

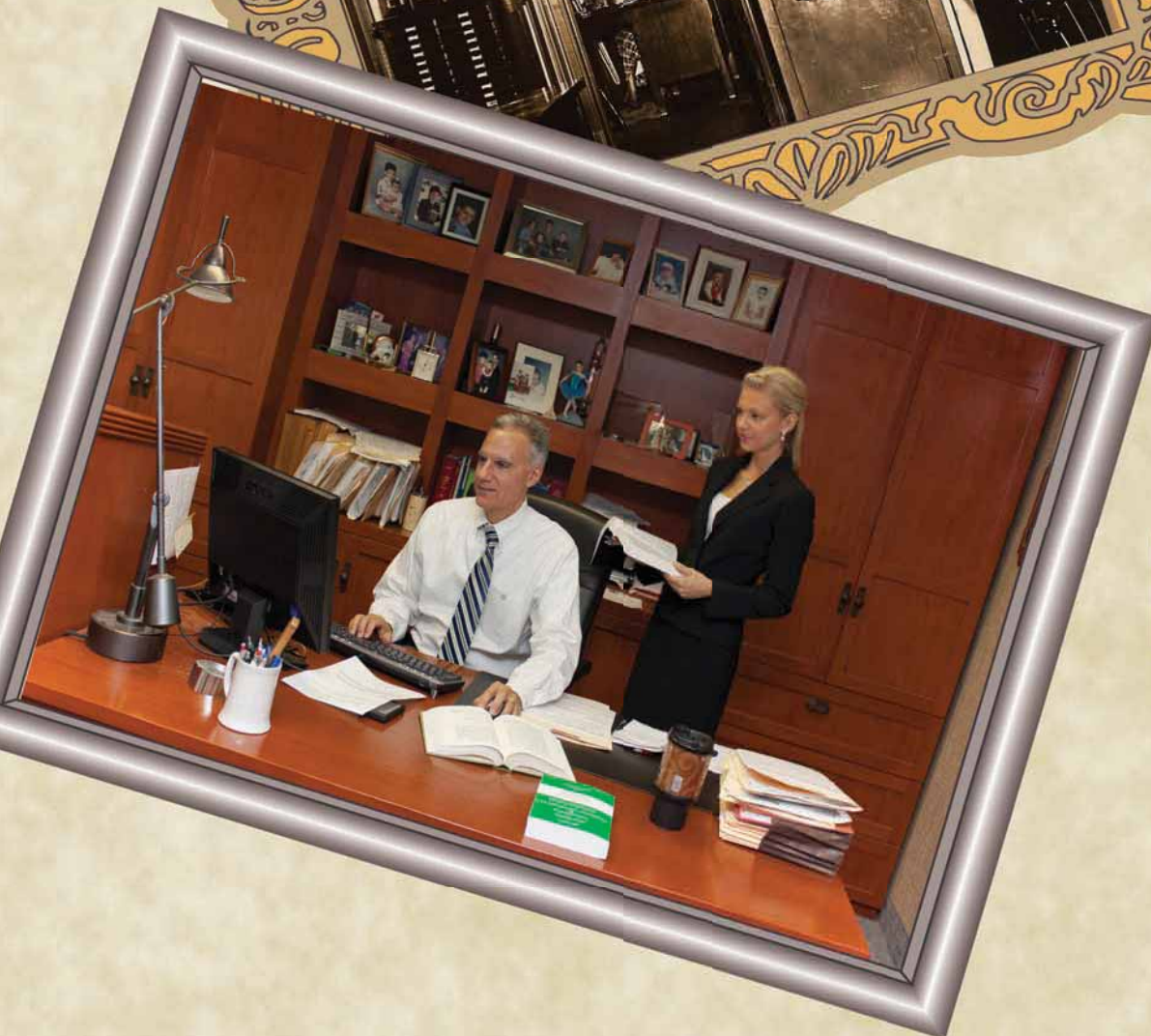
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ON THE COVER

As the NJALA celebrates its 45th anniversary, the *Jer-Z-Journal* takes a look at the typical law firm, past and present. Take a nostalgic journey with us as we explore the differences between the way firms were managed “then” versus how they are “now.” Which was better? You decide!

