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Jer-Z Journal
NJALA Newsletter

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JER-Z JOURNAL

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ON THE COVER

Does money really grow on trees?
 Most employees think so, especially as
 it relates to your firm. Several articles
 in this issue focus on the compensation
 challenges we face in law firms as well as
 compensation alternatives.



DO YOU HAVE AN IDEA?

BY AUDREY SERBAN

Necessity is the mother of invention and, therefore, every problem needs a solution. Since the beginning of time, we have been facing necessities at every turn. And in order to satisfy our necessities, we have always been investing much time and energy.

I'm sure all of you, at some point in your life, have had an idea for a new invention or seen one and thought "I could have invented that." My first invention was as a sophomore in high school. My class was given five weeks to come up with an invention and then present it to the class. I struggled to find an idea for about four weeks and just couldn't come up with anything. My mother kept telling me to write down all the problems I faced and then think of possible solutions for those problems.

One morning while I was cleaning out my hairbrush the idea hit me! My biggest problem was that I possessed long and thick hair and found the task of cleaning out my hairbrush tedious and time-consuming. I figured that if there was some way I could make the task easier, it would save me lots of time and energy. After I cleaned out my brush I decided to take plastic wrap and gently push it down on all the evenly spaced bristles of my brush. I then taped the back of it. I had just provided my brush a barrier so that when I would accumulate enough hair, I could simply take off the tape and pull the plastic wrap off along with all my hair—hence cleaning the brush in one quick swoop. My grand invention needed a name, so I thought the "Baldy Brush" was the perfect one. I presented it to the class and got an "A" on my idea. A couple of years ago, a friend was telling me how excited he was to hear that his college classmate was in "talks" with Revlon over his latest invention. Yup, it was my "baldy brush" idea. Apparently this guy thought of it as well

years later and patented it.

I am sure you are now thinking—so what does this personal anecdote have to do with the ALA? Well, last year the ALA created a program to recognize initiatives which embody Innovation, Development, Engagement, and Advancement in the legal community. ALA IDEA Awards are presented to ALA chapters, committees, regions, individuals, firms, or organizations (including business partners) that create unique and innovative programs, services, and events that improve our ALA chapters and/or legal communities. ALA IDEA Awards recognize new practices that deliver great value and transformational impact through innovative achievement.

Focusing on the entire legal community, the award is open to ALA chapters, ALA committees, ALA regions, ALA members, law firms, and business partners. There are no predetermined categories, thus allowing participants to "think outside the box" in terms of initiatives they submit. The program is designed to recognize unique programs, services and events which improve the legal community and advance the business of law.

How is Innovation Defined? Innovation is defined as "a new practice (or a new approach to a traditional practice) which delivers great value and transformational impact through an innovative approach." The initiatives can be complex and involved (requiring large amounts of resources and commitment by dozens of individuals) OR simple and easily implemented (with little or no cost or other resources). The main focus is on the IDEA involved.

The initiatives submitted by the five inaugural recipients of the IDEA Award demonstrate the definition of this

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President’s Message

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recognition best. For example, the ALA Greater Los Angeles Chapter was recognized for their submission “Professional Legal Management Global Summit — Brazil and Beyond.” In this program ALA members spoke before a Brazilian national conference on the United States’ legal management best practices. This event required coordination and contact between different countries and the assistance of dozens of members of the Greater Los Angeles Chapter.

By contrast the ALA New York City Chapter’s submission — “Foot in the Door” — was a creative solution on how to get Business Partners to connect with Chapter Members. The creative solution involved chocolate and incentives that hit the sweet spot with everyone! While New York City is a large chapter the idea is one that could be implemented by chapters of any size.

Submission Criteria and Eligibility Guidelines: Submissions will be accepted through January 12, 2015 and will be reviewed by the IDEA Awards Committee.

Chapters, Committees, Regions: The person submitting must be an ALA member.

Individuals, firms and legal organizations: The person submitting must be an ALA member.

Business partners: The business partner must have advertised or exhibited with ALA or one of its chapters within the past 12 months.

The IDEA Awards Committee will collectively decide which entries will receive an IDEA Award. Entries will be evaluated based on:

- Innovation
- Impact and results
- Creativity and originality
- Success of project
- Significance
- Long-term impact

I encourage all members and business partners to consider submitting an IDEA. You never know if a fellow member might benefit from your IDEA. Hindsight is great, they always say. Don’t I wish I had gone for that hair brush patent in high school!

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BUDGETING ENGAGEMENTS: A PROFIT-BOOSTING STRATEGY FOR LAW FIRMS

BY ROCCO MAROTTI

In recent years, the economic downturn has pushed many law firms to minimize profit losses by cutting costs. Now, as the economy shows signs of improvement and expenses are controlled, the time is ripe for law firms to shift focus and place emphasis on leveraging profit from the revenue stream in an effort to grow. Some law firms have tried to do so by raising rates, but have not succeeded, as raising rates remains exceedingly difficult in the industry. Budgeting engagements is a core strategy that can enable law firm executives to increase profits. There is no better way than budgeting to gain efficiencies needed to glean more billable time for associates, to drive competition by boosting service quality, to have stronger data for decision making, and to free up time to spend on business development.

Many professional services firms—apart from most legal practices—have been budgeting time for every engagement, down to highly granular details, and have gained greater benefits from doing so. Budgeting enables these firms to:

- Exercise a high level of oversight over professionals' time;
- Create a detailed plan to manage employee workloads;
- Assist in evaluating a professional based on their efficiency, in addition to other variables;
- Quickly and precisely reformulate plans across multiple engagements based on unexpected events; and
- Build professional relationships with clients by making them a part of the budgeting process.

Despite the benefits, many law firms are loath to even test the benefit of proper engagement budget to their firms. Law firms often attribute their hesitancy to the following concerns of law firm partners: 1) too many variables are non-budgetable because they cannot be anticipated; 2) the constraints placed on engagements would lower the quality of performance; and 3) budgeting gives clients more leverage in fee negotiations. While there may be strong arguments backing those concerns,

law firms that have successfully employed budgeting are in a stronger position to mitigate the impact of their concerns and reap the benefits of new profit-building opportunities – as well as sharpen their competitive edge.

Are There Too Many Variables to Budget Work?

A full-scale conversion to budgeting engagements is neither necessary nor desirable. It is true not all work can be budgeted in the pre-engagement stages. For example, the professional hours required to serve as legal counsel throughout an entire litigation cannot be estimated. As an engagement progresses, unforeseen outside factors (caused by unreasonable arbitrators or opposing counsel with unlimited funds) exert influence on budgets. However, the early stages (including initial filings and depositions) can be reasonably budgeted and, as unknowns surface and become tangible, a manager can and should, reevaluate the budget, keeping the process flexible.

In the initial stages of budgeting, it is important to start with small engagements that can be reasonably estimated based on past performance. Engagements in practice areas such as corporate law and business, employment and labor law, real estate transactions, and tax law, are all common engagements that can be easily estimated for each professional required to do the work. While the firm begins budgeting these smaller engagements with new associates who are otherwise unencumbered and who have no attachment to a nonbudgeted system, other engagements can be observed. Over time, enough data can be gathered to begin reasonably budgeting larger engagements task-by-task until, eventually, a firm gathers a compendium of information that enables budgeting on a larger scale.

Is Budgeting Against Quality Inevitable?

Assuming budgets are based on reasonable assumptions and past performance, there should be enough data to ensure that

“Law firms that have successfully employed budgeting are in a stronger position to mitigate the impact of their concerns and reap the benefits of new profit-building opportunities – as well as sharpen their competitive edge.”

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Budgeting Engagements

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sufficient time is budgeted to provide quality services. In fact, quality can increase as time is budgeted to be spent in areas that are deemed most important.

Will Clients Gain Significant Leverage in Negotiations?

