

JOURNAL

Newsletter of the Fairfax Bar Association www.fairfaxbar.org February/March 2011

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FBA's WEBSITE NOW HOSTS CAREER CENTER

According to the Department of Labor, employment for the legal profession is expected to grow 13% over the next decade. The DOL also says that competition for these jobs will be high. Why not make looking for a job easy? Or are you looking for the perfect candidate?

We are excited to announce the launch of the new FBA Career Center, catered specifically to job seekers and employers in the Fairfax Legal Community.

If you are currently looking for a job, job seekers can access exclusive local, regional, and national job opportunities from top employers, find local legal jobs, get notified immediately of new openings, quickly apply for open positions online, and post resumes anonymously.

If you need the right person for the job, the Career Center can be custom tailored so your ad attracts the most qualified candidates. You will be able to reach a targeted audience of local legal professionals, and manage applications through the FBA's Career Center or your website. As a member benefit, you will also be eligible for a 20% discount. Blast email options can also target job seekers across the country.

To view the FBA's Career Center, go to the homepage, and either click on the Career Center box on the right hand side, or click on the Career Center tab at the top of the page. After you have created your free job seeker or employer profile, you can start posting resumes or open a new position. ■

COURTROOM RENOVATIONS NEARING COMPLETION

*by David Bartee
Director, Courtroom Technology*

Courtroom renovations are nearing completion for three additional high-tech Courtrooms: 5D and 5C at the Circuit, and 1A for the General District Court. All three courtrooms were completely gutted to replace major mechanical systems to include heating and air conditioning, improve lighting, satisfy ADA requirements, enhance security systems, and improve acoustics. The renovations also included finishing work needed to refinish judges' benches, jury and gallery seating, and wall paneling, as well as paint, carpet, and other finishing details.

All three courtrooms will be operational in early 2011. Courtrooms 5D and 1A are anticipated to go "live" on February 1, 2011. Construction for Courtroom 5C is approximately two months behind this date. Completion of these courtrooms will make three additional high-tech courtrooms available for use, and will be integrated within the centralized *Courtroom Technology Management System (CTMS)* framework.

The CTMS offers integrated evidence presentation, laptop interface, and video teleconference capabilities for hearings, trials, and arraignments. The distributed environment provides consistency, standardization, and scalability between all courtrooms, and is designed to meet future growth and changes in technology. All new and renovated courtrooms share a common technology infrastructure with distributed audio and video services routed through a centralized Master Control Room (MCR).

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President's Column

by David J. Gogal, Esq.

JUSTICE SYSTEM AND LEGAL PROFESSION UNDER ASSAULT



I need to preface my comments below to clarify that they are my own, and that as of the submission of this Journal for publication, the FBA Board has not yet met to consider these issues.

As most of us are aware, the traditional presence of attorney legislators in the General Assembly has eroded over the last several decades. The impact has been felt not only sometimes in the drafting of laws, but also in the increasing antagonism against the legal profession by elected officials, as well as a decreasing regard for our justice system. We have felt this growing adversity in the attack on judicial independence through legislative interrogation of our judges, the refusal to preserve the confidentiality of judicial evaluations, and most recently the "freezing" of judicial appointments. While Fairfax may have only one unfilled judicial seat in the General District Court, a number of other jurisdictions have lost a substantial percentage of their judicial seats. There are some jurisdictions that don't even have a circuit court judge and have to rely on neighboring courts, which only creates more stress on the neighboring court's dockets. In the 11th Judicial District, there is only one juvenile and domestic relations judge available to hear the cases in Petersburg, as well as the counties of Amelia, Dinwiddie, Nottoway, and Powhatan, with a combined population over 1.6 million. Currently, 19 circuits or districts have lost judges. It is predicted that by the end of this year, unless the freeze is lifted, there will be at least 32 unfilled judicial seats. Of those, 11 will be vacated because their current occupants will have reached the mandatory retirement age of 70.

Another alarming development is the Governor's recent interest in raiding the Virginia State Bar's reserve fund to use for the Commonwealth's general operations, and perhaps as a source to fund judicial vacancies. When you consider that the reserve fund was created from the dues of Virginia State Bar members, and that such a reserve fund is an important component of any association's financial planning, the Governor's interest in taking such a fund away is nothing less than outrageous. The VSB did nothing to contribute to the Commonwealth's budgetary mess.

