e.g., Time Entry, Mobile Phone. A defined subject lines aids in making it a more searchable email. Avoid sending a query with a generic subject line, such as “question for the group.”

Every other month, members receive The Administrator’s Advantage via hard copy. This communication vehicle enables the membership to write articles on various topics, which are then published in the newsletter. We inquired if there was interest in an electronic version, and 38 people indicated that either way works for them. The prevailing comment was that it was read on one’s commute in hard copy, and, if provided in electronic format, it would either have to be printed to be read or not be read at all. We will explore going electronic – but at a future date.

The Greater Chicago Chapter website is another resource to the membership. Approximately 60 percent occasionally visited the website, with 15 percent rarely using it. As the board wants more members using this resource, we are looking into overhauling it. Along with a fresh new look, we want it to be more user friendly, to provide more resource materials, and to make it easier to keep it current.

Here are answers to a few comments regarding the website:

- If you log into the membership page on the website, you do have access to members’ information along with the Chapter Information Guide.
- Click on “Links” and you will have access to ALA’s website link.
- The tab labeled “Chapter News” will give you access to the archived newsletters and financial statements.

Salary Survey

Annually, we request that members complete the Chicago Salary Survey, which over 100 Chapter firms find it to be a valuable tool for their firm. Of the respondents, 62 people indicated that they do complete it. Some indicated that they were either new to the Chapter or their firm and were not able to do it this year but will next year. We encourage you to complete this survey, as, the more firms that respond, the survey becomes a better indicator of what is happening in the salary arena.

Firm Support

We were pleased to see that the majority of respondents indicated that their firm financially supported their membership involvement. Your membership includes the brown bags, firm-size meetings, listserv, newsletter, networking functions, webinars, and a bi-monthly luncheon at a reduced rate. Additionally, the more functions you attend where business cards are requested the more chances you will have to win scholarships to the regional or national conferences that are provided by the Chapter.

In closing, we do appreciate all those who participated in this survey. We will take these results and comments and incorporate them into what we want to accomplish this year and the coming year. Continue to provide the board members with feedback, as that is how we may continue to grow as a Chapter.

By Diane Brummel
Director of Office Services
Smith Amundsen LLC
Meet the Vendor
Jeff Bollman, CEO and President, Next Day Toner Supplies, Inc.

The company’s product or service is toner and other printer-related supplies, as well as printer repair. The company has 12 employees and is located in Orland Park.

Before becoming a vendor to the legal market, I was a salesperson at Jack Kelly and Associates for 10 years. Jack Kelly had a similar business model providing copier, fax, and printer supplies to businesses in the Chicagoland area.

I entered the legal market because they have the highest concentration of HP laser printers. High volume HP printing devices are our target market.

I have been working in the legal market for over 20 years.

I have a Business degree from Lake Forest College.

I support ALA because I get to see so many of the wonderful people who have given me their support over the years. I also get the privilege of meeting new people, which feeds the growth of our business. I have found the ALA to be a close-knit group of professionals who not only work hard but enjoy socializing together, as well. There is an atmosphere of family when they get together. I sincerely enjoy the time I get to spend with the ALA.

To be successful in the legal market, one has to provide quality products, reliable service, and cost savings to each customer. Personalized attention is also very important. I want law firms to know that we are a phone call or email away, and our response will be immediate. We do not take lightly our responsibility to keep your office running smoothly and efficiently with products that work and service that is second to none.

In today’s economy, our value is more important than ever before. By providing a high quality compatible product, we are saving law firms 30% over purchasing genuine OEM toner. The effect to the bottom line is significant, and we have heard from our clients time and time again how thankful they are that they switched to Next Day Toner.

The thing I like best about being a vendor to the legal market is a real sense of community. Everyone seems to be connected to someone else at another firm.

One of the challenges of being in the legal market is getting a firm to give us a try. Our account representatives sometimes spend years trying to get our products in printers for a test. However, when successful, these clients recognize our quality and cost savings and often become customers for life.

The best advice I have received is to never burn bridges. You just never know where that person will show up next. You will either get a good name in this community or a bad name. It is your choice.

