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## President's Column

**Jeanne B. Heaton**  
*President of ACLEA*



As we enter a new year, I love to reflect on the past year and look forward to the future, dreaming about what is to come and setting new goals to accomplish – sometimes lofty goals! I know that many of you do that for yourselves and for your CLE organizations too. Your ACLEA leaders are no different. Our many committees, SIGs, and Executive Committee (EC) volunteers are very busy with some wonderful things in store for you and our amazing association.

During the past year, your EC members have reviewed the results of our recent member surveys and focus groups. We've been assessing what you, our members, need, what challenges you are facing, and what you would like ACLEA to provide. And we are taking steps to respond.

There are many ways we hear from you (and we love to hear from you anytime). Today I share some particular feedback from our Fall 2016

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# President's Column

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conference survey, our Spring 2017 general member survey, and our website focus group.

In our conference survey, we learned that you really value ACLEA conferences – especially for education, skills training, and that wonderful networking with your peers. You make decisions to attend based on topics, budgets, and locations, but more and more of you are facing the reality that you can't attend two conferences per year due to financial constraints and heavy workloads in your home shops. You offered some suggestions for innovating with our conferences, such as shorter conferences, more interactive sessions, and opportunities to participate in conferences remotely via technology. Stay tuned for how we are incorporating your ideas in upcoming conferences.

In our Spring survey, we learned that you value your ACLEA membership for the connections you make, the professional development ACLEA provides, and the increasing number of opportunities to connect and learn remotely via listservs, online videos, and webinars. (Thanks to our SIG leaders for planning more and more of these between-conference opportunities.) We are taking steps to improve our new member onboarding process to make sure our newest members know all the wonderful things that ACLEA offers. And we are launching a membership campaign to grow our organization, starting with the names many of you recommended in the survey.

We asked about your major challenges and learned that many share the same challenges – changes in CLE and the legal profession, in technology, and in your shops. We are facing the challenge that lawyers increasingly prefer online education, which brings in new competition. And we are all facing that ever-present pressure on our time. In response, our outstanding ACLEA planning committees are selecting topics and speakers to help you in meeting these challenges.

Our website audit committee worked with a group of dedicated volunteer members who joined the focus group

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ACLEA website: [www.aclea.org](http://www.aclea.org)

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**ACLEA welcomes comments, article ideas, and letters.**

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# President's Column

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to give feedback on the ACLEA website content, layout, and navigation. Again, your valuable input helped us in the design and launch of the new Member Central format ([www.aclea.org/member\\_central](http://www.aclea.org/member_central)). It is also guiding us as we continue to improve the ACLEA website to make our wonderful resources more accessible and easier to find.

Your feedback has been invaluable and in addition to listening, we are taking action. Sometimes taking action requires courage, like the courage my daughter exhibited when she trained for and completed her third marathon – the Honolulu marathon, in December (I had to be there to cheer her across the finish line, of course) or like the courage it takes to tell your CLE attendees that you are raising prices or discontinuing print materials. It takes courage to keep leading your team toward unity when you hit a period of discord. It also takes courage for ACLEA to step out of its long-time tradition of four-day conferences twice a year and try new conference formats. It takes courage to keep striving to improve our ACLEA web resources, to launch a membership campaign, and to complete a full online curriculum of core competencies for the CLE professional. But, like the lion in the Wizard of Oz, we want our Badge of Courage, so we venture down the yellow brick road and sometimes go through the dark forest to get to our reward.

Let's make 2018 a year of courage – for our personal goals, our professional goals, and for ACLEA's goals of increasing our membership, embracing technology to engage with each other, innovating with conference formats, and moving ahead with the times. The Badge of Courage awaits us all if we persist!

Wishing you the best in the New Year and hoping to see many of you in San Antonio!

# Meet Your SIG/Committee Chairs

Seth Snyder, *UMKC Law School/CLE*

Natasha Lacoste, *Loyola University College of Law*



## 1. Which SIG or Committee do you currently co-chair?

*Seth and Tasha:* Law School SIG

## 2. How long have you been involved with this SIG or Committee?

*Seth:* Law School SIG Member since June 2016.