Through proper budgeting, clients will be able to ask more targeted and specific questions regarding fees. This is not as risky as it seems; in fact, there is a hidden benefit to this risk. Budgeting, in its best form, is a collaborative process that engages the client in the decision-making process. In this way, the client agrees to a plan of action and understands its costs. This helps a firm manage client expectations; build a stronger, trust-based relationship with clients; and increase fee collections as “sticker shock” can be mitigated through early, collaborative communication.

A Competitive Advantage

Once concerns have been allayed enough to begin budgeting engagements, there will be frequent opportunity to work on increasing profits. As firms hone in on smaller, more easily budgeted engagements, the first goal should be to reach a high level of accuracy in determining, at a given moment, the professional completing each task, the amount of time needed to complete the task, when each professional will become available for another task, and what the average collected rate is across the board for the engagement.

The ability to schedule the work of new associates efficiently allows for a higher number of billable tasks to be completed. Understanding the historical basis for what it takes to complete a task allows for the right amount of attention to be applied to each. Applied correctly, hours are spent more efficiently, pulling in valuable billable hours for important tasks.

Since billable hours are more valuable to the firm, budgeting engagements would help firms reward associates who are working billable hours that contribute to firm revenues. In today’s culture, bonuses are driven by time logged, not by hours billed. Law firms that adopt budgeting engagements would have a basis of data to use as a variable for deciding bonus compensation for associates.

As discussed above, revenues can also be protected by the process of collaboration with clients. In addition to managing client expectations in the beginning of the engagement, budgeting can help a firm track time spent completing certain

phases of an engagement, such that, if an issue arises that could cause more time to be expended, this feedback can be communicated to the client as lead partners become aware. The ability to discuss fees with clients in real time will help secure them year over year by earning their trust – and will thereby secure revenue streams, as well.

In addition, budgeting enables efficient decision making, allowing more valuable time to be spent focusing on increasing revenues. For example, efficiencies gained will lessen the burden on those managing engagements. These higher level professionals can spend the time gained in such areas as business development and marketing which can raise profits in the long-term.

Finally, the decision to budget often comes with the use of budgeting software – which, depending on usage, can prove invaluable to case and practice management. Software can help track historical data on budgeting, allowing for a wealth of readily available information to aid in budget decision-making. Scheduling software helps manage the time of professionals, as budgeted tasks can be shown on digital calendars. Essentially, employing budgeting software can lead to more free time, thereby opening the opportunity to generate an operating surplus.

“By understanding that the pressures that change billing culture (including savvy clients requesting fixed fees, reviewable budgets, and alternative fee arrangements) are everlasting, firms may be better positioned to find the opportunities to raise revenues through budgeting efficiencies. As the budgeting process is introduced to new associates, the culture will eventually take root within a firm, making these revenue-boosting efficiencies second nature.”

What Does CohnReznick Think?

By understanding that the pressures that change billing culture (including savvy clients requesting fixed fees, reviewable budgets, and alternative fee arrangements) are everlasting, firms may be better positioned to find the opportunities to raise revenues through budgeting

efficiencies. As the budgeting process is introduced to new associates, the culture will eventually take root within a firm, making these revenue-boosting efficiencies second nature.

Contact

For more information on employing budgeting techniques to raise top lines, fuel growth, and remain highly competitive, please contact Richard Puzo, Partner and Law Firm Industry Practice Leader, at 973-364-6675, or Rocco Marotti, Senior Manager, at 732-380-8676.

To learn more about CohnReznick’s Law Firm Industry Practice, visit our website. at: <http://www.cohnreznick.com/budgeting-engagements-profit-boosting-strategy-law-firms#sthash.GRbSjyGV.dpuf>



BECOMING A BUSINESS OF LAW LEADER

BY DOREEN MARINO, PHR

If you are in it, you know it—one of the most challenging careers is working in the business of law. The industry is subject to continuous change and development as firms serve their clients' needs. Whether for today or tomorrow, you can always find solutions to the toughest challenges at the ALA. The ALA provides all the tools to support all your complex strategic plans.

Here at the New Jersey chapter, we love to brag about how our chapter led the way in developing the first platform for business of law professionals to assist one another and develop in the field. Back in 1967, a very small group of NJ law firm managers began the networking and education that has flourished into today's ALA. This article describes the benefits of membership and reminds you to spread the word in the industry.

I think my favorite benefit of being an ALA member is the educational opportunities. For those of you that have had the benefit of attending either the national or business of law conferences, you can't help but walk away feeling renewed and inspired. I truly leave the conferences feeling excited about all the new things I have absorbed. I return to the office with a higher level of confidence. Everyone should experience the benefit of the ALA conferences. By the way, you are never "on your own" at these conferences. The chapter communicates with each other and we have chapter activities as well. First time attendees are assigned a mentor to guide them through the conference.

There is also the ALA Webinars which typically provide convenient, short webinars on very timely topics. They can be viewed at any time which is sooooo convenient. The additional great thing about the ALA Webinars is that with one purchase, you can have multiple people in your office view the webinar together. This is not only great for your attorneys that take an active management role, but it is also a good developmental tool for up and coming supervisors and/or managers.

One of my favorite resources is the monthly Legal Management published by the ALA in digital format. The topics and timeliness of the articles are very well thought out and there is always something I can benefit from each month. Also remember the ALA Management Solutions is a free service that you can utilize to get the answers to some of the toughest questions.

The last incredible source of guidance and information is your ALA peers. Somewhere among the membership there are administrators in the exact same situation as you. Tackling issues and ideas together brings better results. There are so many avenues to network with your peers including joining all the social media options, the ALA Open Forum, the membership directory, and, of course, joining the local chapter. If you are a member of the NJALA, I greatly encourage attending the educational sessions. There is time during these sessions to get to know the other members and through this build both professional and personal relationships.

If you haven't visited the ALA website lately, you should just to see what's new in the ALA world. In a nutshell, your membership brings to your firm the latest ideas and best solutions to the ever-changing professional environment. The value of your membership in ALA —tenfold the investment. The value of being on top of your game—priceless.

Doreen Marino is Human Resources Director at Lerner David Littenberg Krumholz & Mentlik in Westfield.





WHAT WOULD YOU DO?

BY ELLI ALBERT

For this new feature, each issue of the Jer-Z-Journal will pose a scenario that could occur in the law firm. Members were surveyed and asked how they might respond if faced with the particular situation. All responses, whether serious, sarcastic, or humorous, were encouraged. All responses are confidential.

Scenario: You walk into the office on Monday morning and you immediately notice that your receptionist—a longtime, dedicated employee of your firm and the first person your visitors encounter—has a new, large, and very visible tattoo. WHAT WOULD YOU DO?

* * *

“I would remind the employee that our firm has a written policy against visible tattoos for ‘client-facing’ positions, and would ask that the tattoo be covered at all times. If the tattoo could not be covered, we would probably consider moving the employee to a different, back-office position.”

“I had a similar situation just last night at a firm client party. Legal assistant who was manning the reception table showed up in a sleeveless dress, with her tattoos running down both arms and her ... assets ... hanging out. What did I do? I didn’t have to do anything, as she was smart enough to have a sweater with her and she proceeded to cover up.”

“The first thing I would do is find out what legal rights the employer and the employee have. It appears that covering a tattoo can be written into a dress code policy providing it does not discriminate against gender, religion, job description, etc. The policy itself needs to be very well written so that it covers all contingencies.”

“We have no policy, nor anything in our receptionist’s job description, that prohibits tattoos. And because she is long term and dedicated, I would walk by and say, “Good morning!”

“I would conference with her and remind her that she is the first person the clients see, and that she is a reflection of the professionalism inherent in the firm. Then, if the tattoo could not be covered, I would reassign her to the mailroom or some other administrative slot.”

“Assuming the tattoo is on her arm, explain that although tattoos are in fashion, it is not appropriate in a professional office. I would give her a sweater to wear the remainder of the day, and tell her that the tattoo needs to be covered in the

future. I don’t know what I’d do if the tattoo was on her neck or face!”

