



# ATLANTA BAR ASSOCIATION

LAWYERS WHO SERVE

Sole Practitioner/Small Firm Section

## The Information Exchange

A Sole Practitioner/Small Firm Section Publication

December 2010

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James A. Attwood  
Clark A.D. Wilson

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#### Thank You to Our Section Sponsor



### Upcoming Events

Mark your calendars for these upcoming Section events

#### Joint Section Wine Tasting Social with the Women in the Profession Section

Thursday, January 13, 2010

**Location:** Habif, Arogeti & Wynne, LLP  
Five Concourse Parkway, Suite 1000

Time to be announced. Please check your emails and [www.atlantabar.org](http://www.atlantabar.org) for updates. Details are subject to change.



#### Section Luncheon

Thursday, January 20, 2010 - 12:00 pm

**Speaker:** Robert G. Wellon,  
*Attorney and Counselor at Law*

**Location:** Gordon Biersch  
848 Peachtree Street, NE

Topic to be announced. Please check your emails and [www.atlantabar.org](http://www.atlantabar.org) for updates. Details are subject to change.

**Section Breakfast**  
**Thursday, February 17, 2010 - 7:30 am**

**Speaker:** Renee Walkup, *President of SalesPEAK,*  
*Author of The Naked Salesperson*

**Location:** Buckhead Club  
3368 Peachtree Road NE

Topic to be announced. Please check your emails and [www.atlantabar.org](http://www.atlantabar.org) for updates. Details are subject to change.

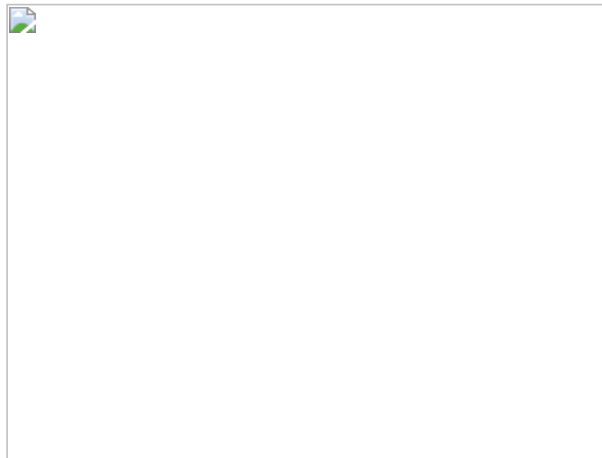
**Joint Section Comedy Club Social with the  
Atlanta Council of Younger Lawyers Section**  
**Wednesday, February 23, 2010**

**Location:** Vortex-Laughing Skull Lounge  
878 Peachtree Street

Time to be announced. Please check your emails and [www.atlantabar.org](http://www.atlantabar.org) for updates. Details are subject to change.

**Jennifer Dunphy Discusses Marketing Your  
Firm Online & In Person with the Section**

by Clark A. D. Wilson, *Gardner Groff Greewald &  
Villanueva P.C.*



On October 21, 2010 the Sole Practitioner Small Firm section hosted a breakfast meeting at the Buckhead Club. Speaking to a full audience, Jennifer Dunphy from VAYU Media presented "Marketing Your Firm Online & In Person." VAYU is a full service online marketing firm specializing in Search Engine Optimization ("SEO").

Ms. Dunphy stressed that "everything starts with your website." It is your 24 hour sales person and provides a consistent explanation of "your story" to potential clients. With this in mind, Ms. Dunphy discussed the influential characteristics of successful websites.

Specifically, the most important features are aesthetics and functionality. If your site is boring, the next site is an easy click away. Also of importance are the structure and focus of information. Be clear when defining your services. And, while attorneys exist in the written word, clients want photographs. Your photographs should be professional and include a descriptive tag. Additionally, avoid crowding.

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### **Steven Brown Discusses Ten Tips for Maximizing Cash Flow with the Section**

by Clark A. D. Wilson, *Gardner Groff Greewald & Villanueva P.C.*



On November 18, 2010 Mr. Steven Brown, from GreenFlag Profit Recovery, spoke to the SPSF Section at Gordon Biersch. Mr. Brown addressed the ever-present problem of cash flow and provided some strategies for improvement through collection efforts. Initially, Mr. Brown discussed why collection of payment is important. Example problems include: accounts depreciate and become harder to collect, complaints increase with time, further services stop because the debtor avoids contact and an increased stress level for the staff and client. As a result, the process of collecting payment for past debt is simultaneously essential and difficult for a law firm. Considering this, the following ten tips can improve your collection efforts.

1. Have a defined credit policy. Clearly define terms such as "past due" and provide your staff with a detailed document upon which they can rely. Such a document should outline allowable payment methods, maximum number of payments, penalties for violation, interest and the handling of returned mail.
2. Make monthly statements effective. Send itemized statements promptly and regularly. Do not outline a clear due date or aging date because clients may feel they can wait to pay. And, always include your contact information on statements.