*Tasha:* Law School SIG Member since June 2014.

## 3. Why did you choose to join this SIG or Committee?

*Seth:* I started working for the University of Missouri-Kansas City School of Law, Continuing Legal Education Department two years ago. This SIG's members have decades of experience and endless CLE wisdom to share with a greenhorn like me.

*Tasha:* I run the Institute for Continuing Legal Education at Loyola University New Orleans College of Law. I wanted to make my ACLEA experience work to my advantage as much as possible; thus, I decided getting to know folks who were running CLE programming at law schools was an ideal way to do so.

## 4. What do you see as the main objectives of your SIG or Committee?

*Seth and Tasha:* Promote participation/membership in ACLEA by law school CLE providers. To support law school CLE programs. To share successes and failures so that we know what is worth trying and what pitfalls to avoid.

## 5. What has the SIG or Committee been working on recently?

*Seth:* How to increase attendance at CLE programs.

*Tasha:* How to manage with smaller budgets.

## 6. What is your SIG or Committee's biggest challenge right now?

*Seth:* Law school employees do not have travel funds or time to participate.

*Tasha:* Many law schools are facing declining resources for staff and travel. Law school providers may have difficulty taking time to attend the meetings or participate in the listserv.

## 7. What resources would be helpful to your SIG or Committee right now?

*Seth and Tasha:* Having an idea what other committees do would be helpful. Like thoughts regarding how to engage members.

## 8. What is the major reason why one should join this SIG or Committee?

*Seth and Tasha:* This SIG is perfect for anyone interested in meeting and sharing with law school CLE providers from across North America and even Australia.

## 9. What do you enjoy most in working with this SIG or Committee?

*Seth and Tasha:* Law school CLE providers are similarly situated. This makes exchanging ideas and giving advice highly worthwhile.

# Member Moment

**Tammy Upton**

*Mississippi College School of Law*

## Professionally

**Current Job:** Director of Continuing Legal Education & Publisher, Mississippi Law Institute Press

**A Recent Professional Victory:** Becoming Section Co- Chair for ACLEA and hosting 28 live CLE offerings within this calendar year.

**Your Latest Challenge:** Staff and budget cuts.

**In My Pre-CLE Life, I Was:** K3- 2nd grade teacher (21 years).

**What Brought Me to CLE:** The law school was in the process of re-vamping the CLE program. An employee in the law school bookstore mentioned to the dean I would be perfect for the job! I worked at a small private school in Raymond, Mississippi with the daughter of the employee. I spoke to Dean Jim Rosenblatt via phone that evening, met in person two days later, and was offered the position immediately. The rest is history!

## Technologically Speaking

**I Never Leave Home Without:** My iPhone.

**On My Wish List:** A new tablet.

**Must-See Website(s):** [MC Law](#) and on Facebook [MC Law Continuing Legal Education](#).

## Personally

**Recent Good Read:** *Muddy Magnolia* by Randy Pierce (former Mississippi Supreme Court Justice, current Executive Director of the Mississippi Judicial College)

**Favorite Pastimes:** Reading / spending time with family and friends / lecturing.

**My Dream Vacation:** Island hopping in the Caribbean!

**Words I Live By:** "Do unto others as you would have done unto you."



# Five Great Reasons to Visit San Antonio

*By Sharon Sandle, Chair of the 2018 Mid-Year Meeting Planning Committee*

San Antonio is the seventh largest city in the U.S., and it has a rich history and culture that embraces art, music, sports, and good food. Here are five great reasons why you should visit San Antonio in February for the ACLEA Mid-Year meeting and maybe stay an extra day or two!