When Irving M. Blank, the President of the Virginia State Bar, attempted to collect from VSB members data on the impact of the "freeze" and also opposed the threatened usurpation of the VSB's reserve fund raised from VSB members, the reaction from the administration was swift. The VSB, as a state agency, was warned to stay out of politics. Well, there is no such limitation on individual VSB or FBA members. In short, I, as a fellow Bar member, urge you to please contact your Delegate and, your State Senator, as well as the Governor, and let them know the administration of justice is threatened when judicial vacancies are ignored, and that the VSB's reserve fund should not be taken by the Governor and used as a band aid to ease the Commonwealth's budget deficit. ■

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FBA Judicial Feedback Program

GENERAL DISTRICT COURT

This program is in cooperation with the judges of the Fairfax County General District Court. The purpose of the program is to provide an opportunity for attorneys to anonymously communicate positive or negative comments to a particular judge about their on-the-bench demeanor. This mechanism is intended to provide judges with proactive feedback in a non-confrontational manner from the attorneys who appear in their courts.

Comments regarding the validity of a specific decision or ruling by a judge are deemed ineligible for consideration in this program. Only comments relating to a judge's demeanor or the general conduct of his or her court will be considered appropriate for inclusion in this program.

The GDC Judicial Feedback Program will operate in the following manner:

If a member of the Fairfax Bar Association or any other attorney in good standing, hereinafter attorney, wishes to submit appropriate comments about a particular judge, the following procedures will apply.

1. Each judge will be offered the opportunity to participate in the GDC Judicial Feedback Program. If they elect to do so, they will designate an individual to receive program communications on their behalf. The Chief Judge of the Fairfax County General District Court will provide a list to the Ombudsman of those persons so designated by the participating judges. These persons shall be called "facilitators."

2. The President of the Fairfax Bar Association will appoint an FBA member to serve a one-year term as the Ombudsman. The name of the Ombudsman will be available in the FBA office, as well as the FBA website.

3. The attorney can go to the FBA office where a GDC Judicial Feedback Form will be available with all other FBA brochures and materials. They may also go to the members section of the FBA website at www.fairfaxbar.org where a Judicial Feedback Form may be downloaded. This form will give the attorney the option to be anonymous or not. All forms should be typed. The member will complete all sections of the form.

4. The attorney will then have two options. He or she may anonymously mail the completed form addressed to "GDC Judicial Feedback Program c/o the Fairfax Bar Association, 4110 Chain Bridge Road, #216, Fairfax, VA 22030." In the alternative, the attorney may contact the Ombudsman in person and arrange a meeting to discuss the content of the form.

5. When a Judicial Feedback Form has been received by the Ombudsman, he or she will review the form and verify that the comments are professional in nature and do not relate to a specific decision or ruling by a judge. If the comments are deemed inappropriate, the attorney will be advised what changes are necessary to satisfy the "appropriateness" standard. If he or she revises the comments to bring them into compliance with this program, they may then be forwarded to the judge's facilitator. If he or she declines to make any changes, the comments will be deemed inappropriate for inclusion in the Judicial Feedback Program. The form will be returned to the attorney with an explanation that no further action will be taken. If the form was anonymous, the comments will be destroyed by the Ombudsman and no further action will be taken.

6. When an attorney requests to meet specifically with the Ombudsman, this will be arranged as soon as possible. The Ombudsman will: (1) meet with the requestor outside of court facilities; (2) explain the program procedures; (3) advise whether or not the judge involved is a program participant; and, (4) review the comments to ensure appropriateness. If the comments are deemed appropriate, and the judge is a program participant, the Ombudsman will then forward the form to the judge's facilitator.

7. Regardless of whether the comments are actually forwarded, the attorney will be assured that all communications with the Ombudsman, and with the facilitator, and any comments on the Judicial Feedback Form will be held in the strictest confidence. At no time will the identity of the attorney be disclosed to anyone.

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Secure Passwords

By Sharon D. Nelson, Esq., and John W. Simek

THE RULES HAVE CHANGED

Passwords might seem a tired subject to some, but the rules of the security game have changed—and it is high time to say goodbye to those wimpy, eight-character passwords. If you are using less than eight letters, shame on you!

So why the major change?

According to a report recently published by the Georgia Institute of Technology, it is time to move to 12-character passwords. In essence, Institute researchers were able to use clusters of graphic cards to crack eight-character passwords in less than two hours. And trust us, if researchers are doing this, so are the cybercriminals of the world.

The researchers discovered that, when they applied the same processing power to 12-character passwords, it would take 17,134 years to crack them. Cybercriminals, even when highly motivated, are going to bypass 12-character passwords—there are just too many folks out there asking for their security to be violated with less secure passwords.

