



The Legal Connection

where legal technology & people connect

2012-11

It's that time of year again!

You know, the time that you take a look at the last 3 quarters of 2012, and make adjustments, if necessary before 2013 hits (or at least as soon as it does)!

January 1 will be here before you know it, and if you haven't taken a little bit of time to think about what you do, what is required to get what you do done, billed, collected and backed up – you won't be in a position to start the New Year with more than just resolutions -- and we all know just how successful those are!

This month's theme of "thanks" fits perfectly with assessing your business and what you spend your time, energy and focus actually doing. Being thankful for those things that are working is a great way to assess what is not.

This year I am thankful for the support of family and friends as Mother Nature just wreaked havoc on Long Island (and I say that being one of the fortunate ones who did not lose power for weeks or have a tree go through something/one they love).

I am thankful for the storm because it allowed me to test my back up and day to day processes under stress (and all passed with flying colors).

I am thankful for Tracy - Operations Manager of LegalTypist and the person responsible for keeping the day to day workflow of over 500 users running like a well-oiled machine (and she makes it seem effortless!)

I am thankful for all the clients of LegalTypist. They keep me on my toes in finding the best and most secure ways to get their work done.

I am thankful for the daily companionship of my dog – who's odd sleeping postures and funky noises can't help but to elicit a smirk if not an out and out giggle from me on a daily basis.

I am thankful for the relationship I have with TLCxN contributors Barbara Nelson, Bruce M. Cameron, Katie Wilson, Allison Shields and Ben Schorr. Without them this newsletter would be 1/10th as informative.

In thinking of all that is working and for which I am thankful for - just what adjustments will I be making in 2013?

For starters, I will be spending more time and focus on the educational/community/group site which is scheduled to go live on January 1. As I embark on building the best dang community for legal people to connect digitally – LegalTypist will be run and managed by the people, tech and processes I put in place that work so well without me.

In fact, here's a sneak peek of what the site will look like on the January 1, 2013 launch:



The community site has been a dream of mine for some time. I just needed the tech to run it. Keep an eye on December's ezine with more details, including a discount code for members of the private list only!

til next month...

Thankful For Google Scholar

My practice is almost entirely transactional; I handle residential real estate, estate planning, and contract negotiations. It's rare that I find myself looking up case law to answer a question - rare, but not unheard of. And that's why I am thankful for Google Scholar's case law search.

The free service allows me to do some preliminary research and get a quick answer. If I find that the answer requires additional research, I can go to the law library (New York's Supreme Courts all have public Westlaw access) to get a more detailed answer. However, I've found that for most questions, the basic search gets me enough information to give an informed answer.

Google Scholar's search allows you to limit your searches by year and by court. All federal courts are available - each district, and the circuits can be searched, either in concert or individually. Each state can be selected, or if you wish to narrow your search more, you can select a particular level of the state court hierarchy.

Two failings, however, are the inability to search most trial court opinions and the inability to specify a court by geography. It is impossible, therefore, to search only in the 2d Appellate Division in New York; you can only search through opinions from all four of them.

Like other Google services, this one is always improving. While it was always possible to see how a case was cited, you can now get snippets of the citing case to get a feel for whether it is positive or negative. It still requires Shepardizing/Keyciting by hand, or finding another service for the case, but it allows you to decide if a case is good law if you need a quick decision. The "How Cited" option also allows you to find other, similar, cases that might not come up with the search.

Searches in Google Scholar are the same as in any other Google platform. There is a search bar where you can use boolean terms (and, or and quotes etc.), as well as an advanced search page which gives several more detailed options similar to a standard search, including exact phrases, results including all of, or any of, a selected word list, and results that include none of a selected word list.

There are flaws in the system and the search is not perfect. While Google highlights the searched terms, all terms are highlighted in the same color and the highlighting is very light. You can also get false positives, where the term does not appear but the system feels that the case might be related - in my experience this is more often than not incorrect. You wade through more cases because searches done in this manner will pull a higher number of cases than a more targeted search through Westlaw or Lexis. Despite these issues, however, it is possible to get the information that you need, even though it takes a little more work. Litigation-heavy practices will find this to be unworkable and unacceptable, but occasional users may be willing to trade time for cost.

Google Scholar is not a replacement for Westlaw/Lexis, if you rely on those services. It is a quick and dirty case law search system. It works, however, for a transactional practice when there's an occasional worried phone call - in answering the client question, it provides a free way to get an answer. I am thankful for the service and what it allows me to do for my clients; I am sure they are thankful for what I can do without billing for research costs.