## 1. Museums

San Antonio is home to several museums that are well worth visiting. The San Antonio Museum of Art is a global collection of art housed in buildings that were once part of the Lone Star Brewery. The museum is renowned for its collections of Latin American, Asian, and Ancient Mediterranean Art. The McNay Art Museum was the first museum of modern art in Texas; it's housed in a Spanish Colonial Revival estate and holds a world-class collection of 19th- and early 20th-century American and European art. The Witte Museum is primarily devoted to science and natural history but also has the best early Texas art collection in the state.

## 2. The Rodeo

Since 1950, the San Antonio Stock Show & Rodeo has been one of the premier events of the year in San Antonio. More than just a rodeo, the cattle, sheep, goats, pigs, and chickens raised for the Stock Show have helped raise millions in scholarship money for Texas students. The rodeo runs February 8-24, with details available at [www.sarodeo.com](http://www.sarodeo.com).

## 3. The Missions

Of course everyone remembers the Alamo, but it is just one of a string of Spanish missions in south Texas that date back to the 17th century. The San Antonio Missions National Historical Park is home to four of those missions, and the park was selected as a UNESCO World Heritage Site in 2015. While the Alamo is located right in the heart of San Antonio, the other missions are located along the river just far enough from downtown that you can imagine what life might have been like in Texas a few hundred years ago.

## 4. The River Walk

If you've ever been to San Antonio, you've probably been to the River Walk. But chances are you haven't seen all there is to see. The River Walk has 15 miles of sidewalks and paths with access to shops, restaurants, museums, and even to the missions. The Museum Reach section of the River Walk is a 1.33 mile section featuring visual and aural works of art and leading to the San Antonio Museum of Art and the Pearl Brewery area. If you'd rather not walk, you can take a river taxi or use the San Antonio bike share program to explore.

## 5. The Weather

There probably won't be snow in San Antonio in February. Most years, the daily high temperature in February is between 62 and 72 degrees Fahrenheit (17 to 22 degrees Celsius), and the temperature doesn't usually dip below freezing even at night. Although February is a little too early to see the Texas bluebonnets in bloom, it won't be too cold to stand outside and catch a brilliant Texas sunset.



# Productivity Pointers

By Barron K. Henley

*Editors' Note: The following information regarding document drafting is useful for attorneys and office personnel in their own practice as well as CLE providers producing forms and documents for use by attorneys.*

## It's Time for a Change – Better Methods for Drafting Complex Documents



Unfortunately, most legal documents are drafted using an approach that involves a high margin for error. Specifically, most lawyers simply find an existing document they previously created for a similar client or purpose, save it as a new file name, and start making changes to it. This approach is unquestionably better than starting from a blank page and ignoring existing content. However, the approach suffers from significant drawbacks. First, finding the document can be time consuming, and sometimes you never find what you're looking for. Second, if you do find a similar existing document, the word processor's Find and Replace function rarely catches everything. Third, it is very easy to forget to add provisions/text missing from your original document. Even if you remember what to add, pulling text from other instruments or crafting new language is inherently slow. Fourth, it's common to leave something in that should have been removed. How many times have you read an instrument containing language that seemingly has nothing to do with the transaction or matter at hand? Finally, the worst problem with this approach is that many starting-point documents were previously negotiated. Remembering all of the little compromises made while negotiating the prior matter is nearly impossible; and each one can be a landmine for your current client.

In view of the foregoing, starting new documents from existing documents is risky and dangerous (even though it's the most common way documents are drafted in the legal world). A document you previously drafted for another client isn't a starting-point, it's a finished product; you can't un-bake that cake. What you need is a recipe, and the document equivalent of a recipe is a template.

A template is a model document which contains the best of what you and your colleagues know. Starting with a template to draft a new document eliminates the likelihood for error described above. Changeable text is consistently identified throughout the template. Optional provisions are included in the order they could occur and are annotated. Annotations mark the beginning and end of each optional provision as well as specify the conditions for inclusion. Annotations are typed directly into the template for the drafter to read (and deleted when building a document). Following is an example of a drafting annotation:

### **[IF Triple Net Lease]**

- 2.12. Initial estimated payments of CAM, Real Estate Taxes, and Insurance shall be:  
CAM:  $[\text{CAM/month}]$  per month  
Real Estate Taxes:  $[\text{RE Tax/month}]$  per month  
Insurance:  $[\text{Ins/month}]$  per month.