“The climate has changed over the years, and tattoos are now more accepted. I would ask myself if it is really unreasonable that she have the tattoo. However, if this offends your management committee, I would first ask myself if the firm actually has any policy against body ink—if not, you may think about having one.”

“This happened to me!! I discussed with the receptionist that we can’t have someone meeting and greeting our clients and visitors visibly showing a tattoo, since we believe it is unprofessional. This is not a hairstyle that could have religious significance, which would be allowed, but a personal statement that we would prefer be made in private. She would be expected to wear a sweater to cover the tattoo. We have a dress code that indicates tattoos cannot be visible in the reception area or during conference meetings.”

“1. Consult Employee Handbook. 2. Inform managing partner and get his input. 3. Speak to employee accordingly. 4. Update handbook to address this matter going forward.”

“Unless the tattoo was offensive, I would leave it be. I would otherwise explain to her why it may be offensive to some, and would ask her to conceal if possible (hopefully it’s not on her forehead).”

“If the tattoo was inappropriate, then I would ask her to have it covered when she is in the office. If it was a rose, for example, and looked presentable, I would overlook giving her directive regarding the tattoo. Good scenario. Hopefully it does not happen to me!”

“I think I might say, ‘Hey, that’s great....that’s the rub-off kind, right?’”

* * *

Elli Albert is the Office Administrator of Fox Rothschild LLP in Roseland. To suggest a scenario for a future edition of “What Would You Do,” please email Elli at ealbert@foxrothschild.com.

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KAREN STEINBERGER, CLM

BY FRAN PUNTILLO, CLM

OK, so how many of you remember the old TV show, *The Brady Bunch* (yes, I know I'm showing my age)? Do you remember the opening lines of their theme song—"It's a story... about a lovely lady." Well, that's what this newsletter article is all about...

An introduction to our Lovely Lady is probably not necessary. I'll bet even the chapter's newest members have met, spoken to, or heard about Karen Steinberger. Karen has been in the legal industry forever (her words, not mine). Her first full-time job after graduation was at a law firm. She started as a secretary, and, after mastering the skills for that position, she earned her paralegal certification. She kept moving up, taking on more roles and responsibilities. She never looked back! She attributes some of her success in various roles at law firms to Ron Henry who was her law firm mentor for several years.

Karen currently holds the position of Executive Director at Saiber, a 60 attorney law firm in Florham Park, reporting to William F. Maderer, Esq. She's been at her current firm for more than twenty years. When asked about professional challenges at Saiber, Karen confesses they are multi-generational. She feels drawn to help the younger attorneys acquire the marketing skills needed to develop their own book of business/clients as well as developing a succession plan for her firm as some of the older lawyers consider "the next step" in their work life. Among the things she likes best about her current position is the ability to impact the activities of her firm in a positive manner.

With all the changes at law firms over the past several years, our Lovely Lady keeps her eye on her firm's momentum, making sure it keeps moving in a positive direction. What does she see as the most valuable KSAs for a law firm administrator? Karen says an administrator must have the core knowledge necessary to run a firm, the ability to communicate with all employees, and the ability to deliver on promises. These are essential if you want to earn credibility and respect at your firm.

Believe it or not, our Lovely Lady has been a member of ALA

and a fixture in our chapter since 1976. Karen "found" NJALA when she was looking for legal resources and specific expertise and to satisfy her strong desire to network with other legal managers. Thank goodness she found us! Over the years, our Lovely Lady has served NJALA as one of our board members and held many officer positions, up to and including President. She's worked diligently on various chapter committees over the years and we continue to tap her for newsletter articles and advice on a regular basis. She continues to serve as a role model for incoming board members and officers. She has also served on various ALA committees.



Karen Steinberger, CLM

And here's something else very special about NJALA's Lovely Lady... Karen was the first person in New Jersey to earn the CLM designation. And she did it all on her own—no study groups or study-buddies to help her along on that journey to certification. You Go Girl!!

Getting to the more personal aspects of her life, Karen was born and raised in New Jersey. She has a son, Ryan. Ryan and his wife, Stefanie, gave Karen two grandchildren, Justin and Jessica. No pets for Karen, although she did mention occasionally babysitting her grand-dog, Marly. Karen relaxes at home, watching *Criminal Minds* and *Food Network* TV shows. Her favorite movie is "Christmas Story." She said she doesn't read for pleasure very much and would rather spend her time gardening or cooking. However, during the warmer months of the year, if you don't find Karen at work, in the kitchen, or in the garden—check the boat. That's how she gets her beautiful tan! Lake Wallenpaupak in the Pocono Mountains is the latest haunt for her party boat. Many of us have enjoyed a trip around a lake with Karen and her Captain Bob. Here's a bit of advice from one who knows... get on her invitation list for the next boat party launch—it's great fun! Karen loves vacationing in the Outer Banks, Ocean City, and N'awlens. She keeps returning to the Big Easy every year, so I guess that's her favorite place to recharge and unwind, although she's recently added Key West to her list of favorite spots to visit. When I asked about personal goals, Karen said someday she'll like to find the time to track her family's genealogy back to their roots in Ireland.

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NEW MEMBER SPOTLIGHT

INTRODUCING OUR NEWEST MEMBERS OF NJALA

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Karen Steinberger, CLM

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I asked Karen about her heroes. She spoke about her brother-in-law, who lived his life as he wanted, in his quiet and unassuming way. She spoke about how he viewed life in black and white. Things either “were” or they “weren’t.” Karen values that kind of personal integrity and honesty. She confessed to having little patience with people who say one thing, but do another. Procrastination is another of her pet peeves. She views her ability to deal with (all types of) people as her most valuable asset. I asked what “famous person” she would like to meet if given the opportunity. She said she would have liked to have met Christopher Columbus who had the courage to cross an unexplored ocean and Amelia Earhart who was the first to fly solo above the very same ocean. Karen admires these two people because they did things out of the ordinary. You can see why Karen has high expectations for herself and those she works with. Her motto is, “if I can do it, so can you!”

I’ve known Karen for several years, but I learned something new during this interview—ask this Lovely Lady about the ’66 Plymouth that rolled through her past. Just goes to show you... you never know what’s under the hood (gads that’s an awful pun)! Robbin Dolan is going to ask me to stop writing these articles if I keep this up!

I asked our Lovely Lady if she would change anything in her past if she could. She said No – she’s good to go! So, from one boat-lover to another, may I say to our own Lovely Lady:

May your boat rock you on gentle waters and

May the sea be calm for all your days!

*Fran Puntillo, CLM, is the Office Manager of
 Weiner Lesniak, LLP in Parsippany.*

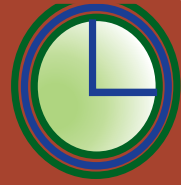
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A Quarter Past



September 2014

The 21st Annual Business Partner Exposition was held on Tuesday, September 16, 2014 at Mayfair Farms in West Orange. A fantastic turnout by both Business Partners and Members. The night was filled with networking and plenty of fun!

Prior to the Exposition, an educational session was held at 4:30 p.m. Representatives of Document Solutions—Kevin O’Conner (Vice President of Sales), Kevin Roth (Vice President of Operations) and David Corbo (Regional Solutions Consultant)—presented “Going Paperless” to our members, focusing on the benefits of a document management system.

NJALA also ran a community challenge by conducting a 50/50 Raffle. Proceeds of the Raffle (\$615.00) went to Family Promise of New Jersey.



Joanne O’Beirne receives a well-deserved massage from a Document Solutions rep.

October 2014

The October monthly chapter meeting was held on October 14 at The Highlawn Pavilion in West Orange. David Lichtenberg, Partner at Fisher & Phillips, LLP, spoke about “*State & Local Employment Developments and Trends.*”



Pictured from left: Speaker, David Lichtenberg, Fisher & Phillips, LLP; Sponsor, Anthony Millaci and Jeff Fernandez, both of LDI Color Toolbox; Sponsor, Jim Weber, All-State Legal; Gayle Englert, Cole, Schotz, Meisel, Forman & Leonard, P.A.; and Mariann Stamm, Stone & Magnanini, LLP.