Justin Meyer returned to New York after law school to join his father in Hauppauge, NY. His practice consists primarily of business law and estate planning, and he is licensed in New York, New Jersey and Florida. He can be reached at jmeyer@meyeresq.com. For more information about him, see <http://www.meyeresq.com>.



Heartfelt thanks for No!

Every November, I write about giving thanks. Everyone writes about giving thanks. Gratitude is an essential practice, but reading about it can get tedious this time of year. This piece is not much different, but it's actually about no thanks.

I am thankful for no. Apparently, I'm not alone in my respect for the word, because you can find it in more than 520 languages simply by clicking here.

<http://users.elite.net/runner/jennifers/no.htm>

Check it out- in Adyghe, Haw or Hawaa means no. Who knew that when you snort, HA!, in response to an outrageous request- you're speaking Adyghe?

If you're like a lot of the generous people I work with, you're probably more interested in different ways to say no in English. The best one is without embellishment, a simple "no." Add "thank you for asking" appropriately. Once you start using it, you'll see that it's really not as bad as you fear. It's also very effective, doesn't leave a lot of room for misinterpretation.

However, you might need other options, so here are a few:

"I'm sorry, but I can't make this commitment."

"I'm not the best person for this now, may I suggest...."

"This doesn't work for me right now, but I'll be sure to keep it/you in mind."

Clearly, I don't recommend a lot of excuses or details. Just say "no" as politely as possible. Offer an alternative if you can think of one. Listen fully to the request. If it doesn't match your priorities, your skills or interests, then decide to respond with a "no".

Once you respond, don't say anything else. Just repeat it, with or without apologies.

Yes is sponsored by no. Without no, yes doesn't have a chance. Use your affirmatives and negatives with care and you won't find yourself falling short because you say yes to something that should have been a no.

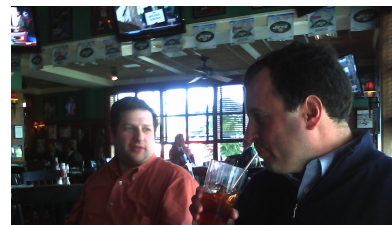
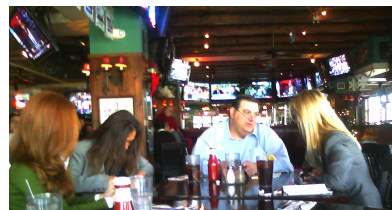
On a more traditional note- thanks to you! I appreciate your support, you have my support, and I wish you much to be thankful for.



Barbara Nelson is a disruptive influence. If you're in need of a dose of constructive disruption, check out:

<http://www.successfullysolo.com/>

Life is short. Business coaching works.



All Attorneys: Reena Gulati, Fern Summer, Tony Colleluori with Mary Beth Ott on left and Rosemarie Rotondo on right; Justin Meyer and Tripp Fried.

How Gratefulness Can Give Your Firm a Competitive Edge

In an industry known for stress and high rates of burnout, it's comforting to know that there are steps you can take to not only become happier, but actually help grow your practice in the process. Research by leading positive psychologists has proven that happy people are 31% more productive and 19% more accurate on tasks. Acts of gratitude can contribute to positive thinking which leads to greater happiness – and the wealth of beneficial outcomes associated with happiness.

Forming a habit only takes 21 days, and if there's any time to begin creating a habit of gratefulness, November is a good month to start. Family, good food, days off (hopefully), vibrant fall leaves, and did I mention good food? If you're already in a thankful state of mind, now's the perfect time to incorporate gratefulness into your daily routine; it can be a boon professionally as well as personally. It's easy to get started; try one or more of the following for one month:

Write down what you're grateful for. It might sound cheesy, but keeping a "gratitude journal" can retrain your mind to think positively. At the beginning of every day, write down 3 things a day that you're thankful for or write for two minutes on a positive moment from the day before; it'll give you a great boost of energy to tackle the rest of your day and contribute to your overall happiness over time.

Send a notecard. Sitting down to physically write a card can help you pause to think about whom you're thankful for in a meaningful way. And who doesn't like to get a thoughtful, handwritten card in the mail, amongst the coupons and bills?

Write an email. If writing notecards isn't up your ally, an email will do just as nicely! Send a quick email to a family member, friend, colleague, or client to let them know you're grateful for them. Bonus: A kind email may keep you top-of-mind for referrals and potentially generate new business!