The best advice I would give to someone just entering the legal market is to take things slowly. Grow your business one customer at a time. Make sure the people you are servicing are happy with your products and services before you go on to the next prospect.

I try to motivate myself and/or my staff by encouraging them to do their job with excellence. A massage from our on-call Austrian massage therapist, Dietmar, is also very helpful! I endeavor to be the best example for my employees in my work ethic. In turn, I believe they have excelled in their positions and together we have become a great team. No matter how hard we try, not all the decisions we make will be the right ones. But, it is how we respond that is the key. Charting the course for our company is a crucial part of what I do here at Next Day Toner, and I take it very seriously. By putting the right staff in place and ensuring that each order is carried out 100% accurately, I can focus on growing relationships and reducing costs that will save our clients more money.

Three things that I do well are: 1. Work hard; 2. Trust my staff; 3. Never give up. Persistence has always been my watch word. It has directed me in all areas of my life. You only fail when you quit trying.

(continued on page 31)
While I love my current job, my dream job would be to own a full-service marina on the island of Maui.

The last good book I read was The Bible.

The last good movie I saw was Over the Hedge with my kids. “Quit your honkin’, Nancy.”

The last vacation I took was to Maui with my family and my parents in August 2008.

The one appointment that I never miss is YOURS! In 20 years, I have never missed an appointment with a client.

In my free time, I coach my sons’ hockey teams, run, or enjoy a quiet dinner with my wife at Wildfire. As a family, we are very active. We love to be in the water all summer and then snow ski in the winter. Watching my four-year-old and ten-year-old sons snow ski down a black diamond in Colorado was the thrill of a lifetime!
CLM Advisor

I was asked to join the board this year as the CLM advisor. This was a new position that was created for the Greater Chicago Chapter. While I was not sure what this would entail, I took on the job and was determined to be successful. Then again, since no one had held the position before me, I could set the standard for success. As I took on the challenge, I enlisted assistance from my fellow CLMers. We worked together to encourage others to join the study group and take the test. We provided the group with sample schedules, speakers, our notes, and suggestions. We decided what we valued the most in our study group was the practice tests. We told them we would provide them with any additional assistance they needed; we worked with them on gathering their credits and answering any questions they may have had.

While this was my first time as the CLM advisor, there were mistakes that were made, and I have learned from them. One of the things I believe makes a study group important is the bond you develop with your group. I also believe that, when you form the study group, the participants need to depend on themselves and not on the person in charge. A study group is only as good as the collective input. I believe this study group has taken its participation very seriously as they prepared to take the test on October 23 in Evanston. We, as a Chapter, wish them the best and hope they all pass. I know from my own experience that it has been a very stressful time. I hope they can provide future CLMers with some guidance and materials from their own study group to pass along.

I firmly believe that this newly created board position will always be needed, and perhaps the next CLM Advisor can provide even more assistance then I did.

By Marie Fiorito, CLM
Legal Administrator
Levin Ginsburg
October Brown Bag: Financial Trends in the Legal Marketplace

During the past year, we have been inundated with more and more worrisome news regarding the economies of the United States and now the World. We have just received news that the European economy is in an official recession, and we are awaiting to see the official results for the US economy. The housing market has been retreating for months, and the stock markets have been extremely volatile with a continued downward trend. It seems most businesses are experiencing effects from the current downturn in the economy. Law firms are not immune to this crisis, so the timing of the brown bag presentation to discuss trends in the legal market came at a critical time.

Most administrators are faced with circumstances that we have not had to confront in years, and some are facing situations that are new for the first time. Individuals are concerned if their employment or that of their staffs are secure. Others are worried if the financial assets of their firms are safe. Some have concern about future and current financing arrangements. With so much uncertainty, we are all looking for answers.