Richard Byrd, a senior research scientist who worked on the project, says that 12-character passwords should be the *de facto* standard we all use. It is simply too clear that the degree of your vulnerability is dictated in large part by the length of your password. Sad, but true.

The recommendation really strikes a balance between convenience and security—and assumes that password-cracking capabilities will continue to increase, as has certainly been true since computers became an integral part of our lives.

Here's how they came to their recommendation: They assumed a sophisticated hacker might be able to try one trillion password combinations per second. If that were the case, it would take 180 years to crack an 11-character password. If you add just one more character, it would now take 17,134 years to break the password. Given that the computer power of those with evil intent continues to accelerate, that added character gives (for the foreseeable future) a pretty good level of security.

For many years, we have lectured about passwords to audiences of lawyers. In the beginning, it was very frustrating, as lawyers wanted “instant on” information and were unwilling to take passwords very seriously. This is still true in the case of smartphones. Consistently, when we poll lawyer audiences, more than half do not have a PIN (personal identification number) on their smartphone. They simply want that “instant on” access. That's fine until you

lose your phone, which is a tremendously common experience. Now the person that finds your smartphone also has “instant on” access to all your data. Not a terribly effective way to safeguard your confidential data.

Make no mistake about it, without a PIN, someone with evil intent will have access not only to data that you yourself could see on your phone, but to whatever deleted data may reside within its memory. This is precisely what we do in the computer forensics lab when phones come in as part of the discovery process, albeit without the evil intent!

Apart from smartphones, lawyers have generally gotten smarter about passwords over time and tend not to use the names of children, sports teams, etc., as their passwords. We still find passwords on sticky notes on monitors or in desk drawers. That is an unending source of despair to all security experts, but apparently most of us cannot remember our passwords—and indeed, we have a lot of sympathy for the fact that lawyers have so many passwords that it's hard to remember them all.

In response, over the last few years, we have joined others who lecture on security and recommended the use of full sentences or passphrases as passwords. They are so much easier for all of us to recall.

“I'msickofLindsayLohan!” is simple enough to remember and complex enough to confound a would-be password cracker. Using characters that are non-letters helps add to the complexity and therefore to your security. The English alphabet contains just 26 letters but there are 95 letters and symbols on a standard keyboard. “Mixing it up” makes it even more difficult for computer hackers to break your password.

Some, including Microsoft, will argue that users should not use real words or logical combinations of letters because they may be guessed by a “dictionary attack” using a database of words and common character sequences. Maybe, but we think that is overkill unless you're dealing with national security data or the formula for Coca-Cola.

The research used at Georgia Tech was a “brute force” attack, meaning that they simply tried all possible combinations of characters. The computer graphics cards they deployed are very cheap and easily programmed to perform these sorts of computations. The processors in the cards all run simultaneously, working to crack the passwords.

continued on next page

Amazingly, these processors, running together, now have the processing power of what we used to call "supercomputers."

So let's say you accept the need for 12-character passwords. Several issues arise. One is that your bank, your stock brokerage, etc., may not allow for 12 character passwords. There are a lot of websites out there that still do not permit long passwords, although with each passing day, that is changing.

More problematic is that many sites do not enforce the long passwords. They may accept a six-letter passwords or they may not insist that you use non-letter characters. This remains a significant problem, as many sites containing sensitive data have not yet caught up with security requirements for the coming decade.

Perhaps the greatest problem is remembering all these passwords. One solution is to use an encrypted flash drive such as IronKey, which includes a password "vault" application that remembers all the characters for you. This has been our solution, which is great—until we forget the IronKey. We can only sigh remembering how many times that has happened—fortunately, we have always been in the same city as the IronKey. We haven't managed to lose our IronKeys yet, but as small as they are, that would also be easy. There is an insurance policy—you can store your passwords (encrypted) on the IronKey site. But you can sense that there is a nuisance factor here.

There are websites that will store your passwords for you, but then you must trust the security levels (and employees) of that website.

Particularly dangerous are social media passwords, which are often used to log in all over the Web. Adding to the

danger is the fact that third party applications regularly require you to turn over your social media ID and password so that they can have interaction among, for example, Facebook, and the popular applications Mafia Wars and Farmville. This makes things easy for the user, but now a cybercriminal with a single set of credentials may be able to access multiple sources of information.