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FORTY FIVE AND FABULOUS

BY GAYLE P. ENGLERT

In 1967, a small group of legal administrators got together to form the NJALA. Their goal was to provide a resource to assist them in the management of their law firms. In 1967, I was four years old, and my goal was to meet Mickey Mouse on our family trip to Disneyland. Thankfully all goals were achieved successfully. The NJALA has continued to grow and prosper, and I met Mickey and even got to shake his hand.

As the NJALA celebrates its 45th anniversary, I think about “then” and “now.” Just like generations before me, I realize how much has changed and how much has remained the same. They say that we all become our parents. While I hate to admit it, it is true. Too often these days, when I speak I sound exactly like my mother. While I fought with her during my childhood and adolescence, now I understand exactly where she was coming from. It is hard for me to believe that I am now one of those people who says, “When I was a kid things were better.”

Many of us apparently long for the days gone by as numerous companies are marketing products using campaigns that were popular 30 years ago. Sales have been so strong that some of the companies plan to continue the use of this retro packaging. So what is it about the past that we find so endearing?

While it is absolutely fabulous that I can multitask and write this article on my BlackBerry while I am at the airport waiting to board my plane to attend the ALA Chapter Leadership Institute, I do remember fondly the days when I first started working at a law firm, more than 25 years ago. When you left the office, you actually left the office. There was no voicemail, and you weren't expected to be connected 24/7, or to respond to an email in a nano second. Remember typewriters? How about rainbow copies? What about shorthand? When Xerox Memorywriter Typewriters came along we thought that was progress!

In reality, as they say (whoever “they” are), the more things change, the more things stay the same. At the NJALA, we continue to assist each other in the management of our law firms. This year, I had the pleasure of taking my nieces and their children to Disney World, and as such, my nephew could meet Mickey Mouse. I must say that Mickey looked as good as he did in 1967. I do find comfort in this and knowing that just as many of us survived our youth. Even though we drank from garden hoses and did not use hand sanitizer, we will come through this next phase of progress, too, whatever it may be.

As much as things have changed over the last 45 years, many of this issues and events that we faced in 1967 are similar to what we are dealing with today.

In 1967, interracial marriage was declared constitutional by the Supreme Court. Recently, the NY State Senate passed the Marriage Equality Act.

In 1967, the first Super Bowl was played between the Green Bay Packers and the Kansas City Chiefs. The Packers took home the trophy. This past February, the Green Bay Packers faced the Pittsburgh Steelers in Super Bowl XLV. Again, Green Bay was victorious.

In 1967, strikes by teaching staff were held throughout the country for pay increases to keep pace with inflation. In July of this year, the Save Our Schools March was held in Washington, DC, by those who were seeking ways to reform public school education, teacher performance, and rewards systems.

In terms of popular culture, in 1967, Bob Dylan and Aretha Franklin were among the popular musicians. This year, both have concert dates scheduled.

In 1967, the musical *Hair* opened on Broadway. In the past year, the revival of *Hair* had two tours on Broadway and won the Tony award for Best Revival.

Forty five years ago, *General Hospital* and *Jeopardy!* were popular television programs. They both remain fan favorites today.

I would like to take this opportunity to thank our members and business partners for your continued participation in our chapter. As a result of your support, our chapter continues to thrive. Your membership and sponsorship are key to our continued chapter success. We welcome your suggestions. If there is anything that we can do to enhance your chapter experience, please contact me or any of the members of our chapter leadership team.

Happy Anniversary, NJALA. I cannot wait to see the next 45 years.

Gayle P. Englert is the Director of Human Resources of Cole, Schotz, Meisel, Forman & Leonard, P.A. in Hackensack



YOU CAN LEARN TO MANAGE STRESS

BY ROBBIN DOLAN, CLM

Perhaps you've noticed it, maybe increasingly over the last few years. Sour moods that last longer than they used to. Sharp words with strangers or heightened agitations while driving. Maybe a nagging feeling of hopelessness? The bad economy, constant negative news, and daily financial struggles at home and at work put stressors on our bodies that, over a long period of time, can cause major health issues. Never mind the quality of life effects.

Some years ago my father-in-law snickered at a news report on the negative effects of stress. He said he had no idea what that was, and thought it was just another fad. Fast forward a few years, and he loses his job when his company goes bankrupt. Needless to say, he changed his tune. Now he finally understands what stress is, and how badly it can affect every part of life. And all this time I kept wondering how he lived a stress free life for 50+ years!