On Friday, October 24, we were fortunate to have Tony Fiore and Barry Rosenthal present RSM McGladrey’s Law Firm Benchmarking Survey results to our group. This was a condensed version of their normal presentation that has been seen around the country. Tony developed this version of the presentation around their core statistical data they compile each year, with Barry providing a further depth of commentary into the numbers. Main discussions arose around billing rates, leverage, staffing headcounts, and revenues. The historical trends allowed us to make sense of where the legal industry has been over the past few years; however, attendees were more interested in the direction Tony and Barry saw these trends heading in the upcoming months and next year. Barry, who is extremely passionate about law firm finances, provided the audience with some shocking trends that are being experienced by their law firm clients. He also gave us a few key ideas to use to re-estimate the current fiscal year income figures, as most law firms will be hard-pressed in making their budgeted revenue goals.

Questions and answers continued well past our scheduled conclusion, but all remained in their seats awaiting any information that could be taken back to their law firms. Discussions could have easily extended into late afternoon, but we had to draw the session to a close. Tony ended the session by informing the attendants that he would make McGladrey’s survey available to any of the attendees who requested it. Their comprehensive survey contains thousands of data points covering hundreds of law firm analytical topics. This list is a valuable tool for financial administrators, as well as others in law firms, to use to compare their firms to a wide base of other law firms.

I would like to thank Tony and Barry for bringing their presentation on the road for our ALA Chapter. Based upon the feedback from the attendees, I look forward to working with Tony and Barry on future presentations.

**By Jim Beavers**
Director of Finance
Much Shelist
August Minutes

Chapter Awards: It was decided not to submit an award entry on Diversity or Vendor Partnering this year. Rita Nielsen and Bill Donehoo will work together on a submission for our Membership Brochure. A Visibility submission could be on Community Challenge. We could bring in a good speaker for the November bi-monthly and submit that for Education Excellence. The board members are to think of topics or a speaker. A possible topic is civic duty/responsibility to tie in to the election.

Marketing: The Fat Tuesday committee will be meeting shortly. Since North Beach has closed, the event will be at Dave & Buster’s, where we will have a whole floor. The space does not lend itself to team games, but there will be other activities.

Education Report: We do not have speakers or topics for November and January. Beth Keno is willing to present on leadership or strategic planning. Michael Brandwein is also a possibility.

Membership Update: Bill Donehoo reported two new members since the last board meeting; 27 new members this year; 39 people who have joined national but not the Chapter, and Bill will contact those people next month to encourage them to join the Chapter. Current membership: 134 large firm, 71 mid-size firm, 112 small firm, 3 lifetime, 5 unemployed, 8 corporate. The lunch list was circulated for board member sign-up.

Large Firm Update: Meredith Mendes reported the large firms met last week and discussed HR issues and systems.

Mid-size Firm Update: Patricia Morrow reported 19 attendees at the August meeting hosted at Clausen Miller. They discussed smoking breaks and moving tips. The next meeting will be at Dottie Keenan’s new firm.

Small Firm Update: Twelve people attended the August 14 meeting at Lawrence, Kamin, Saunders & Uhlenhop. Members shared various accounting and hours reports, attorney billing requirements, and procedures for handling past due accounts. The September meeting will be hosted by Lisa Van Sant of Schoenberg Finkel Newman & Rosenberg, Ltd.

Website/Listserve: Deb O’Donnell was not present but reported that she and Sherri Holquist met with Keno Kozi to review the ideas and changes to the website. Keno will have a discussion with their web developers to determine scope and preliminary layout suggestions. They are awaiting a follow-up with Keno Kozi.

Vendor Update: Jena reported the vendors were happy with the recent golf event, but there were only 45 members in attendance. She has started to look for a venue for the vendor show in 2009.

New Business

CLI Update: Diane reported that Marie Fiorito, Rita Nielsen, Carol McCallum, and she attended the CLI, and they found it to be very rewarding and got lots of ideas for the Chapter, such as being sure to thank volunteers, reaching out to members to volunteer and not just to the board members, calling new members right away to participate, putting Board member and committee descriptions on the website, keeping a Chapter history spreadsheet, and stressing that vendors are our business partners. Most Chapters see 30% or less attendance at events. Other Chapter dues are between $60 and $275, with the higher amount including everything, such as luncheons, etc.