HATCHES, MATCHES & DISPATCHES

BY CINDY LANDIS

It's time to turn the clock back... which means the cold weather is in our backyard. On the bright side, the holidays will be here when we will spend time with family and friends.

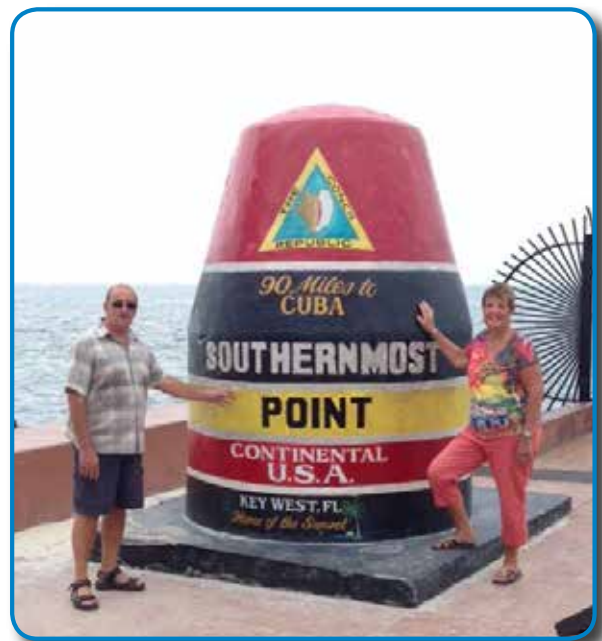
My daughter and son-in-law, Carol and John, spent 10 days in Italy with friends. They visited Rome, Florence and Siena, where she visited with the family she lived with while studying abroad in her junior year at Washington College.

My son, Steven, has just received notification that he passed both the New York and New Jersey Bar. It will be great to have an attorney in the family.

See what some of our NJALA friends have been doing recently.....

Lisa Cuffari (Law Office of Craig S. Gumpel), reports that her oldest daughter, Elena, is expecting her first baby, a boy, in December. Elena has started a new position as an Assistant Professor in the Philosophy Department at Worcester State University in Massachusetts, having returned over the summer from a 2-year post-doctorate program in San Sebastian, Spain. Her husband also has a Ph.D. in Philosophy. Lisa wonders just exactly how smart her new grandson will be (said with a smile).

Karen Steinberger (Saiber) says that she and Bob recently went to Key West with her son Ryan and daughter-in-law Stephanie to see the sights and to take a look at construction progress on a historic building that Ryan has invested in on Julia Street.



Karen and Bob



Elena, daughter of Lisa Cuffari



Karen Steinberger and family

(Continued on page 16)

Hatches, Matches & Dispatches

(Continued from page 15)

Karen also met up with some fellow Past Presidents over the summer—Suzanne Kleiner, Barbara Jerchower (both retired) and Bruce Campbell. Suzanne still lives in the area; Barbara was up here from her home in North Carolina (you know the story with Karen and Bruce—still at it!).



Suzanne Kleiner, Bruce Campbell, Barbara Jerchower, and Karen Steinberger

Elli Albert (Fox Rothschild) and sons, Brian and Jordan, spent a lovely week in the Dominican Republic this past August. Elli reports that a good time was had by all.



Elli Albert looking out to the water

Put on the jacket, gloves, and scarf ... keep warm and enjoy the holiday season.

Cindy Landis is the Office Administrator of Gennet Kallmann Antin & Robinson in Parsippany.

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UP TO THE MINUTE ...

SUMMARY OF MINUTES OF THE NJALA EXECUTIVE BOARD MEETINGS HELD THROUGH NOVEMBER, 2014

BY MARY BETH DONOGHUE

Board Members are Audrey Serban, President; Robbin Dolan, Vice President-Programs; Doreen Marino, Vice President-Membership; Mary Beth Donoghue, Secretary; Kurt Brown, Treasurer; Mary Ellen Dolan, Immediate Past President; Trustees: Gayle Englert, Lisa Cuffari, Fran Puntillo, Mitchell Rait, Teri Siegle, and Jim Van Leir; Alternate Trustees: Louise Ruffo, Nancy Harris, and James Wostbrock.

President's Report

Audrey Serban reported that several board officers attended the Chapter Leadership Institute (CLI) this past summer. During the conference, ALA revealed it is considering changing its brand so as to not limit its audience to legal administrators.

Audrey raised the possibility of having a South Jersey coordinator for the NJALA so as to further involve our more geographically-challenged members.

New Member Initiative

The board discussed opportunities to attract new members, including participation in outside speaking engagements (New Jersey State Bar Association Annual Meeting, New Jersey Paralegal Convention, and the like). This would serve to raise awareness of the NJALA to an expanded audience of potential members.

Member Engagement

The board is considering videotaping some of our meetings for posting on our website. Consideration is also being given

to holding our meetings in other geographical locations on occasion, which would draw additional members from further areas.

To promote engagement, the board is considering scheduling lunches with new members along with a board member or seasoned member.

Website/Social Media

A committee led by Teri Siegle has been formed to redevelop our NJALA website. Elyssa Goldstein has agreed to be our new Committee Chair for Communications, which will update and maintain our social media pages.

Business Partners

The Business Partner Expo is expected to be a great success. Members will be permitted to bring one guest with management experience to the Expo.

Chapter Meetings

Audrey Serban is working with other regional chapters in an effort to "share" speakers and related costs, which would be beneficial to all chapters involved.

Robbin Dolan advised that a roundtable event may be scheduled for one of the spring sessions.

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What's on Tap

ALA and NJALA 2014-2015 CALENDAR OF EVENTS

Wednesday, December 17, 2014

ALA Webinar: Problem Solving: Tips and Techniques. Contact Peggy Siems, ALA Headquarters for more information.

Tuesday, January 13, 2015 (6:00-9:00 pm)

Monthly Meeting and Workshop at the Highlawn Pavilion in West Orange. Topic: Transformation and Growing Within Your Law Firm. Presented by Jack Gottlieb of Total Solutions Group. A buffet dinner will be served.

Tuesday, March 10, 2015 (6:00-9:00 pm)

Monthly Meeting and Workshop at the Highlawn Pavilion in West Orange. Topic: Retaining Your Best and Brightest. Presented by Maureen Kolb of Cre8ive Energies. A buffet dinner will be served.

Tuesday, February 10, 2015 (6:00-9:00 pm)

Monthly Meeting and Workshop at the Highlawn Pavilion in West Orange. Topic: Cyber Security, Presented by Tony Trama of MicroStrategies. A buffet dinner will be served.

Monday and Tuesday, February 23, 2015

ALA Managing Partner/Executive Director Forum, Aloft Orlando Downtown, Orlando, FL. Contact Christopher Kirbabas, ALA Headquarters for more information.

May 17-20, 2015

ALA Annual Conference & Exposition, Music City Center, Nashville, TN. Contact Nicole Larson, ALA Headquarters for more information.

For information about:

Monthly meetings – Please contact Robbin Dolan of Laddey, Clark & Ryan, LLP at 973-729-1880

Educational Workshops – Please contact Nancy Harris, of Gordon Rees at 973-549-2500.

NJALA Socials – Please contact Judy Sotardi of Forman Holt Eliades & Youngman, LLC at 201-845-1000, ext. 376.

ALA Webinars: Registration and general information is posted on the ALA site, www.alanet.org/education/regconf/telesem.html.





BENEFITS THAT MEAN MORE THAN SALARY

BY ELYSSA GOLDSTEIN

With four generations occupying today's workforce, the correlation between benefits sought and an employee's age is a topic being discussed and dissected at numerous legal conferences across the country and in hundreds of legal publications. What follows is a brief overview of a range of benefits offered by modern law firms, inclusive of generational perspectives on the same culled from research and interviews conducted specifically for this article.