### **[End of Triple Net option]**

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# Productivity Pointers

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Another rule of template building is to have one template per type of instrument. For example, instead of having a separate template for a Gross Lease, a Full Service Lease, a Triple Net Lease and a Modified Net Lease, you should have a single lease template combining all of the optional provisions into a single document, fully annotated. There's a good reason behind this rule. Multiple templates for the same type of instrument will invariably contain a lot of common language. When that common language changes, you'll have to modify all of the templates to ensure consistency. In my 20 years of helping firms with this, I've never seen a firm successfully keep the common language in multiple templates consistent over time. It's never anyone's job to make that happen, so it just doesn't happen. Below is an example of what I'm describing. None of these differences were supposed to exist between the two documents and yet nearly every paragraph had language variations like this. None of the differences below are substantive, but they often are.

SECTION 5. NOTICE OF MEETINGS. ~~Written notice stating the place, date, and hour of the meeting; and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered, not less than ten~~10 nor more than ~~sixty~~ days, ~~before the date of~~60 of the meeting, or in the case of a merger, consolidation, share exchange, dissolution or sale, lease or exchange of assets not less than ~~twenty~~20 nor more than ~~sixty~~60 days before ~~the date of~~ the meeting, either personally or by mail, by or at the direction of the president, or the secretary, or the officer or persons calling the meeting, to each shareholder of record entitled to vote at such meeting. -If mailed, such notice shall be deemed to be delivered when deposited in the United States mail; addressed to the shareholder at his ~~or her~~ address as it appears on the records of the corporation, with postage thereon prepaid.- When a meeting is adjourned to another time or place, notice need not be given of the adjourned meeting if the time and place thereof are announced at the meeting at which the adjournment is taken.

By combining similar versions of an instrument into a single template, the common language only shows up once. There's only one template to update and worry about. Even if no one is specifically responsible for it, it is fairly easy to maintain.

The next rule for template development is to use the best of what the word processor offers to get the formatting right. If the document isn't set up correctly, editing just creates bigger problems – and neither you, nor anyone else, will want to use it. On the other hand, if a Word or WordPerfect template is set up properly, editing is effortless. Paragraph numbering, paragraph number cross references, tables of contents and tables of authority all automatically update to reflect changes in the document. Page numbering is always right, page breaks don't separate text awkwardly (headings at the bottom of one page and subsequent paragraphs at the top of the next) and spacing/alignment issues disappear.

Most legal users don't think it's even *possible* to create complex documents in which the formatting always works perfectly. They're so used to wrestling with their word processor that they believe it is a normal part of the process. I can assure you that it's not. Anyone who finds formatting difficult to control

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# Productivity Pointers

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in either Word or WordPerfect should interpret that as evidence that they have more to learn. Consider Word, for example. Once you've mastered styles and section formatting, you will be able to completely control formatting in any document. Unfortunately, nothing about Word's interface discloses this fact or explains how to use styles or control section formatting. Further, simply using Word over time won't help you understand it any better because much of what you need to know is concealed. (See sidebar). Having said all of that, once a template is set up correctly, it just works. Users don't necessarily need to know how it was built in the first place in order to reap the benefits. Back to the cooking analogy, anyone can enjoy a white chocolate chip, macadamia nut cookie (my favorite) without having the first clue about how to bake them.

The cherry on top for complex templates is a drafting guide. A drafting guide lays out the questions and options that must be answered and selected, respectively, in order to get the document you want. It becomes your due-diligence checklist to use when interviewing the client and it further improves the process. Documenting your processes is one of the most important things you can do for your office, and drafting guides are a big part of it. For example, consider something like the purchase of commercial real estate. From a macro level, there are the individual steps in the transaction. Process documentation means describing the individual steps, who performs them, the tools used and how long they take. From a micro level, document drafting is involved in some of the individual steps (such as drafting the real estate purchase contract). As such, the drafting guide is the documentation of a particular step (which is part of a larger process).