“Stress management really begins with you and your responses. It is not easy. It requires a focused effort to manage the way you react to normal every day stressors.”

We all feel stress at one time or another—it's part of being human. It's something you can learn to deal with. There are techniques you can follow to reduce the effect that stress has on your body and your mind. Normal every day stress may actually be good for you. It helps you complete that assignment on time, or make it to that appointment. It's when there is too much of that every day stress that you need to be concerned. Most importantly, there are many things you can do to help you reduce stress and live a more balanced life.

Too much stress can have significant adverse effects on your mind and body. Some health effects include insomnia, gastrointestinal problems, increased heart rate, weight gain or loss, and depression. Constant stress can result in too much cortisol being released in the body, which impairs the immune system and can lead to organ damage. To be healthy, you must learn how to manage stress, as you will never be able to get rid of it completely. The dog will still get sick on the rug and the car will still break down. However, if you recognize it, you can employ some immediate steps to manage it so that it doesn't lead to long term health issues.

Simple Techniques to Employ at Work

There are many techniques you can follow to reduce the effects of stress on your body and mind. Here are useful ones that you can employ during your daily workday:

Learn deep breathing techniques. Sit straight up in a comfortable chair, with your feet planted naturally and your hands gently folded in your lap, eyes closed. Close your mouth and slowly breathe in to the count of four. You should breathe from your gut, not your chest. Hold the breath for four seconds, then forcefully breathe out from your mouth for a count of eight seconds (or as long as you can). Repeating this breathing technique for several minutes, two or three times a day, will dramatically improve your stress level.

Get up and move every hour. You don't have to walk for a long period of time to get the mental benefit of endorphin release that comes with body movement. A short walk up and down the hall will suffice. Do some very simple standing yoga stretches (such as Upward Salute) at your desk.

Make sure you follow ergonomic guidelines. Properly adjusted chairs, keypads and screens will reduce stress on your body as you work. Make sure your mouse is placed level with your wrist by using a mouse platform next to your keyboard.

Take a short break while sitting. Close your eyes or glance off into the distance every so often. This not only helps reduce mental stress but reduces eyestrain, especially when you are staring at a computer screen all day, the way most of us do.

Eat properly. We are often so busy we forget to take a proper, well-balanced meal. To get really good nutrition you need to not only plan your meals in advance, but you also need to make sure you make the time to eat them. And eat slowly. A fast-eaten meal upsets your digestive pattern, creating even more stress.

Employer-Provided Programs

Many employers provide stress management programs as part of an employee health and wellness program. A survey of some of the NJALA member firms revealed several have stress management programs, for staff and attorneys alike. Often these

(Continued on page 6)

You Can Learn to Manage Stress

(Continued from page 5)

programs revolve around fitness and well-being. Sometimes insurance companies are involved to the extent that they provide wellness services. Some firms even have gyms in their offices for employees to use before, during, or after work.

A simple law firm stress management program might include:

Employee Assistance Program. If you have an employee assistant program, the providers can counsel employees or direct them to the appropriate support program. In addition, some provide free lunch-and-learn sessions on stress management.

On-Site Relaxation Programs. Many yoga or tai chi instructors are willing to come to your office at lunchtime to conduct a short but beneficial class.

Start a wellness or fitness challenge. Several members reported sponsoring these programs for their employees. One firm holds a "Spring Challenge" every year, where offices compete for the most steps taken. Many firms support employees who enter marathons and 5K walks that benefit charities.

Stress Management

While the employer can have a dramatic positive impact on the health of their employees, many of us don't have the luxury of big firm perks. Therefore, we must learn how to manage stress on our own. Stress management really begins with you and your responses. It is not easy. It requires a focused effort to manage the way you react to normal every day stressors. But the benefits to successful stress management are enormous, in the form of improved mental and physical health and vitality.

There are many things you can do in your own life to improve your mental and physical well being by reducing stressors.

Avoid the stress. While there are some problems that just can't be avoided, like the dog getting sick, you may be able to avoid some stressors, or at least reduce their impact on you. For example, if you really don't want to do something that is asked of you, and you have the right to say "no," then say it. Avoid these stressful situations any time that you can. Personally, I don't like sitting in Friday night traffic because it is stressful to me and just about everyone else. So I have found a route home that, while it may take longer, is leisurely, peaceful, relaxing, and is a much better alternative for me.

