



Week of **December 8, 2009**

Do You Speak IT, and Other Foreign Languages?

I recently was asked by a reporter whether I thought there was a communication gap between lawyers and their law firms' information technology specialists. Although I'm sure there are individual variations, on the whole in large firms I think lawyers and IT folks do communicate well enough. But where they don't it's because they're using different languages - similar words and ideas that mean different things to each, depending on the area of activity.

Take the example of using computer technology in discovery. Here the responsibility is on the lawyer to tell the IT person the rules of the game, what they're looking for and what needs to be put aside. When it comes to hardware and software, again it's the responsibility of the lawyer to educate the IT person on what capabilities are needed and the IT person needs to be clear with the lawyer what can and cannot be done to address the requests. It's a common process in life: active listening to make sure the other person understands what is being said.

Lawyers, of course, have a language all their own, and sometimes the purpose of "legalese" seems to be to obscure meaning rather than to facilitate it. And, just like technology specialists, other disciplines that work in law firm staff positions also have their professional jargon that may or may not translate well for lawyers. Some while back I read an article in the journal of The Legal Marketing Association that stated the organization's new definition of marketing: "Marketing is the activity, set of institutions and processes for creating, communicating, delivering, and exchanging offerings that have value for customers, clients, partners and society at large." That's hardly an example of clarity, and perhaps it illustrates why too many lawyers are reluctant to undertake marketing initiatives: they can seem so vague and so broad that it's hard to know where to begin, or which marketing efforts are the most

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productive to pursue.

Such communication gaps can ultimately be bridged, but the one that should never be allowed to exist is between lawyer and client. The lawyer can only provide services successfully by understanding the intent and desires and wants of the client. Lawyers must communicate with clients at their level of understanding, and do so frequently. If clients don't recognize the benefits of what has been done, they will become dissatisfied and no amount of marketing effort will retain them. Ask clients how you're doing, and whether you should be doing it differently or better. Given this opportunity clients will provide honest answers - and that kind of communication is both valuable and priceless.

Personal Commentary

We were on the road from Thursday to Sunday, enjoying the beauty of the Ojai and Santa Paula valley areas with other Airstreamers from California's Central Coast. The weather was warm and sunny during the day and very cool at night. And we're blessed with a number of peacocks strutting around our sites, quite a sight.

And, I had the opportunity for a bike ride as well. Life is good. Time to reflect on the achievements of 2009 and the goals for 2010...

Best wishes,

Ed Poll

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"I look at Ed as my business partner now—my once-a-week essential business meeting to take the pulse of my practice. During our one-hour phone conversations, we hash out the larger and smaller business challenges of my law firm. I always come away from those conversations enlarged, challenged, and sometimes even quite shaken, but with the tools necessary to move forward down the path he and I are constantly redefining for me and my firm."

-AL, Northern California

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