For \$19.95, you can turn to a product like eWallet (<http://www.iliumsoft.com/site/ew/ewallet/php>), which will store your passwords in encrypted format and allow you to sync access to it from multiple devices, including smartphones (be sure to check that yours is supported). This may be the best solution currently available for busy lawyers. John uses eWallet as a backup (synced to the BlackBerry) to his IronKey. With a 30-day free trial, it's hard to go wrong. There are similar products out there, but research them carefully before selecting one. Most have been tested by independent sources—your best way of screening software because all vendors will trumpet their products as "the" solution to your problems.

Whatever you do, make sure you do take passwords seriously. We know from experience that most lawyers are not going to buy a product like the IronKey or use a product like eWallet. This may change as the years go by, but for now, the majority will simply come up with passwords on the fly as required. If that sounds like you, at least take heed of the message conveyed by the Georgia Institute of Technology and make your passwords strong 12-character passwords. Then you will have demonstrated that you took "reasonable measures" to protect client confidentiality. ■

The authors are the President and Vice President of Sensei Enterprises, Inc., a legal technology and computer forensics firm based in Fairfax, VA: 703-359-0700; www.senseient.com.

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Introduction

For the past couple of years, all the news about our economy has been grim. And that's putting it mildly. From one coast to the other, large law firms that have been in existence for decades have been crumbling. This has triggered a dramatic phenomenon: a drastic shift in the legal services market. For example, lawyers from those disbanded large law firms have formed smaller "boutique" firms. Other attorneys from those firms have decided to "hang their shingle" as solo practitioners. Finally, other lawyers have left the profession all together.

For those attorneys who have chosen to remain to brave the stormy waters of this economic climate, a new task—marketing—has now been added to their "to do list." Although most firms require some level of marketing for associates on the partnership track, it is really only a select few that are the true rainmakers within the firm. Alternatively, some firms have a designated individual whose sole function is to "sell the firm" to large institutional clients in the hopes of attracting large volumes of cases to the firm. Thus, where the marketing may have been handled by other individuals previously, attorneys must now not only embrace marketing, but more importantly, make it a "systematic" function of their office in order to maintain a steady flow of cases. This article is meant to provide a few "little or no cost" ideas which you can employ immediately to improve your marketing efforts. The ultimate goal—to be more competitive in today's legal market.

Set Up a Contact Management System

We have all heard the phrase "the power of information." Every attorney has this power, but very few harness and channel this power into something productive. As a solo practitioner for almost 20 years, I would collect business cards. Sometimes I would contact that individual again, but on most occasions the card went into a drawer. In order to market your law practice efficiently, you must take the time to not only "collect," but also to properly organize, all of your contact information in one place. This means clients, friends, acquaintances, relatives, and yes—even your fellow attorneys. All of the above are great sources of case referrals.

You will most likely already have a contact manager and do not utilize it to its full potential. There are several contact management programs available to the general public. Microsoft Outlook is one such contact management system, but there are others that cater specifically to the legal profession. Microsoft Outlook allows you to export your data

to a CSV (comma separated values) file. The use of the CSV files will be discussed later in this article.

For starters, you or your staff should follow up with each person on your contact list to ensure their information is accurate and current. Thereafter, you should periodically (i.e., once or twice a year) have your staff confirm the accuracy of your contact list. An added benefit of keeping in touch with members of your "contacts" list is that a simple telephone call to verify the accuracy of contact information may very well result in the inheritance of a case or a referral of a client.

Develop and Maintain an "Online" Presence

Take a moment and ask yourself, when was the last time you reached for a Yellow Page directory? For most of us, it's probably been well over a few years. The Internet has essentially rendered the "yellow pages" and other similar directories almost valueless. There are still segments of our society who are reluctant or unable to fully embrace the advantages offered by the Internet. Like it or not, the Internet is now part of our daily lives, and in the future it will become increasingly more so. It is a rare day that you do not send or receive an email message, download a file, or Google something. Over the last 10 years, Internet usage world-wide has virtually tripled.

At some point, most of us have purchased airline tickets, hotel reservations, or other goods and services online. Others have used the Internet to find a car, a home, or even search for a soul mate. You do not need to look any further than such sites as Cars.com, Zillow.com, and Match.com to understand the far-reaching grasp of the Internet. Individuals—**your potential clients**—are placing their trust and faith in the Internet to not only make some of the largest purchases of their lives (houses and cars), but also to find a husband, wife, or life partner. That helps demonstrate the power of the Internet.