Control your reaction. Believe it or not, you can control your reaction to the situation and thereby reduce the stress it will cause. For example, when the dog does get sick on the rug, you can manage your reaction by pausing and taking deep breaths, like those described above. This will help you maintain your heart rate and reduce the impact.

Exercise. Daily exercise has many proven benefits for you, both mentally and physically. Even very low impact activity has

been shown to release endorphins that help you fight the effects of stress.

Avoid alcohol. Many people automatically turn to alcohol or drugs as a way to relax. This is a horrible way to try to solve the problems of stress and often leads to more problems.

Get enough sleep. The health benefits of a good night's sleep are innumerable. Getting a good night's sleep will help you better cope with daily stressors.

Relax. Learn how to meditate and practice it daily. Take some time to relax quietly. Turn off the radio or television. Practice deep breathing techniques.

Learning to live with stress and to manage it properly is not easy. But with a focused effort on your part, you can successfully reduce the stress in your life and lead a more relaxed, healthier lifestyle. Your employer can help you, but ultimately you need to learn the tools you have at your disposal right now. Learning stress management will lead you to a happier, more balanced life.

*Robbin M. Dolan, CLM,
is the Legal Administrator of
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Contact information for all board members can be found on page 3 of every edition of the Jer-Z-Journal.



WATCH THE *FINE* PRINT; BE BOLD IN NEGOTIATION

BY MARY A. REDMOND

Leasing allows law firms to add new equipment and conserve cash. However, leasing contracts can contain expensive surprises.

Most firms, large or small, lease some of their equipment. And they're not alone. A U.S. Department of Commerce report indicated that 80% of all U.S. businesses lease equipment.

Leasing is just one of the financial tools a law firm selects to support financial growth. It helps conserve cash, often allowing organizations the ability to finance 100% of the purchase price of the equipment. An additional benefit is that the lease length usually is structured to parallel the organization's useful life for the assets.

Lease paperwork is often quick and easy, while bank loan processes can be cumbersome and time consuming. In addition, banks may want to depend upon firm partners' personal guarantees to approve the lease.

To facilitate the sale, equipment dealers and manufacturers establish relationships with leasing companies. Some equipment dealers can have credit approvals in place before the ink is dry on the equipment sales contract.

Keeping Pace

Equipment salespeople understand the importance of leasing as a sales tool. Almost every manufacturer, equipment dealer and distributor presents lease options to clients with each equipment proposal. They understand the law firm budget constraints, cash flow considerations, year end incentives and that partner distributions require cash in the bank, not funds tied up in equipment that rapidly becomes obsolete.

Ten years ago, staying on the cutting edge of technology did not require equipment upgrades every 12 to 18 months for laptops and every four years for copiers. Today, as technological innovations speed up, networked digital copiers replace inkjet and desktop printers that have expensive replacement cartridges. Cloud computing decreases the need for fully loaded desktop computers.

Headaches on the Horizon

Leases contain 5,000 to 7,000 finely crafted words that are written by leasing companies and their legal advisors. Headaches and surprises hide in the fine print.

Leases seem simple and straightforward in the honeymoon phase and leasing professionals make equipment financing simple by rolling everything into one easy payment. For example, one digital print market leader's payment includes the monthly lease payment itself, property tax, sales/use tax, insurance, maintenance, standard delivery and rigging fees, setup fees,

documentation and Uniform Commercial Code (UCC) filing fees. Coffee and doughnuts are extra.

So how do you know if you are getting the best deal? Is the lowest payment always the best? The "bundled" payment method makes analysis difficult. Analysis is simplified when maintenance is not combined with the portion of the payment that pertains to the equipment. The keys are to remain vigilant, read each lease at least three times, audit all lease invoices and negotiate every lease.

Now what about those surprises? They're in every lease. The following may help your firm reduce total equipment lease spending.

SAVE THE DATE!