Call someone and tell them that you're thankful for them. Just a few moments on the phone can be a huge mood-booster (I should know). Or better yet, set aside some time to have lunch with a colleague and mention that you're happy to work with them.

Exercising for at least ten minutes or even meditating for two minutes can add extra mood boost as well. Whatever method you choose, try to keep at it for 21 days or more. After that, it should be part of your routine, and your practice will reap the benefits.



Katie Wilson is a Sales and Marketing Associate at Ruby Receptionists. Harkening back to an era when every call to an office was answered by a friendly receptionist, Ruby Receptionists provides personalized live, virtual receptionist service to small businesses and professionals throughout North America. Visit: <http://www.callruby.com> to learn more.



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Many people think of marketing as a mystery, something that is hard to figure out and even harder to implement. Everyone wants to know what to do when and how to do it for maximum results. Well, I have good news for you. Most of the so-called marketing secrets, you already know. Perhaps because they're so obvious, you don't realize how important they are. If you remember and practice these secrets, you'll have about 90% of what you need for marketing success:

1. Market unto others as you would have others market unto you.

We know when marketing feels right: When it's honest and educational and respectful of our intelligence. Good marketing simply informs our prospective clients what they will get from us if they work with us, conveyed in a way that's interesting and engaging. Also, nobody wants to buy from an arrogant jerk; they want to buy from a nice person whom they can trust. Emulate the marketing you love, not what you think marketing should be.

2. If you can't explain to your family what you do, how do you expect your prospective clients to understand you?

In other words, keep your marketing simple, making the value, benefits, and process clear. Don't muck it up with jargon and complicated concepts. And,

ultimately, realize that nobody is going to buy what you're offering if they don't clearly understand what's in it for them. Keep your marketing conversational, user-friendly and approachable, and your prospects will understand and be attracted to your services.

3. When talking about your services, use stories.

Stories are so powerful because they not only communicate information, they communicate emotion. Your prospects will see themselves getting the same value as those in your stories. Saying that John Thompson got a big raise because of your coaching, and just bought a new car, tells volumes more than the fact that your clients increase their income on average by 15.7%. I want a new car too; what can I do with 15.7%?

Most of the so-called marketing secrets, you already know. Perhaps because they're so obvious, you don't realize how important they are.

4. The first thing someone wants after they get interested in your business, is more information.

Wouldn't it be great if people fell in love with your business upon first contact? It doesn't happen that way. People are, by nature, skeptical. Before they buy, they want to check you out and see if your promises are legitimate. So give them information, stories, examples, and case studies that prove you produce the results you say you do. Put this all up on your website along with informative articles that show how you think and where you're coming from. In other words, build credibility and trust first.

5. When you give a presentation, you can't bore people into doing business with you.

Yes, you want to provide useful information in every talk, teleclass or webinar, but you want to make it entertaining as well. Ever find yourself total immersed in an infomercial? It's because they keep things moving and

to go "over the top" as you explain the principles of leadership teams, but you do need to keep it engaging. Use stories, graphics and humor more than PowerPoints with 10-point lists.

6. Nothing happens without follow-up and friendly persistence.

It's not your prospect's job to follow-up with you. And it's not an interruption to follow through with what you promised. So much business is lost because we are afraid of being judged as pushy. Here's a simple rule-of-thumb: If someone shows some interest, however, slight, it's OK to follow-up. We forget that being overly cautious can be just as big a turn-off as being overly aggressive. Friendly persistence takes the attitude: "He or she is probably not getting back to me because they're busy now. I won't assume otherwise until they tell me that they're not interested."

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The Rural Lawyer : Thanks

If winter is slumber and spring is birth, and summer is life, then autumn rounds out to be reflection. It's a time of year when the leaves are down and the harvest is in and the perennials are gone. Mother Earth just closed up the drapes on another year and it's time to reflect on what's come before. **Mitchell Burgess**

Out here on the edge of the prairie, November is the time when the weather starts to close in and people start to gather closer to home. (November may be a contributing factor to the birth rate in August). November is a time of transition for the rural lawyer - with the harvest completed there is a brief uptick in business (especially in estate planning and family law as clients seem to want to get those things done before year's end) before the doldrums of winter set in - so we fill our calendar as best we can and spend the downtime reviewing and planning for the upcoming new year.