Consumer trust in the Internet does not cease when it comes to shopping for legal services. Make no mistake, consumers are using the Internet to search for attorneys as well. Internet searches are increasingly becoming more precise and more detailed, as today's Internet users become increasingly sophisticated about how to fine-tune their Internet searches. Many bar associations have established online "attorney directories" on their websites, where attorneys can list themselves under various practice areas for a nominal fee.

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2010 Food Bank Drive

PARALEGAL SECTION

The FBA Paralegal Section's 2010 Food Drive for benefit of the Capital Area Food Bank (CAFB) was a great success! The Capital Area Food Bank distributes 20 million pounds of food annually to more than 700 member feeding programs in the District of Columbia, Northern Virginia, and Suburban Maryland. We are proud to report that this year's donations included food and other necessities weighing 562 pounds, and \$1,055.00 in cash donations. With the generous support of our members, we are able to help many individuals and families during their time of need. The Paralegal Section would like to extend our sincere gratitude to the following law firms and agencies, and their staff for their generous support of this year's food drive:

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Other paid sites, such as Findlaw and Lawyers.com, offer similar services bundled with web design and hosting. Finally there are free sites such as Plaxo and LinkedIn which serve the same function to some extent by allowing you to post a free profile and classify yourself under a particular occupation or area of expertise.

Once an attorney makes the decision to develop an online presence, he or she must then decide the form the online presence will take. There are several options, but for purposes of this article, I will address websites and social media sites as these are the most widely used methods by which individuals currently obtain information on the Internet.

Websites

Before Google and other search engines came along, if a client needed to consult an attorney, the client often turned to the Yellow Pages or they obtained a referral from a friend, relative, or coworker. The Internet has provided consumers with the ability to perform their own "due diligence" in the comfort and safety of their own home. Thus, public perception of your online presence becomes paramount. Simply stated, attorneys cannot hope to remain competitive in today's legal marketplace unless they have an online presence. More specifically, they need a website that can be found easily, is easy to navigate, and is, of course, attractive. Finally, the site should provide some basic information consumers and potential clients want and need to know about the attorney's office (i.e., types of cases the attorney handles, results on similar cases, fees charged, office hours, location, and directions, etc.).

Most people who perform Google searches expect their search to result in locating relevant websites. In other words, a website is no longer a luxury, a website is now a necessity. Consequently, the absence of a website dramatically reduces your chances of having a potential client contact you, even if they were given your name. In other words, the importance of having a website to remain competitive in today's legal economy cannot be understated.

The cost of setting up and maintaining a website can range from the very affordable to ridiculously expensive. Everyone's budget is different. If you belong to a bar association, visit their website and take a look at their member benefits. Chances are your bar association may have done a lot of the work for you already by forming working relationships with companies that specialize in developing and maintaining websites for law firms and solo attorneys. You do not have to spend thousands of dollars to develop a web presence. There are several free services available and other companies that charge a modest cost to develop and host your site.

Social Media (Facebook, Twitter, LinkedIn)

Most everyone has heard of Facebook, Twitter, and other social media sites. These free social media sites have become increasingly popular among the general population, and more recently, among attorneys. The additional online exposure available to the attorney and potential SEO (Search Engine Optimization) benefits that stem from an attorney's presence on such sites can be rather significant.

In its most basic form, each social media site has a common function. Every time a message is posted or a "tweet" is issued, the communication is "broadcast" to all of the contacts (i.e., to "friends" or "followers") in your social networking group. Therefore, it is imperative to make the decision early on as to whether to use social media sites as a marketing tool for your law practice versus an online chat room for you and your friends. If so, you may want to restrict access to clients and business acquaintances. Otherwise, your college roommates, high school buddies, or old friends may (and almost assuredly will) post or tweet something you feel may detract from the professional image you wish or are attempting to project.

Back to Basics

Just because we have entered the digital and paperless age does not mean we must abandon historically successful techniques. Up to this point, the focus of this article has been to illustrate the various methods attorneys can utilize to get their name in front of a client. However, we can take some of the ideas from the past and use them to our advantage. Over the years, we have seen this take many different forms, such as newsletters, holiday and/or birthday cards, etc. The popularity of the Internet has made these methods of communication easier and less expensive.

Electronic Email Marketing (Newsletters, Cards, Announcements)

CSV contact files, referenced previously in this article, are a critical part of your marketing plan. CSV files are easy to import and export into and out of programs. More significantly, they make communication with your intended recipients dramatically less expensive than conventional mail. Moderation, however, is the key to success.