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# Hide and Seek: Where Are the Styles?

A style is a set of formatting characteristics that you can apply to text, tables and lists in your document to quickly change their appearance. When you apply a style, you apply a whole group of formats at once. You can view styles by clicking the Home ribbon—Styles launcher to reveal the Styles task pane (see Fig 25-1 below).

## What's the Connection to Formatting?

In spite of it not being the correct way to format a document in Word, the vast majority of Word users employ only direct formatting (selecting text and manually applying formatting). That is generally because nothing about Word tells you that using styles is a superior method, or that styles even exist of what they do.

## Where Should I Look?

Styles are stored inside templates. Templates are very much like containers, which can contain text as well as styles, macros (i.e., a series of actions that can be attached to a single keystroke, toolbar button, or both), toolbars and the like. A subset of all the styles available is also visible in the Styles gallery on the Home ribbon.

## What's a Template?

A template is a special kind of file that provides a model for the underlying structure (or pattern) of a particular finished document (such as a Deed or Lease or revocable Trust). Templates may also contain document settings such as AutoText entries, Quick parts, fonts, key assignments, macros, menus, page layouts, special formatting and styles. When you create a new document based upon a template, you get a copy of the template, but not the template itself. In that manner, templates are protected and cannot be accidentally over-written with changes a user makes to a new document based upon one. In word, a template can be a .dotx file, or it can be a

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# Productivity Pointers

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Once you have templates built, you have many, even better options to speed up drafting. For example, you could use your word processor's merge function to complete the documents faster. Both Word and WordPerfect also allow you to create fillable form templates (like a fillable PDF but in the word processor). Case management systems allow you to pull client data into your documents. Finally, you can use document assembly software like Hot-Docs or The Form Tool to turbocharge the process. However, all of these options require that you first build templates.

Better drafting methods represent the low-hanging fruit for improving the efficiency of almost any law office. If you only want to create templates and possibly upgrade them with merge functions or fillable fields, your cost is zero. It does require an investment of time to get it done; that's the primary reason so few lawyers have done it. Template building takes commitment. However, the time is quickly recouped and the initiative pays for itself in the form of speed gains. Accuracy improves by eliminating the possibility for error inherent in recycling old documents. More importantly, it allows you to capture your intellectual capital in a usable form, share it with others, and improve it over time.

*Barron K. Henley is a partner in Affinity Consulting Group of Columbus, OH. This article stems from his NYSBA CLE program "Microsoft Word Academy for Lawyers," held on Nov. 7, 2016 at the Executive Conference Center in New York City.*

# Hide and Seek: Where Are the Styles?

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.dotm file (a .dotm file allows you to enable macros in the file).

## Where Are Templates Stored?

The Template called "Normal.dotm" is usually located at C:\Users\USERNAME\AppData\Roaming\Microsoft\Templates.

## Where Are the Template Folders?

Unfortunately, by default, Windows hides the folder where your templates are stored. Follow these steps to un-hide the folder:

1. Open windows Explorer by hitting the Windows key (key on your keyboard with the Windows logo on it) + E.
2. If you have Windows Vista, 7 or 8, click on the Organize button at the top, left corner of the Explorer Window—Layout—make sure that Menu bar is checked (if not, click on it). Click the Tools menu—Folder Options. If you have Windows 10, click the View Ribbon—Options button—Change Folder and Search Options.
3. Click the view tab—click the Show hidden files, folders and drives radio button.