Membership Survey Results: There were no surprises in the results. We will prepare a summary of the results and responses to comments and will publish same in the next newsletter.
September Minutes

Financials: The financials for the period ending August 31, 2008, were reviewed, and it was moved, seconded, and unanimously carried to approve the financials. In connection with the financial turmoil in the news, Ben Shames reports that our accounts are at Citicorp, and we have a CD at Charter One (which is owned by the Royal Bank of Scotland), and he believes both of these banks are financially sound.

Chapter Awards: Rita Nielsen and Bill Donehoo will work together on a submission for the Membership Brochure and will report back to the Board.

PDC Update: It was decided not to have a Brown Bag in December. The HR Brown Bag on Unemployment was well received, and a lot of people attended. We might consider this topic for a bi-monthly luncheon presentation.

Education Report: The Bi-Monthly luncheon presentation in September had 51 attendees. Canon sponsored and Karina Ayala from the CBA Lawyers Lend-A-Hand program and Paul Shaheen from The Horton Group spoke about the community challenge project. David Miller’s presentation got mixed reviews, and it seemed there was not enough time to cover the topics completely. A report has been sent to the Region 3 Education Officer. Joel Rose will be the speaker at the November luncheon on November 18, 2008, and his presentation is entitled, “Management Skills and Personal Characteristics Possessed by the ‘Irreplaceable’ Administrator: Guidelines for Success.” The only charge will be for his travel and one night hotel. We will use this for our educational award. We still need speakers for January and May 2009. Susan Riegler from Lawyers Assistance Program is scheduled for March.

Membership Update: Bill Donehoo reported two new members since the last board meeting; 29 new members this year; 40 people who have joined national but not the Chapter, and Bill will contact those people next month to encourage them to join the Chapter. Current membership is: 135 large firm, 70 mid-size firm, 114 small firm, 3 lifetime, 6 unemployed, 8 corporate. The lunch list was circulated for board member signup.

Mid-size Firm Update: Attendees at the September meeting at Duane Morris discussed blue tooth, partner track, and sick/personal time.

Small Firm Update: Twelve people attended the September meeting at Schoenberg Finkel Newman & Rosenberg, which was hosted by Alliance Cost Containment. Topics discussed were ALA Regional Conference, FDIC/Client Trust Accounts, Staff Reviews, and Holiday Parties.

Website/Listserve: Deb O’Donnell was not present but reported that she received an email from Keno’s developer who rejected the first mock-ups he received. The development team has been changed, and they are working on the project. Sherri reported we will pay the hosting fees and do most of the content, and we hope it will be up and running by the end of the year.

New Business

Regional Conference Scholarships: The Chapter will pay for registration for three scholarships. Twelve names were picked from the business cards collected at Chapter events, and Diane will contact members in order to see if they want to accept.

Audio Conference: A member asked whether the Chapter would pay $189 for an ALA audio conference, and we approved the payment.
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October Minutes

Chapter Awards: Rita Nielsen and Bill Donehoo reviewed the current Membership Brochure and have determined that more time will be required to re-design it and, therefore, it will not be ready for the 2008 Awards submission. The focus will be for a 2009 Awards submission.

PDC Update: No meeting is scheduled in December due to the holidays. February 2009 will focus on facilities, which Cinthia LeGrand is planning.

Finance: The October Finance Brown Bag that was held on October 24 had a great turnout. The topic was very timely: “National and Local Legal Financial Trends” with speakers Anthony Fiore and Barry Rosenthal from RSM McGladrey. The topic and speaker should be considered again.

Education Report: The January 20, 2009, bi-monthly report will cover the new ADA regulations with presenter David Weinstein from Wildman Harrold. Susan Riegler from the Lawyers Assistance Program is scheduled to present at the March 17, 2009, meeting. Time consideration will be made to allow for the new and old board introductions. We still need a speaker for the May 19 meeting, and perhaps this should be the managing partner event.