According to the Bureau of Labor Statistics (BLS), as of March 2011, wages and salaries accounted for 69.6% of employee expenses, with benefits totaling the remaining 30.4%. The weight given to factors comprising approximately one-third of an employee's total compensation package varies depending upon the types of benefits offered, as well as the age, gender, marital status, economic status, etc. of the employee.

The most well-known and widely offered category of benefits in the legal industry is medical, dental and vision insurance, with some firms shifting towards a defined contribution plan (essentially, providing employees a fixed dollar amount to choose their own health insurance coverage). The stipulation in the Patient Protection and Affordable Care Act (PPACA) allowing a child to stay on his or her parent's health insurance coverage until age 26 has resulted in a decreased regard for medical, dental and vision benefits in the newest generation of workers.

One so-called Millennial (a person born between 1984 and 2002) with whom I spoke insisted he was in "perfect health" and would choose a higher salary with drastically reduced medical, dental and vision benefits or "none at all," if such benefits were not required by healthcare reform. On the contrary, a conversation with a Baby Boomer (a person born between 1946 and 1964) a day later emphasized the tremendous value she placed on her health insurance coverage due to some medical issues she had begun to experience in the past few years.

Voluntary and/or ancillary benefits such as life insurance, short- and long-term disability, childcare, eldercare, and 401(k), IRA or pension plans are also prevalent benefits in law firm culture. The most surprising trend in this area of benefits was the importance of long-term savings and retirement plans noted by Millennials (90% of Millennials polled considered benefits of this nature "very important" when evaluating a job offer).

Recent years of economic instability in our country have left our youngest workforce generation keenly aware of the need

to plan for the future, with the Baby Boomers, Traditionalists (those individuals born between 1927 and 1945) and the Busters (those individuals born between 1965 and 1983) agreeing that it is "very important" to consider voluntary and/or ancillary benefits offered when assessing job prospects. Additionally, wellness programs (gym memberships, smoking cessation classes and the like) were noted on multiple responses from Busters and Millennials (and one Traditionalist) as appealing benefits provided by their employers.

Another grouping of benefits highly regarded in today's law firm environments is time off and work/life balance. The number of paid holiday and vacation days offered to an employee proved enticing to all generations, with the younger two generations also stressing the value of maternity/paternity leave, flexible hours, and telecommuting. One Buster responded as follows: "I chose my current job because I can come in at 10:00 and leave at 6:00. I take the kids to school and [my husband] picks them up so I can work the extra hour at the end of the day."

Less common benefits sought (but responses noted in more than one individual surveyed) were as follows: tuition/certification reimbursement, payment of bar/professional organization dues, travel reimbursement/meal stipends, providing electronic devices such as cell phones, laptops and tablets, catered meals, and a business casual dress code. Fifty percent of Traditionalists, 60% of Boomers, 85% of Busters and 100% of Millennials polled stated that the aforementioned fringe benefits were "somewhat important" factors in considering whether or not to accept a job offer.

While law firms will most likely never compete with lifestyle company environments offered by careers in social media or marketing/public relations, law firms can set themselves apart and attract top talent by recognizing and providing a variety of benefit options to their employees. A successful third-year lawyer (and member of the Millennials) said it best: "I took a little less money in exchange for more perks when I graduated from law school. Now, three years later, I make equal to or more than my friends who went for the money and I still have the same perks I did when I started." Clearly, it will serve our law firms well to remember there is more to benefits than health insurance coverage.

Elyssa Goldstein is the Office Manager of Donahue, Hagan, Klein & Weisberg, LLC in Morristown.



PAY FOR PERFORMANCE FOR NON-ATTORNEYS

By MICHELLE COHEN

This article addresses whether or not a “Pay-for-Performance” approach is feasible for the non-attorney personnel in our firms.

Introduction

Pay-for-Performance. This is a trending compensation concept that is being implemented and/or considered by many industries, especially since the economic downturn in 2008. Clients want to trim the “fat” from their bills and they want to make sure they are pleased with the final results before they pay. This has pushed all industries to rethink how they get compensated, and if it fits with the new demands in the consumer-driven marketplace.

Various industries (health/insurance/contracting) have started to employ the Pay-for-Performance method, but as with most things, our legal industry is quite set in its ways, and a tad slower to warm to this concept. In this case, however, there may be a silver lining to the legal industry’s hesitation to embrace this concept fully (more on this later).

Traditional compensation models in the legal industry include the “gold standard” Lock-Step system. This is the system where the firm’s attorneys are paid primarily based on length of time on the job. Pay-for-Performance is a model where the amount of compensation is not “guaranteed.” Differences in performance are clearly reflected in the level of compensation. What this allows, in fact, is for “top performers” to be amply compensated, while “average” or “below average” performers may not receive any increases or adjustments to their compensation at all. While there is ample literature on the pros and cons of attorney Pay-for-Performance models, and the sense that this may make in our more client-driven, post-economic downturn model, there is little feedback on implementing this approach to non-attorney staff.

Staff Compensation

The way we evaluate and compensate non-attorney staff is a topic we could discuss for 1,000 pages and still continue to be unsure of finding a “perfect” approach to the issue! When looking to see if the Pay-for-Performance model offers anything new/better/dynamic it leads us back to the basic core worth of evaluations in general. An evaluation or performance review is fairly subjective at best. Can we really put a concrete and fair and objective value on the expectation for performance for, for example, a secretarial position? One scenario that may help illustrate this is as follows:

There are two secretaries in the firm being evaluated. Both are “equal” in salary, length of service and responsibility loads.

Secretary “A” is evaluated by Associates “Q and R,” with some input from Administrator “X.” Secretary “B” is evaluated by Associates “Y and Z” with input from Administrator “P.”

These two employees are being evaluated on the same criteria by different teams of reviewers. Secretary A’s review is minimal—the team expresses that they are happy with the performance and fully expect this person to get a performance review leading to an increase and a yearly bonus for excellent work, though almost no input is included in the review— it is all “excellent” and “outstanding.” This team felt that this is what a performance review should look like for an outstanding employee.

Secretary B’s review is in depth and detailed—the team truly values the process of the review, and notes that the employee’s performance is excellent. This team took extra time to use the performance tool and include fair critiques for this employee to improve in certain areas that are essential for company and professional growth. By doing this, the performance review looks like it is less than “perfect” if compared to that of Secretary A (that review which looks “flawless” and states that everything was perfect and there is nothing that could possibly be done better). This team (Secretary B) felt that this is what a performance review should look like for an outstanding employee.

We have all seen these variations on interpretations of performance reviews. If the firm has a flat scale (all employees receive a certain percentage of salary increase and/or bonus for number of years), the review may not seem like a method that employs best practices for our employees. Conversely, if the review is based on a subjective tool where “reward” only comes by being “better” or the “most outstanding” on a team compared to similar peers, that too may not seem like an ideal tool to encourage best employment practices. One harsh critique may be that the Pay-for-Performance scale may be putting the “I” in “TEAM.”

Under the Pay-for-Performance model, it is possible that Secretary A would have better compensation than Secretary B as a result of these evaluations because the evaluation is for the performance. If performance means all perfect ratings is what gets you better compensation, in this scenario it is possible that Secretary “B” would be penalized for having critical feedback and measurable goals listed to improve future performance, only because that review team felt that is what is best for the employee’s growth and development.

(Continued on page 22)

Pay for Performance for Non-Attorneys

(Continued from page 21)

Is Differentiation Needed for this Model to Work?

Perhaps the Pay-for-Performance model only works smoothly for attorneys? One could argue that they have more definite, measurable goals (i.e., Was the case won? Was the case won within a specific time frame? Were billable hours reduced by utilizing more efficient research methods? How many new clients has the attorney brought to the firm?). It appears much more difficult to translate this to non-attorney staff.