There are several free or open source email marketing programs, such as PHPlist and Open EMM, but both require some level of technical knowledge to efficiently send out emails on a systematic basis. There are other "paid" services, such as incontact and Constant Contact, which streamline and simplify the process for those who are less technologically sophisticated. Most email marketing services allow for the importation of CSV files. Used properly, these services can be a very powerful tool. Most paid services offer free trials and monthly subscriptions as low as \$25.00 a

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Fairfax Family Law *Pro Bono Summit*

FAMILY LAWYERS FOR JUSTICE

On November 9, 2010, the Northern Virginia *Pro Bono* Law Center sponsored the **Fairfax Family Law Pro Bono Summit**, hosted by **Chief Judge Dennis Smith** of the Fairfax Circuit Court, and **Chief Judge Thomas Mann** of the Fairfax Juvenile & Domestic Relations District Court. Over 60 area family lawyers attended the Summit. This is the first event of this kind in Virginia.

The participating lawyers were enthusiastic in their responses and many volunteered to join **Family Lawyers for Justice**, a new group of volunteers who commit to undertake one contested family law *pro bono* case per year through the Northern Virginia *Pro Bono* Law Center. This will set the standard for all lawyers practicing family law in our community. The Charter Members of this group include:

- Shoun, Bach, Walinsky & Curran, P.C.
- Odin, Feldman & Pittleman, PC
- Surovell Markle Isaacs & Levy, PLC
- The Lewis Law Firm
- Hottell Malinowski Group
- Bean Kinney & Korman, PC

At the event, the Bench and Bar together explored issues concerning the need for increased *pro bono* participation in family law matters, particularly contested cases and custody mediation. A panel of lawyers consisting of **Cory Goriup**, **Richard Gray**, **Sonya Powell**, and **Carol Schrier-Polak** discussed their experiences and ideas concerning representation of low-income clients. Later, a panel of Judges including **Judges Schell and Roush** of the Circuit Court, and **Chief Judge Mann** and **Judge Sotelo** of the Juvenile & Domestic Relations Court spoke from the Bench's point of view regarding the need for increased representation. Participants shared ideas including the establishment of a litigation fund through the *Pro Bono* Law Center to help defer some of the necessary costs involved in these cases. Donations to the Fairfax Law Foundation can be earmarked for this purpose.

This unique gathering highlighted the care and concern for the less fortunate by our local legal community. This will be a starting point for increased *pro bono* participation by family lawyers in an effort to provide access to justice.

The other *pro bono* programs of the Northern Virginia *Pro Bono* Law Center continue to thrive. *Wills on Wheels*, our program to reach out to low-income seniors to provide life-planning documents, worked with new groups in the community during the past year. The Neighborhood

Outreach Program partnered with about 15 sites throughout Fairfax County to provide legal advice and referral information at locations that were convenient and accessible to the clients. The housing, consumer, and employment panels, in conjunction with Legal Services of Northern Virginia served clients with legal matters in those substantive areas. Volunteer lawyers represented clients with uncontested divorce matters.

If you are interested in these or other *pro bono* projects, contact **Arlene Beckerman** at abeckerman@fairfaxbar.org.





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Marketing Your Law Practice

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month. More importantly, you avoid the high cost of a postage stamp. The cost of a stamp is now 44 cents, but multiply that number by a few hundred or thousand, and postage becomes a very sizeable expense.

Once the contacts have been imported into your email marketing program, you are ready to hit the ground running.

Electronic newsletters can be an invaluable source of generating client leads. The newsletter should be informational in nature and provide legal “tips.” For example, if you handle DUI cases, you may want the newsletter to focus on “what to do (or not do) in case you’re pulled over.” The same can be said for personal injury attorneys (i.e., instructing the reader what to do in case of an auto accident, etc.). The newsletter can also be sent to inform clients about recent changes to the law in your jurisdiction. Finally, you can offer clients some insight on how to handle themselves in small claims court.

The newsletter should be sent out on a quarterly basis or even less frequently. Alert: Overuse of the “electronic newsletter” concept may cause the recipient to view and/or report your communication as spam. In that event, most email services will shut down your account and refuse to allow you to send further such electronic newsletters.

Holiday/Birthday Cards

Every December, the U.S. Postal Service is bombarded with mail, parcels, and other packages. The same can be said of any company or law firm. Just think how many holiday cards you receive over the holidays. Although it’s good practice to send such cards, “timing can be everything.” In other words, is it written in stone that a greeting card is meant only to be sent only during the months of November and December? Cards can be sent at any time—for any holiday—and do not need to say Merry Christmas, Happy Chanukah, or Joyous Festivus. For example, cards can be sent to wish a client (present and former) a Happy Birthday, Happy Independence Day, or Happy St. Patrick’s Day.