For me, the year past has been one of mixed blessings. A failing hard drive gave me reason to be thankful for a robust backup system, but I'm still kicking myself for, violating one of my key tech tenants - thou shalt not buy consumer grade equipment for mission critical items. I'd let a fantastic bargain override my common sense and got bit in the ass because of it - sure I'd saved a \$100 on the initial purchase price, but spending half a day recovering from backups 9 months later quickly wiped those savings from the ledger.

I'm thankful for my new office space; the lower rent brings a smile to my operating account and the fact that it is easier to find means prospects are in a

better frame of mind when they come in (I should point out that my old office was easy to find if you'd already been there once and knew that you could only reach it by turning right from the south-bound lane of the cross-street - those going north had to turn left either one block before, or one block after and then go around the block and enter from the back. This led to confusing directions and prospective clients walking in somewhat dazed. On the plus side, the view was fantastic).

But, the minutiae of moving managed to displace real, useful work for about a week and I am still tidying up loose ends almost 6 months later.

Finally, I'm thankful for my local chapter of Lawyers Concerned for Lawyers - not that I've made use of their services, but for the fact that they made me aware that I really should get off my butt and do something about my depression. While I would have preferred not to have had that conversation with my family physician (and could do without the whole depression-thing to begin with), it was, in the end, something of a relief to have done so. It was my fears of what might happen or what I might find out that kept me from having that conversation sooner; seems my imagination is far more inventive than reality - all in all it was a very anti-climactic event. Seems that there are better ways (and not all of them involve drugs) to handle stress and depression than simple stoicism (aka stuffing it inside).

So, that was my year that was and as I look forward to the year that will be my wish for you is that your troubles be less, your blessings be more, and nothing but happiness comes through your door.



Bruce M. Cameron Having decided that going to law school and opening a solo law practice would be a sufficient response to the male midlife crisis, Bruce now practices Collaborative Family Law and Estate Planning in rural Minnesota. When not in the law office, he can be found on his small farm where he and his wife are at the beck and call of a herd of horses, a couple of cats, a few dogs and one extremely spoiled parrot. <http://www.rurallawyer.com>

7. Nobody's going to think about you or remember you if you don't keep in touch.

Very few people wake up in the morning with your name on their lips. It's nothing personal; other things, events and people are vying for their attention. So if you "keep a low profile" so as not to annoy anyone, all you'll accomplish is being forgotten. Woody Allen asserted that 80% of success is just showing up. Social media, networking, and a regular email newsletter will remind your prospects that you're around, engaged, and available for them to connect with you. Familiarity does not breed contempt.

8. Over-communicating can be just as bad as under-communicating, especially if every communication is a pitch

Remember signing up for someone's e-list or teleclass and then getting bombarded every single day with yet another pitch for "the hottest, most amazing marketing breakthrough on planet earth!" It wears thin after a short time. If you want to market to gullible people who can't tell the real McCoy from a get-rich-quick scheme, then this method is for you. But most people are completely turned off by such nonsense. When it comes time to pitch your latest program, do it with some dignity and style.

9. In selling, nobody likes to be pressured, they like to be listened to.

When we think of selling, we think of the manipulative used car salesperson. And we imagine that we need to be like that to sell successfully. But intuitively we know that this just doesn't work and that this approach goes against our conscience. But true selling is more about determining the needs and wants of your prospects and working to see if your service can fulfill those needs. 75% of selling is just listening. You know it feels right when someone listens to you; you don't even think of it as selling. There's no reason you can't do the same.

10. If you don't ask for what you want, you're not likely to get it, in life or in business.

Do you want those in your target market to know about your business? Do you want them to read about your services on your website? Do you want them to set up an appointment with you? Do you want to convert them into paying clients? Of course you do! But to get all of these, you must ask.

At the end of every single marketing communication and selling conversation, you need to make a call-to-action: "If you want to know more, go here." "To set up an appointment, fill out this form." "To start working with me, I'll need a \$10,000 deposit." Yes, sometimes when you ask, you don't get the action you'd prefer, but if you don't ask, you'll NEVER get the action you prefer!

You already knew these marketing secrets, didn't you? But have you consistently applied them to your marketing? Perhaps not, because we often create a divide between everyday common sense and what we think marketing should be. The good news is that the best marketing secrets have been common sense all along.

This month's Targeted Expert is Robert Middleton of Action Plan Marketing. Please visit Robert's web site at www.actionplan.com for additional marketing articles and resources on marketing for professional service businesses.



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