One consulting group that has researched this topic opines that Pay-for Performance "...does neither create nor improve performance, nor does it help to attract or retain "High Performers"....There is a suspicious lack of empirical evidence that the current obsession with establishing pay-for-performance strategies and incentive pay environments actually results in anything but a singular spike of increased output" (TWC website).

According to this particular consulting group, they analyzed dozens of studies over the past three decades and came to the conclusion that "...people who expect to receive a reward for completing a task or for doing that task successfully simply do not perform as well as those who expect no reward at all" (TWC website).

This presents some excellent food for thought, as we want to provide both our clients and our staff with the most attractive model for them. While the client may perceive the Pay-for-Performance to benefit them on the bottom line, it can be argued that in the long run this is not the best model for compensating staff, as it can degenerate employee satisfaction at doing their jobs well, because they want to and not because they are expecting a specific reward.

That is not to say staff or anybody should not be recognized for a job well done at consistently high standards and the utmost professionalism! But to implement a system whereby cooperation and team work could be replaced with "win or lose" competition most certainly does not seem to be ideal, at least in terms of non-attorney staff. This is where that silver lining comes in—perhaps it is a good thing our legal community takes a little longer to embrace new models—in this particular case. It would behoove us to see how this model is playing out and we may be not be so quick to jump on the bandwagon until we see where it is going, and if it in fact, is a helpful tool to benefit both our clients AND our staff.

Summary

Pay-for-Performance is a newer approach to compensation that seems to have some early successes at the attorney level, though it is still an emerging approach to compensation not yet widely embraced at law firms country wide. Looking to extend the Pay-for-Performance model to non-attorney staff opens up the debate on the value of and objectivity of performance reviews in general, and also brings into question how well this model is

able to be adapted within this group in the legal environment. Concerns exist in terms of fairness in evaluation of employees, and also in not creating the wrong type of competition between coworkers.

There are still strong proponents of the traditional Lock-Step compensation model, where the employee salary is based purely on their seniority. Supporters of this method argue that this promotes loyalty and that it discourages intra-office competition. They believe this allows for a more flexible workplace with less need for on-going performance evaluations. Critics, of course, point out that they feel the Lock-Step approach reduces incentive for employees to improve their performance. Also there is concern that it provides no accountability for employee productivity, and there is no reward for the going "above and beyond" employee that is undercompensated, only because they are less senior in their position.

One approach some firms are taking is to modify the Lock-Step system and allow for performance based bonuses/acknowledgments/promotions. Others are looking to pull concepts from Pay-for-Performance and Lock-Step that work and create an entirely different compensation approach altogether. Rather than employ a cookie-cutter solution, perhaps a law firm's compensation system should be tailored to meet the needs of that particular firm.

Resources

1. U.S. Office of Personnel Management, Performance Management Measuring: "Measuring Hard-to-Measure Work: Secretary" <http://www.opm.gov>.
2. TWC Consulting Web Site: <http://twc-consult.com/about.html>.
3. <http://Salary.com/Productivity-Bonuses/>.
4. Workforce: Pros & Cons of Pay for Performance. Workforce, February, 1999, Vol. 78, No. 2, pp. 68-72.
5. "Trends in Partner Compensation Systems in Law Firms" by Colin Cameron. <http://lawprofitability.com/2011/05/11/1019/>.
6. Workforce: Why Can't HR Solve the Performance Management Puzzle? Workforce, Compensation Force Blog, June 29, 2012.
7. Case Studies on Pay for Performance, Feb. 19, 2010, Compensation Today, <http://www.payscale.com/compensation-today/2010/02/case-studies-on-pay-for-performance>.
8. Balancing the Pay Scale: 'Fair' vs. 'Unfair' – Knowledge@Wharton. May 22, 2013. <http://knowledge.wharton.upenn.edu/article/balancing-the-pay-scale-fair-vs-unfair/>.

Michelle Cohen is Director of Human Resources at Schneck Law Group, LLC in Livingston.



THE NLRB HAS MADE LIFE MORE DIFFICULT FOR EMPLOYERS – EVEN IN THE ABSENCE OF A UNIONIZED WORKFORCE

BY CHRISTINA A. STONEBURNER, ESQ.

As union enrollment declines nationwide, the National Labor Relations Board (“NLRB”) has been aggressively trying to prove its relevance. In recent years, the NLRB has tackled the issue of social media policies. This scrutiny has arisen precisely when employers have been faced with growing concerns about posts from employees that can lead to harassment claims, negatively impact companies’ reputations, or reveal confidential and proprietary information. The NLRB focus has made it more difficult for employers to address these issues.

In Costco Wholesale Corporation and United Food and Commercial Workers Union, Local 371, Case 34–CA–012421, the Board reviewed several portions of Costco’s employee handbook to determine if those provisions chilled employees’ protected concerted activity under the National Labor Relations Act (“the Act”).

The Act provides in part that employees have a right to engage in “concerted activity.” Concerted activity is defined as activity taken for the employees’ mutual aid or protection regarding terms and conditions of employment. Employees have the right to engage in concerted activity even in a non-union setting. Section 8(a)(1) of the Act prohibits employers from interference, restraint, or coercion directed against union or collective activity.

Notably, one of the provisions challenged in Costco’s handbook was the “Electronic Communications and Technology Policy.” The Union challenged several provisions of that policy, including the following statement:

“Any communication transmitted, stored or displayed electronically must comply with the policies outlined in the Costco Employee Agreement. Employees should be aware that statements posted electronically (such as online message boards or discussion groups) that damage the Company, defame any individual or damage any person’s reputation, or violate the policies outlined in the Costco Employee Agreement, may be subject to discipline, up to and including termination of employment.”

The NLRB found that this provision violated Section 8(a)(1) because the statement that an employee may not damage the Company or defame any individual could be read broadly enough to prohibit employees from discussing terms and conditions of work.

The NLRB also found unlawful a provision that confidential information about employees (defined as name, address, telephone and email) not be disclosed and another provision prohibiting employees from discussing private matters such as FMLA leaves, ADA accommodations, workers’ compensation injuries, and personal health information. Costco likely had these provisions put into place to comply with confidentiality requirements set forth in other laws such as the ADA and HIPAA. The Board found that the provision directly restricted the discussion of terms and conditions of employment even though Costco argued that they were merely protecting the confidentiality of employees’ medical conditions.

Employers will need to review similar policies to insure that confidential medical information such as health conditions and treatments are not disclosed, but that the policy is not so broad that it can be read to prohibit an employee from requesting a leave or other benefits or protesting an improper denial of leave or accommodation.

Finally, the Costco decision concluded that a confidentiality policy that prohibits employees or could be read to prohibit employees from discussing payroll information unlawful. Employers often seek to prohibit employees from discussing salaries in order to prevent morale problems; however, the NLRB will find a policy prohibiting or could be found to prohibit the discussion of wages, bonuses, raises unlawful.

In the two years since the Costco decision, the NLRB has continued to challenge policies that it believes too broadly prohibit employees from saying anything negative or from discussing “confidential” information. Recently, this focus has turned to employers’ severance agreements. Typically, most employers who provide severance include a release of all claims. Employers assume that, once signed, the employee cannot file any claims against the employer. However, the NLRB is not bound by the release and can proceed with a charge against the employer.

In general, the NLRB looks at several factors to determine whether it should defer to the terms of the severance agreement and deem any claims against the employer to be waived: (1) whether the parties have agreed to be bound, and the position taken by the General Counsel regarding the severance; (2) whether the severance is reasonable in light of the violations alleged, the risks

(Continued on page 24)

The NLRB

(Continued from page 23)

inherent in litigation, and the stage of litigation (if any); (3) whether there has been any fraud, coercion, or duress by any party in reaching the severance agreement; and (4) whether the respondent has a history of violations of the Act or has breached past unfair labor practice settlement/severance agreements.