The idea is to separate yourself from the rest of the crowd. As discussed with electronic newsletters, the same use of electronic email services can be employed to send out a holiday or birthday greeting card. There are also many free services available that will allow you to actually schedule when the cards should be sent. Thus, you or your staff can complete the task in one sitting.

Conclusion

I’ll end by sharing this experience. Frequently, I ask lawyers what efforts they take to ensure repeat business from a client. Often, the answer is “nothing!”

Consider the following scenario. You represent a client on a divorce matter. The attorney/client relationship is great. The case goes smoothly, concludes, and is paid in full and on time. More often than not, however, once a client’s case concludes, few attorneys attempt to capitalize on the positive experience and use it as a marketing tool.

Hopefully, the suggestions in this article have provided an introduction to a variety of inexpensive, Internet-based methods and ideas to improve your ability to present yourself successfully in an increasingly competitive legal market. ■

Anthony Kalikas has been licensed as a California attorney since 1991. He has served on the Executive Committee, as well as Chair of the Solo and Small Firm Practice Section of the State Bar of California. Mr. Kalikas is the founder of EsqSites123.com, an Internet marketing company that specializes in content management websites for solo and small firm attorneys. For more information, please call (877)SITES-123 (877-748-3712) for a free 10-minute online demonstration, or visit www.esqsites123.com.

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UPCOMING EVENTS/CLEs

February 14, 2011

MEMBERSHIP LUNCHEON

12:00 PM - Registration and Social Reception

12:30 PM - Luncheon

Maggiano's Little Italy, 2001 International Drive,
McLean, VA 22102

\$35.00 FBA Members; \$40.00 Non-Members

*Co-sponsored by the Fairfax Bar Association and the
Northern Virginia Black Attorneys Association.*

Keynote Speaker: Hon. Gerald Bruce Lee, Judge, U.S.

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*This luncheon will also feature the presentation of the
Pro Bono Law Firm, Attorney, and Paralegal of the Year.*

February 16, 2011

TECHNOLOGY IN FAIRFAX COURTROOMS:

COME KICK OUR TIRES! CLE

5:00 - 7:00 PM

Fairfax County Courthouse, Courtroom 5J

2.0 MCLE Credits *Approved*

\$100.00 FBA Members; \$130.00 Non-Members

February 23, 2011

SOCIAL MEDIA CLE: RISKS & RICHES

4:30 - 6:30 PM

Fairfax County Courthouse Jury Assembly Room 404

2.0 MCLE Credits *Pending*

\$70.00 FBA Attorney Members;

\$100.00 Attorney Non-Members

March 5, 2011

BENCH BAR DINNER DANCE

6:30 PM - Open Bar Reception & Wine Tasting

8:00 PM - Dinner & Dancing

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Falls Church, VA 22043

\$125.00 Per Person

\$100.00 Young Lawyers

Black Tie Optional

Contact Courtnie Norris for further details

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March 21, 2011

TECHNOLOGY IN FAIRFAX COURTROOMS:

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5:00 - 7:00 PM

Fairfax County Courthouse, Courtroom 5J

2.0 MCLE Credits *Approved*

\$100.00 FBA Members; \$130.00 Non-Members

March 22, 2011

TAX AND BUSINESS ENTITY ISSUES THAT EVERY FAMILY LAW PRACTITIONER NEEDS TO KNOW CLE

4:30 - 6:30 PM

Fairfax County Courthouse Jury Assembly Room 404

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Announcements

GREENSPUN, SHAPIRO, DAVIS & LEARY, P.C. is pleased to announce and welcome **AMY L. BRADLEY** as the firm's newest attorney. Amy joins Peter Greenspun, Jonathan Shapiro, James Davis, Christie Leary, Melinda VanLowe, and James Abrenio in their commitment to defending their clients' rights in criminal, civil, personal injury, traffic, domestic, and other matters.

MercerTrigiani welcomes **SARAH E. TOZER** as an associate in the Alexandria office. 703-837-5031; fax: 703-837-5041; sarah.tozer@mercetrigiani.com; www.mercetrigiani.com.

ANN W. MISCHÉ is happy to announce she has permanently relocated her office to: **JOSEPH & MISCHÉ, P.C.**, 408 E. Market Street, Suite 208(B), Charlottesville, VA 22902; 434-984-1118; fax: 434-984-1917; and that **AAREN S. JACKSON (LANE)** and **LAURIE M. CRAWFORD**, along with **CAMILLE J. DILLIO**, are opening **LANE CRAWFORD, P.C.**, 10521 Judicial Drive, Suite 120, Fairfax, VA 22030; 703-273-0500; fax: 703-691-7690.