Author Mary A. Redmond will be the featured speaker at the NJALA Monthly Meeting on Tuesday, October 4, 2011. She will present a session on "Equipment Leasing: The Fine Print Financial Implications"

(Continued on page 10)

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*New York Law Journal and Legal Intelligencer Polls, 2010; Harvey Research Study, 2010

Watch the Fine Print

(Continued from page 8)

Six Areas to Investigate in Every Lease

1. **Interim or prorate rent:** This is extra rent charged between the equipment acceptance date and the lease commencement date. Some leasing companies assume that they will add in 45 days of extra rent on every lease that is paid quarterly. Quarterly payments are the lease structure most commonly proposed for technology equipment. For a three-year lease paid quarterly, this can increase the total lease cost by 4-5% of the amount financed.

TIP: Establish a fixed amount of interim rent. We recommend that 15 days is adequate.

REAL LIFE: One firm paid interim rent on every lease for \$10 million in technology equipment over a three-year period. This automatically added \$430,000 to the total rent. Had the firm limited interim rent to 15 days, it would have reduced the total additional rent to \$143,000, a savings of \$287,000.

2. **End of Lease Options:** At the end of the lease, the firm should have three options: purchase, renew or return. Surprises occur when the definitions and conditions pertaining to the end options are uncovered.

TIP: Understand end of lease options and definitions of all lease terminology.

REAL LIFE: The following terms and dates were found in a recent lease we reviewed for a client: Acceptance Date, Installation Date, Commencement Date, First Day of Initial Term, Last Day of Initial Term, Scheduled Termination Date and Daily Rental. All of these terms were critical to a full understanding of the lease cost. None referred to the same date during the lease life. Firms must receive satisfactory definitions to all contract date references before executing the lease.

3. **Renewal Option:** The renewal option may be automatic without notice from the lessee and can frequently add 12 extra payments if not monitored closely. Some firms find themselves in an automatic non-cancelable renewal.

TIP: Leases usually require that the firm provide a written end of lease notice no less than 90 days before making the final lease payment. Tricky lease language may require that the notice be no more than 120 days and no less than 90 days before the lease ending date. That's easy to miss. Negotiate when this notice is due before signing the lease and put a reminder on your calendar as well as in your computer software reminder system.

REAL LIFE: One company missed the required notification date by seven days. This added \$85,000 in surprise extra costs for a 12-month automatic extension.

4. **Fair Market Value:** At lease end, there is usually a

purchase stated as the "In-Use, In-Place Fair Market Value" option.

TIP: Never assume that the "In-Use, In-Place Fair Market Value" is the same as the Used Equipment Value. It is not. "In-Use" values can include electrical costs, user training, consulting, and system wiring. These costs increase purchase prices by as much as 5-10%. We recommend a more detailed purchase option process. If the lease total amount is a significant investment for your firm, delete the "In-Use, In-Place" phrase. Negotiate new language that provides your firm with the option to involve two or three appraisers of your selection to determine the Fair Market Value and equally share the cost of the appraisals with the lessor.

5. **Return Charges:** If the firm decides to return the equipment at the end of the lease, packing and shipping charges as well as insuring the equipment is the lessee's responsibility. If returns are not well coordinated, the leasing company may add repair charges, added rent or storage fees.

TIP: Prior to lease commencement, ask the leasing company to provide a copy of the standard repair charges. These fees may apply if equipment is judged to be unacceptable when inspected and returned to the lessor.

This is another case in which knowing potential charges can help the firm make a better decision whether to return or purchase equipment at lease end. Is it better to purchase the damaged equipment or pay to pack and ship it to the leasing company?

REAL LIFE: A firm had to pay a 60-day storage charge during the time the leasing company inspected the returned equipment. In addition, the customer owed unexpected damaged equipment charges although the lessee's IT department inspected all equipment prior to shipping. Was the equipment damaged in shipping? This was difficult to determine without a pre-shipping certification by an acceptable equipment provider.

A lessee told me that the damage charges became a big enough financial problem that for all future returns, the company hired the vendor to inspect, photograph and certify each piece of returning equipment. The leasing company's damaged equipment charges dropped dramatically.

6. **Missing Equipment:** When returning equipment, the lessee owes the lessor for missing, damaged or destroyed equipment.

TIP: With every lease contract, require a copy of the Stipulated Loss Value Table. Aggressively negotiate the values contained in the table. The leasing company says the amount on the table must be paid in order to make the profit the lessor had originally anticipated when the lease commenced.

Watch the Fine Print

(Continued from page 10)

If, at any time during the lease, equipment is damaged beyond repair, the lessee may allow the lease payments to continue as if the equipment were still in good working condition or choose to pay the Stipulated Loss Value of the equipment and terminate that portion of the lease schedule.