In order to increase the likelihood that the NLRB will defer to the terms of the severance agreement, employers should insure that employees are given reasonable time periods to review the agreements and recommend that employees consult with counsel before signing the agreements. In addition, a recent NLRB decision, Pratt (Corrugated Logistics), LLC and Teamsters Local 773, Cases 04-CA-07963, 04-CA-079858, 04-CA-079976, and 04-RC-080108 (February 21, 2014), suggests that employers should be careful when including broad confidentiality and non-disparagement provisions in severance agreements. Specifically, the decision criticized terms in the employer's severance agreement that prohibited employees from discussing the contents of the severance agreements or from "disparaging" the employer.

Employers with non-unionized workforces may be tempted to ignore the recent NLRB decisions. As was noted above, employees in non-union settings still have the right to engage in concerted activity. Complaints that employers have infringed on this right may still be brought before the NLRB even where no union is involved. Employers need to review their severance agreements and handbook policies to insure compliance with the National Labor Relations Act and to see whether the policies needed to be revised in light of recent NLRB activity. Generally, policies have been upheld that contain more specific prohibitions rather than a vague statement that employees cannot disparage the Company or employees. Policies should contain specific examples of inappropriate conduct, such as conduct that violates the company's anti-harassment and discrimination policies or is threatening. In addition, where employers are trying to protect confidential information, they should be specific as to what that means. Trade secrets, marketing plans, customer lists and preferences, and manufacturing processes are all examples of items that can be deemed confidential. However, employers should be careful about defining as confidential "payroll, personnel information and policies," all of which could be interpreted by the NLRB as chilling concerted activity.

Christina A. Stoneburner, Esq., is a partner at Fox Rothschild LLP in Roseland, NJ. She counsels clients on complying with applicable federal and state laws and developing strategies to avoid liability. To reach Christina for more information, please contact her at 973-994-7551 or cstoneburner@foxrothschild.com.

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GETTING YOUR MONEY'S WORTH-OR- HOW TO ASK FOR A RAISE

BY KAREN M. STEINBERGER, CLM

You feel that you have contributed to the success of your firm and that you consistently add value, but quite a bit of time has gone by with no mention of an increase in your compensation.

There's nothing worse than feeling that you are not being compensated fairly for all of your hard work and the great job you are doing, and you have decided that it's time to do something about that. What should you do? Although the answer to that question depends greatly upon your specific circumstances, what follows is my attempt to provide some thoughts for your consideration to be applied to your particular situation.

Approach this as you would any project you do at the firm. You must be certain that you are objectively reviewing your performance, that you have carried out your duties in stellar fashion, and that you deserve more money. Once you are certain that an increase is warranted, prepare your case by identifying all you have done. What are your daily responsibilities (which often go unnoticed)? What things you have carried out in stellar fashion? Although you are not a timekeeper, your value can be measured in other ways which you need to identify. What new/improved initiatives have you spearheaded? What cost savings have you adopted at the firm? What new systems have you implemented? What other tangible factors have contributed to the firm's bottom line? Outline your responsibilities and accomplishments since your last increase—all of them. This exercise will help to bolster your confidence and assist with your argument.

You will also want to review the amount of increase that is appropriate. Determining this is a slippery slope for sure, but our chapter Salary Survey, the national ALA Survey and legal recruiters can provide you with guidance. If your firm has certain percentage guidelines that are used for other positions, perhaps these can provide a benchmark. Consider the number of years you have been in the field and the length of time with your current employer as factors. Another option might be to tie your increase to the profitability of the firm, or a bonus structure based upon a favorable outcome. Remember that as an administrator you have the privilege of knowing the firm's confidential information, including partner salaries. Be sure your expectation is realistic in comparison to your firm's

overall salary structure. In any case, the amount you seek should be completely appropriate considering your successful performance. Be fair and objective when considering this number.

Once you have identified all of your responsibilities and accomplishments and have your sights on the raise you are seeking, prepare for "the discussion." Self-confidence is key. If you don't project confidence in requesting a raise, why should anyone grant one to you? Remember that you are in your current position because you are an administrator. You manage people and problems and create opportunities for your firm, you are a valuable part of the firm's infrastructure, and you are a qualified professional who deserves to be respected and treated fairly. So dig deep within and make sure that you have the confidence to proceed. Be prepared to exude the same confidence for this endeavor as you do for everything else.

Once you're ready, identify the person you need to approach on this topic, his/her personality, and your relationship. If they are a "no nonsense" type, perhaps the correct approach would be to set up a time to meet with the clearly stated objective of "revisiting your salary." For a more nuanced approach, you may bring it up in the context of another conversation. Perhaps the person is a bit more "thoughtful" and requires time to digest things, in which case an excellently crafted Memo for review prior to a discussion might be the way to go. Whatever your approach, you should be straightforward about what you want and be prepared to explain exactly why you deserve this consideration.

Now that you are prepared to approach the appropriate person for your well thought out discussion, pick the right time: Timing is everything. Does your firm consider salary increases at one's anniversary date? On a particular date annually? Would it be better to approach this at a time when the management of the firm is considering associate raises or partner compensation, or is this best left to a time when no one else is under consideration? Be sure to evaluate the financial health of your firm; it's certainly not a good idea to ask for a raise when the firm's revenue is down and folks are scrambling.

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MOVE NETWORKING INTO THE 21ST CENTURY WITH MOBILE TOOLS

BY ANNE ITRI

If you've ever attended a professional conference, chances are you met a lot of new people, collected stacks of business cards— and gave out a stack of your own cards. At the time, you may have had every intention of capturing the information on the business cards you collected for future use. But more likely than not, the business cards remained in the bag you took home from the conference and were eventually tossed. Your cards likely met the same fate.

It's not that the contacts you made weren't valuable, it's that while the way we communicate in business has undergone a full-fledged revolution. The tools we use when we connect with potential partners and clients at events has remained essentially static. Printed business cards remain the gold standard in portable professional identity management, and while many of us use mobile communication tools like websites, social media pages, online portfolios, video pitches, etc., we don't always make it easy for new contacts to store our information and find relevant links.

The reality is that most people you meet aren't going to remember that they have your business card, or type in your website URL and review your information. But you can make it easy for them to store your contact information on their smartphone and provide instant access to the information you want them to see online. Mobile networking tools bridge the physical and digital divide, enabling your printed business card to connect contacts to your online presence.

With the right mobile identity management partner, you can link your printed business card to a mobile-optimized site via a custom URL in your email signatures, text messages and other online communications or a scannable QR code to bring your digital business card up on any device.

A digital approach can allow clients and prospects to download mobile business cards, view common connections on LinkedIn or Facebook, instantly access handpicked links, profiles, videos and other online content to put your professional credentials in the most favorable light. Instead of hoping your new contacts remember to fish your paper business card out of a bag when the conference is over, with the right digital identity management strategy, you can track scans and downloads from an online dashboard so you'll know when a connection is made. And you can be sure that your information stays up-to-date since you control the content online.

In addition to saving users a ton of time and money by eliminating the need to manually enter in contact information, mobile networking tools are an excellent icebreaker. Use of QR codes is increasingly popular, with more than 24 million scans (181 per minute) in the third quarter of 2013, according to The ScanLife Mobile Barcode Trend Report (<http://www.scanlife.com/trend-reports/q3-2013>). And although the concept is quickly catching on, having a scannable QR code on a business card is still something of a novelty, so QR code-enabled business card users stand out in the crowd. Best of all, it's a much more efficient and effective way to share and manage contact information.

If you're ready to modernize your approach to networking, there are a number of technology options available. With a new digital toolset and well-designed mobile identity management strategy, you'll be better prepared to move your networking practices into the 21st Century.