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### **Is Your Company's Trademark Being Hijacked on the Internet? What You Need to Know About AdWords Online Marketing**

by David M. Lilienfeld, *Lilienfeld PC*

Search engine advertising programs, such as Google AdWords, have triggered the widespread practice of



companies buying the use of their competitors' trademarks to advertise their own services. This means when someone searches for your company on the Internet, they may see a "Sponsored Link" belonging to your competition to the right of

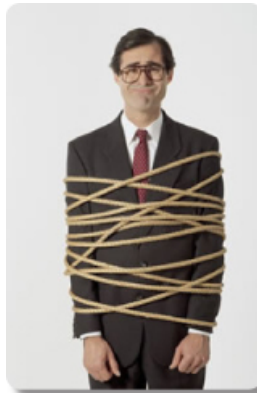
the search results. In a market where Google earned more than \$23 billion in AdWords revenue last year, this is big news for businesses that invest hard-earned dollars in building a brand.

Let's say a hypothetical business, which we will call XYZ Consulting, learned that its competitor, Acme Consultants, was obtaining many new customers from the Internet. This prompts XYZ Consulting to start its own Internet advertising campaign. It enrolls in an advertising program such as Google AdWords, and purchases its own brand name as a keyword. In addition, it buys the keyword of its competitor, "Acme Consultants." By buying the "Acme Consultants" keyword, XYZ Consulting's advertisement will appear whenever someone searches for "Acme Consultants."

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## Georgia Restrictive Covenant Advisory

by Ward Council, *The Law Office of Ward Council, LLC*



One of the referenda on the ballot November 2 was for a Constitutional amendment to activate a new law relating to restrictive covenants (such as "noncompete" and "nonsolicitation" agreements). The Constitutional amendment was ratified by the voters, and the proposed new law is now effective.

What does that mean? For one thing, the new law provides employers with more flexibility regarding the types of

noncompete and nonsolicit agreements that will be enforceable. But the most significant change is the difference in what happens if a noncompete or nonsolicitation agreement is broader than the law will allow.

If a noncompete or customer nonsolicitation agreement is governed by prior law, if the language of the agreement goes beyond what is permitted, in the most minor, technical way then the agreement is totally unenforceable. Under the new law, if a noncompete or customer nonsolicitation agreement goes beyond what is permitted, then the court is authorized to enforce it to the extent that it deems fair.

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## Back to Banking Basics

by Anne Moore Odell, *Trillium Financial*

Is that a ray of sunlight peeking through the economic clouds? Banks are still lending to small businesses. True, loans aren't as easy to secure as they were three years ago. But businesses that are willing to work to show their



ability to repay lines of credit and loans are still getting financial support.

"Things are starting to loosen up," says Mike Iverson, CEO of Trillium Financial. "Bankers are opening their doors again."

Banks are getting back to the basics of lending. But what does this mean for you?

### **Sailing through the Five "Cs"**

Character. Capacity. Collateral. Capital. Conditions. The five "Cs" of business credit are more than a banking concept learned in business school. As banks pull back their lending reins, they are investing more time to learn about their clients business before lending.

[View entire article](#)

### **The Truancy Intervention Project Needs Your Help!**



For the past nineteen years, the Truancy Intervention Project Georgia has been the leader in the effort to reduce truancy among Atlanta's youth by pairing them with caring advocates from the community. Serving more than 500 children each year for the past four years, TIP is in need of 100 additional caring advocates to volunteer their time with Atlanta's deserving youth.

Your Sole Practitioner/Small Firm Section asks you to consider joining the TIP team as a volunteer advocate and mentor as well as to recruit friends, colleagues and co-workers to join in the fight against truancy! Those who volunteer will be trained on all facets of TIP. For more information about TIP and how you can get involved, please contact Adrian Wright at (404) 224-4742 or via email at [awright@truancyproject.org](mailto:awright@truancyproject.org).

### **Other Previous Section Events**



On September 29, the Sole Practitioner/Small Firm Section co-sponsored a social gathering with the Litigation Section at the Sweetwater Brewing Pub. Turnout was

tremendous. It gave section members a chance to interact with other Atlanta Bar members while sampling a good variety of local beer.

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On October 26, the Sole Practitioner/Small Firm Section held a regional networking social at Saskatoon in Buckhead. It was sponsored by the law firms of Kitchens New Cleghorn LLC and The Richards Law Firm, L.L.C. The informal gathering gave SPSF members in Buckhead a chance to socialize outside the context of our monthly meetings.

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On October 27, the Sole Practitioner/Small Firm Section held a networking social at Johnny MacCracken's Irish Pub in Marietta. It was sponsored by the Limbocker Law Firm, LLC and Atkins & Attwood, LLC. The informal gathering gave SPSF members in Cobb County a chance to socialize outside the context of our monthly meetings.

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On October 27, the Sole Practitioner/Small Firm Section held a networking social at The Wine Shoe. It was sponsored by FindLaw and The Wine Shoe. The informal gathering gave SPSF members in Downtown a chance to socialize outside the context of our monthly meetings.

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On November 9, RJon Robins gave two presentations, "How to Start a Small Law Firm" and "How to Grow a Small Law Firm." The seminar was sponsored by Microsoft. The sessions were recorded and will be available from the Atlanta Bar Association for viewing. Please contact [Mary Lynne McInnis](#) if you would like to watch these videos.

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On December 16, Leslie Walden of It's Time to Get Organized, LLC spoke at the SPSF monthly meeting. The topic of her discussion was "Staying on Task".

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