The REESE LAW OFFICE takes pleasure in announcing that **JOSEPH B. MULLANEY** has joined our office. Mr. Mullaney came to our firm from the law office of Vorys, Sater, Seymour and Pease, LLP in Washington, D.C. Immediately prior to working in Washington, Mr. Mullaney was a Law Clerk for the Honorable Jonathan C. Thacher, Fairfax County Circuit Court, 19th Judicial Circuit. 10300 Eaton Place, Suite 150, Fairfax, VA 22030; 703-279-5140; fax: 703-279-5241; www.reeselawoffice.com.

Note

Please advise the Bar Association when your contact information changes to be sure that you continue to receive the latest Bar news and information.

COURTROOM RENOVATIONS...

continued from page 1

Completion of these courtrooms provides 17 high-tech courtrooms (Circuit Court 4, General District Court 4, Juvenile & Domestic Relations District Court 9) within the 40-courtroom facility. Future courtroom renovations are under consideration (for the remaining 23 older courtrooms), but not funded at this time. The Fairfax County Courts, in conjunction with the Fairfax Bar Association (FBA) Technology Committee, offer monthly orientation and training sessions regarding proper use of CTMS, and courtroom protocol and procedural concerns. Up-to-date information can be found on the FBA website at www.fairfaxbar.org.

The Fairfax County Courts and FBA continue to work collaboratively to exchange ideas and implement enhancements and efficiencies in the courtrooms. Both organizations share the primary objectives to improve citizens' access to the Court, facilitate trials and hearings in the most effective and efficient means possible, allow for all three Courts to share common resources, and provide for flexibility and adaptability to incorporate future changes in technology and court proceedings. ■

Judicial Feedback Program...

continued from page 3

8. On receipt of the Judicial Feedback Form, the judge's facilitator will meet personally with the appropriate judge as soon as possible.

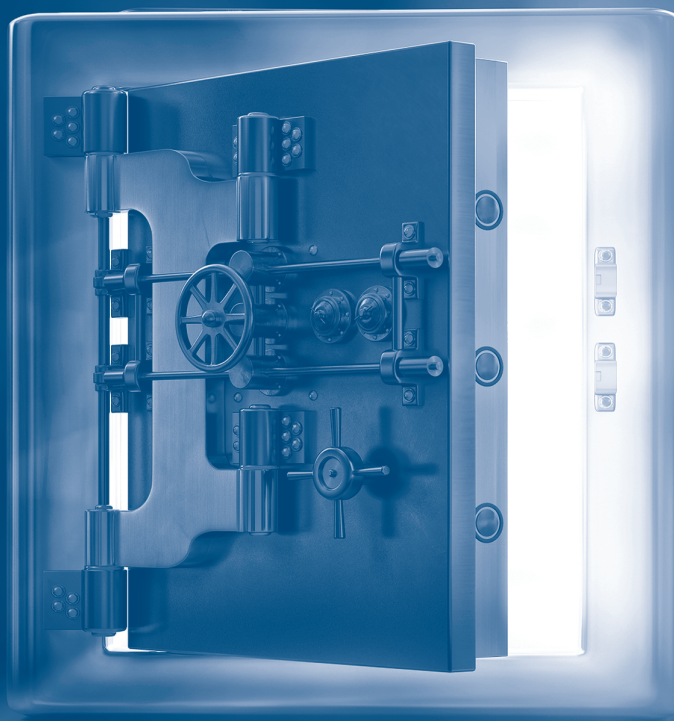
9. The Judge:

- a. may receive the information and take no further action;
- b. may prepare a written or oral response, which can be communicated to the facilitator unless the form was marked "No response possible."

10. When the Ombudsman receives a written or oral response via the judge's facilitator, he or she will contact the originator and advise that a response has been received. The judge's response will be communicated to the attorney at a convenient time and place for both parties. If the Ombudsman does not contact the attorney following submission of the form, it will be deemed to indicate no judicial response was received.

11. Neither originals nor copies of any forms or communications in the Judicial Feedback Program will be maintained by the Fairfax Bar Association, the facilitators, or the judges. Those forms reviewed by the judges should be destroyed as soon as possible. Those forms rejected by the Ombudsman as inappropriate should be destroyed as soon as possible if the form was submitted anonymously through the mail. ■

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