*For more information about a new networking tool, **Vizibility** (www.vizibility.com), or to request a demo, contact Anne Itri at aitri@aslegal.com or 908.347.7267. Anne's mobile business card can be found at <http://aslegal.me/AnneI>.*

Getting Your Money's Worth

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Asking for a raise is never a pleasant task; and, like all things in life, you may not always be as successful as you hoped to be. Should that happen, review your options and plan a strategy that you feel is best for you. You may wish to pursue the decision by inquiring what things you need to improve in order to obtain an increase (or a better one); you may ask when a more appropriate time might be to be reconsidered (and follow up at that time); or, you may find that you have reached the top of the scale at your firm and need to decide whether to accept that or explore other opportunities.

Whichever way it goes, always remember to stay professional and do what you feel is best for your professional future. Good luck!

Karen M. Steinberger, CLM, is Executive Director at Saiber LLC in Florham Park.

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BY MARY ELLEN DOLAN AND LOUISE RUFFO



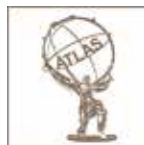
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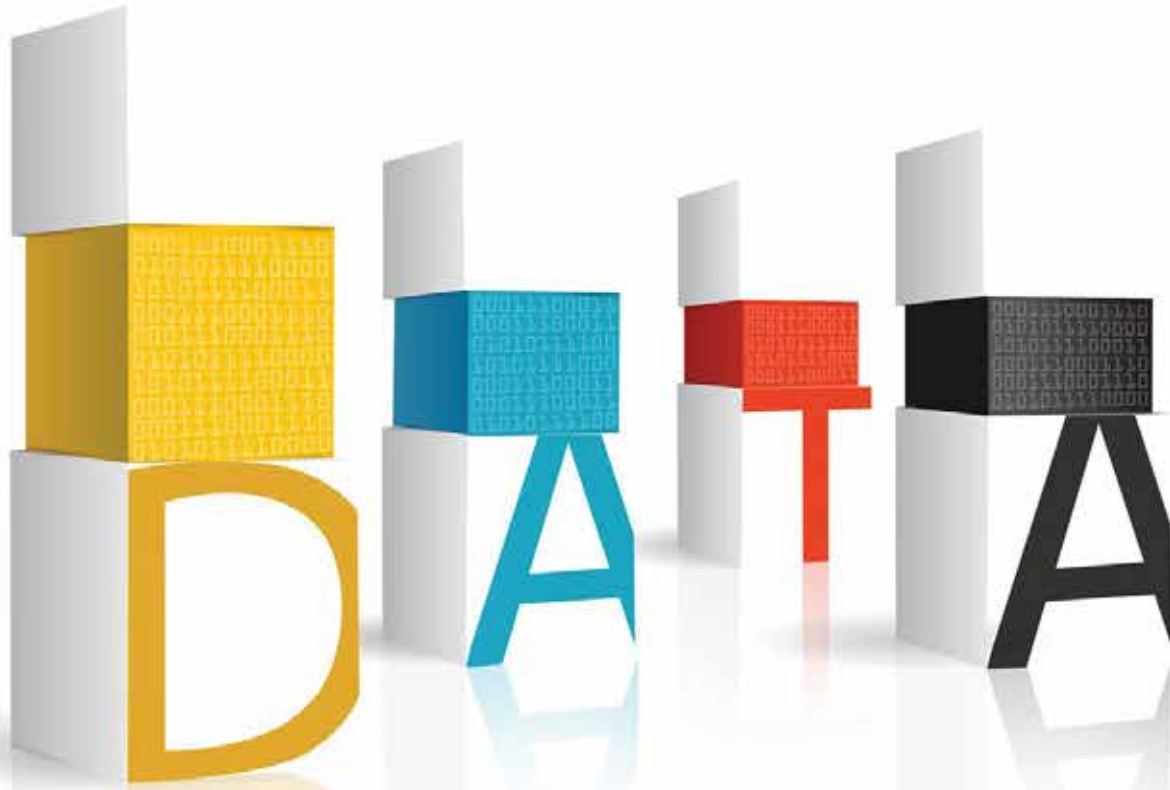
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- 60% of small businesses will close their doors within 7 months of a data breach.
- The FBI called "law firm security" the "soft underbelly" for the cybercrime market.
- Cybercrime is responsible for stealing at least .64% of the U. S. Gross Domestic Product annually (in 2013 the U.S. GDP = 16.8 Trillion U.S. Dollars; .64% = \$107.52 Billion U.S.).

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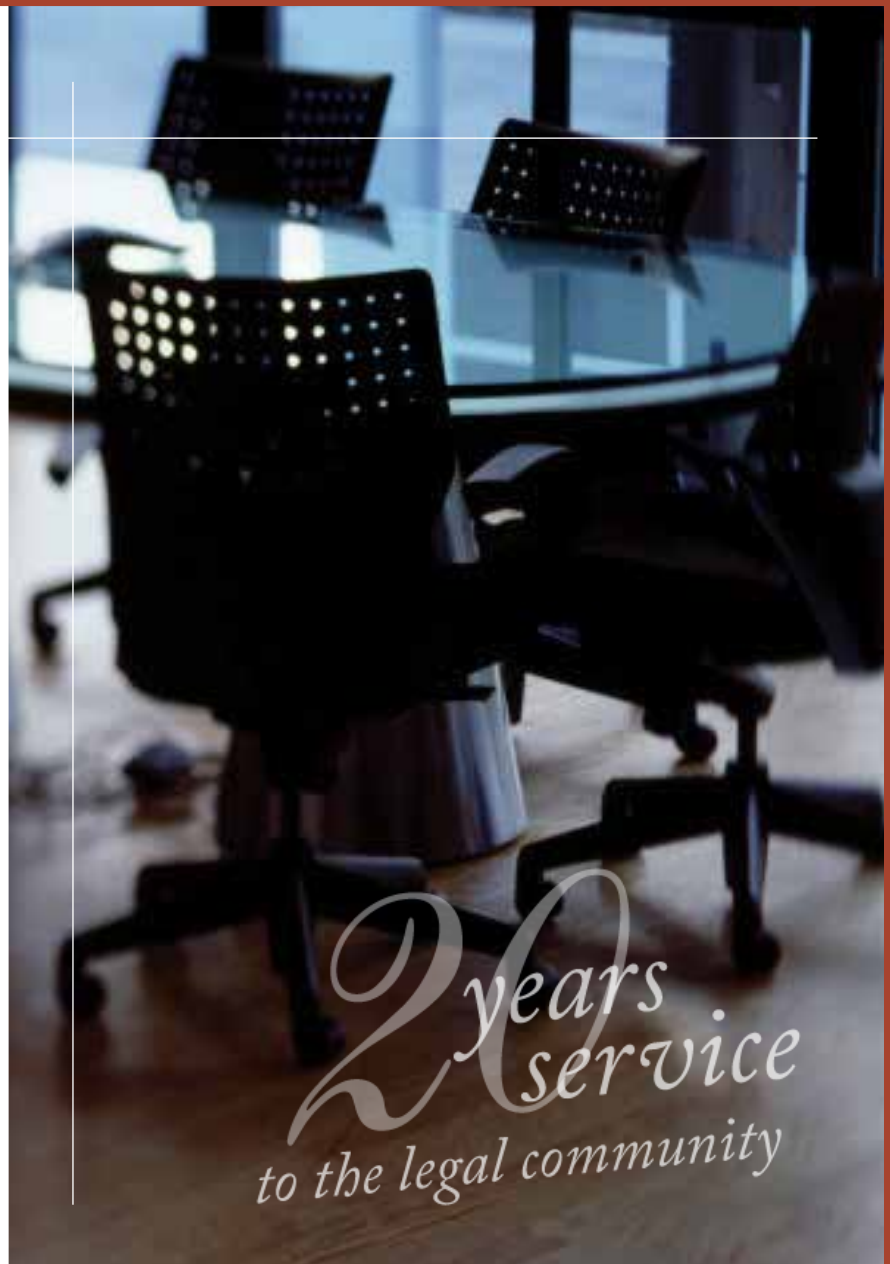
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