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*All of the information contained in this sidebar was excerpted from Microsoft Word for Lawyers, a coursebook distributed at NYSBA's CLE program titled Microsoft Word Academy for Lawyers, held Nov. 7, 2016 in New York City.*

# An Introduction to ACLEA's Member Central

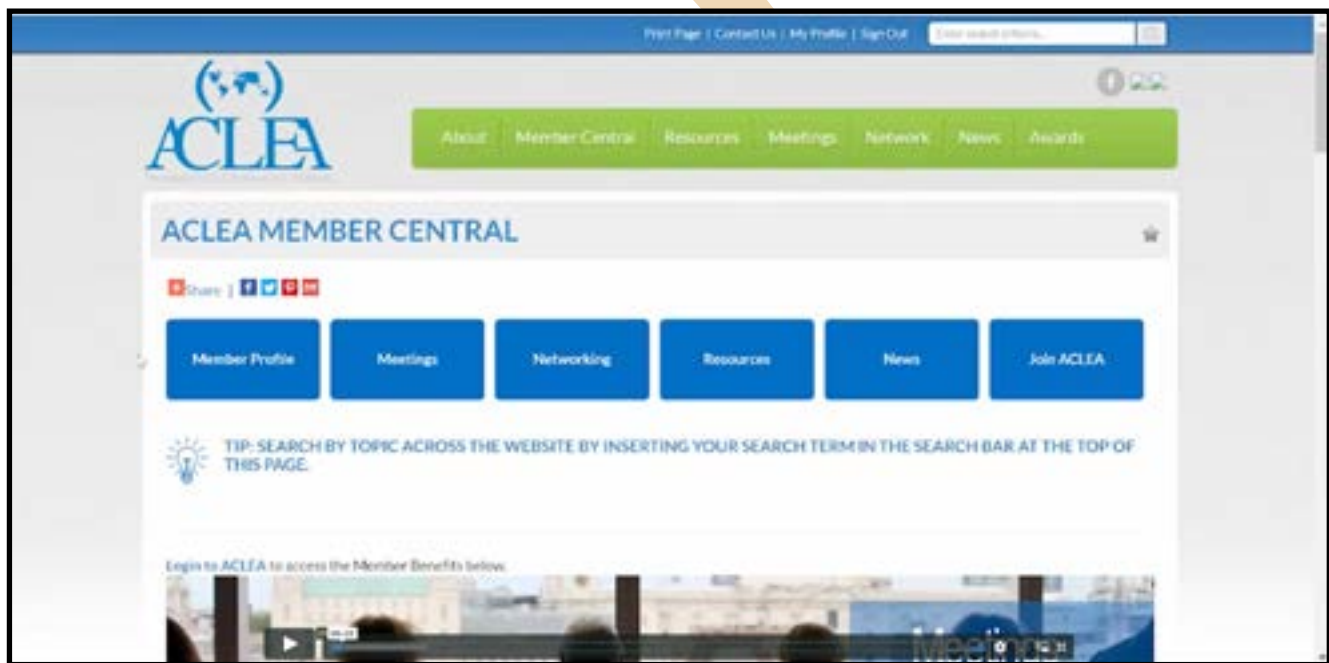
By Lucas Boling, ACLEA Treasurer

## Find it fast.

Thanks to members' feedback, information is now easier to find on ACLEA's website. ACLEA's Member Central is a single web page with quick links to the most-requested features and services available to ACLEA members.

Blue tiles at the top of Member Central provide direct access to your member profile and to linked sections of information about ACLEA meetings, networking opportunities, member resources, and the latest CLE news.

Save time – bookmark [Member Central](#) in your browser and check out the video below for a quick overview.



# Join Us in San Antonio for the 2018 Mid-Year Meeting!

February 10 – 12, 2018

Hyatt Regency Hill Country | San Antonio, TX – U.S.A.



## PLENARY SESSIONS INCLUDE:

- Bite Size Is the Right Size — The Move Toward Brief, Targeted Learning
- Steering the Stubborn Herd: Practical Lessons from the U.S. Military's Experience in Cultivating a Culture of Resilience
- From Microsoft to the Rio Grande: Using a Customer Success Mindset to Spur Innovation, Deliver Greater Value, and Provide Outstanding Service
- The Last Roundup: Best-of-the-Best Conference Recap

Register online today at [aclea.org](http://aclea.org)!