Membership Update: Bill Donehoo reported we have 29 new members this year; 42 people have joined national but not the Chapter, and Bill will contact those people next month to encourage them to join the Chapter. Current membership is: 135 large firm, 70 mid-size firm, 113 small firm, 3 lifetime, 7 unemployed, 8 corporate. The lunch list was circulated for board member signup.

Mid-size Firm Update: Patricia Morrow did not attend but reported that the meeting was hosted by Dykema Gossett on October 16, 2008. Nine people were in attendance, and they discussed Bosses Day, working with architects, LTD pre-tax versus after-tax, in-firm meetings, voting time, and leave without pay/forfeiture of vacation and sick time. There will not be a December meeting, and they will have one vendor-sponsored meeting, probably in March 2009.

Small Firm Update: Fourteen people attended the October meeting at Cook Alex. The Horton Group sponsored lunch. The topic discussed was “Worksite Wellness Programs.” The next meeting is on November 12, hosted by Stamos & Trucco LLP.

Website/Listserv: Deb O’Donnell noted that we should be receiving a mock-up from the developer shortly, and then the next step is gathering content. The listserv has been having some issues of late, but a new software upgrade just occurred to minimize or eliminate them.

Vendor Update: Jena Neisler noted that December 2, 2008, is the date of the Holiday Party. The proposed venue is MidTown Kitchen on LaSalle Street. Letters to the vendors for 2009-10 renewals will go out in early November. Jena has one contact for an event planner for assistance with the vendor show in 2009.

CLM: Marie Fiorito noted that 42 people took the CLM in October. She will reach out to the membership to determine the interest for starting the next study group.

New Business

Hurricane Ike Donation to Red Cross: Sherri reported that many chapters were donating to the Red Cross with respect to Hurricane Ike. After discussion, the decision was made not to donate at this time in light of other commitments that the Chapter has made.

Smile Train: As a special commitment for this year’s Community Challenge Weekend, ALA is conducting a one-time organizational effort to support The Smile Train, an international charity dedicated to providing free surgeries to needy children who suffer from cleft lips and palates. It was moved to donate $1,000 to the Smile Train cause.

Nominating Committee: The members will be voting at the November bi-monthly for the Nominating Committee.
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**CALENDAR OF EVENTS**

### Local Events

#### January 2009

**January 1, 2009:**
HAPPY NEW YEAR, ALA Headquarters Closed

**January 13:**
ALA Awards Program Deadline

**January 14:**
Small Firm Meeting

**January 19:**
Martin Luther King Birthday
ALA Headquarters Closed

**January 20:**
Bi-Monthly Educational Lunch
The Standard Club

**January 21:**
Webinar: Indispensable Legal Technology

**January 22:**
Principal and Large Firm Roundtable
Latham & Watkins

**January 23-24:**
Board of Directors Meeting
Renaissance Ross Bridge Golf Resort & Spa
Contact: Nicole Larson, ALA Headquarters

**January 27:**
Board Meeting
Levin Ginsburg

**January 30-31:**
ALA Certification Committee Meeting
Sheraton Suites Old Town, Alexandria, VA
Contact: Pam Stong, ALA Headquarters

### National Events

#### February 2009

**February 6-7:**
Regional Team Orientation
Hyatt Deerfield, Deerfield, IL

**February 11:**
Small Firm Meeting
TBD

**February 16:**
Presidents’ Day
ALA Headquarters Closed

**February 18:**
Webinar: Leaves of Absence

**February 19-21:**
Extraordinary Law Firm Conference
Carefree Resort & Villas, Carefree, AZ
Contact: Rosemary Shiel, ALA Headquarters

**February 24:**
Principal & Large Firm Administrators Roundtable
Drinker Biddle

**February 24:**
Board Meeting
Bryce Downey

**February 28:**
Region 3 Planning Meeting
Chase Park Plaza, St. Louis, MO
Contact: Jane Mundell, ALA Headquarters

For further information about national events, visit: www.ALANet.org

For further information about local events, visit: www.ALACHicago.org

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DTI would like to wish the ALA and the Chicago members a very Happy Holiday and thank the 35+ new legal clients nationally that have joined the DTI family in 2008!!

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