If a company continues to make all the lease payments, when the lease ends, the lessee owes either the Stipulated Loss Value amount or the Fair Market Value. Most Stipulated Loss Value Tables have higher values than the Fair Market Value and should be negotiated to a lower amount before the lease is signed.

REAL LIFE: A Stipulated Loss Value Table we negotiated recently showed a three-year end of lease value of 35% of the original purchase price. Are you prepared to shell out \$700 for a three-year old missing laptop that originally sold for \$2,000?

End Game

In addition to understanding the terms of a lease clearly from the outset and monitoring payments during the length of the lease, be sure that, before you sign, you are comfortable with what will occur *throughout the entire lease lifecycle*.

Don't discover at the end of the lease that the only choices you have are to purchase the equipment for an outrageous price, renew the lease for another year, or enter into another lease with the same company under terrible terms.

Remember, almost everything is negotiable if only you ask!

Mary A. Redmond is a nationally known speaker, author and negotiator working in the equipment finance industry for 30 years. Mary created The LeaseSpeak™ System: Your Guide to Saving Money on Leases, and co-created Men and Women do it Differently...Negotiate, That Is! Mary frequently speaks, consults, and writes nationally about negotiation and equipment financing for ALA members. She has written for ALA's Legal Management, and has spoken at the ALA National Educational Conference and for many ALA chapters. You may reach Mary at 913-515-7779 or via email at Mary@ReviewYourLease.com.

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UP TO THE MINUTE ...

SUMMARY OF MINUTES OF THE NJALA EXECUTIVE BOARD MEETINGS HELD MAY THROUGH JULY, 2011

BY ROBBIN DOLAN, CLM

2011-12 NJALA board members are: Gayle Englert, President; Lisa Cuffari, CLM, President Elect; Mary Ellen Dolan, Vice President; Audrey Serban, Treasurer; Robbin Dolan, CLM, Secretary; Fran Puntillo, CLM, Immediate Past President; Sara Diaz, Trustee; Elli Albert, Trustee; Doreen Marino, Trustee; Michael Harrison, Trustee; Mary Beth Donoghue, Trustee; Sarah Clark, Alternate Trustee; Jackie Pampinella, Alternate Trustee.

Membership

Lisa Cuffari reported that as of June 30, 2011, we had 154 members. UPS offered to bring our marketing materials to their client non-member law firms. Everyone agreed this was a great idea and that we should consider doing this with our other business partners as well.

Programs/Workshops

Lisa Cuffari reported on the scheduled speakers for the 2011-2012 year. There is an open session still for January, which will possibly be filled with roundtable discussions.

Robbin Dolan reported on a tentative schedule of five workshops.

Community Challenge

Sarah Clark announced that YCS has requested help doing yard work for one of their residences. Sarah also reported that a representative from Cristo Rey School will speak for five minutes before the Holiday Social to discuss a law firm internship program.

Sarah suggested our Community Challenge initiative be named "Come Grow With Us" and that we incorporate similar efforts throughout the year. One example would be planting a vegetable garden that would become next year's project.

Business Partner Relations

Rose English presented a list of current business partners to the board. This year's Business Partner Expo will be held on September 13, 2011, at Mayfair Farms in West Orange.

Equipment Survey

Lisa Cuffari reported that 53 firms participated in the Equipment Survey, which was sent to the participants.

Publicity/Newsletter

Doreen Marino reported that she and Audrey Serban have taken over publicity for 2011-2012. Elli Albert will continue as advisor. Sarah Clark stated she had an employee who majored in Public Relations and has offered to do free publicity work for the chapter.

Elli Albert reported the Spring/Summer newsletter was delivered in July. Doreen Marino advised that the newsletter committee has started to discuss moving to an electronic version, but no decision has been made.

Compensation Survey

Audrey Serban reported that the Compensation and Benefits survey was completed and is being printed. It should be distributed by the end of July.

Website Liaison

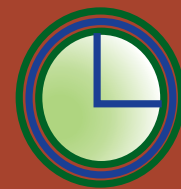
Michael Harrison reported that the website has been updated to include the new board. The group discussed the possibility of adding an "opt out" button to website-generated emails, and also the need to update the website and change hosts. Everyone agreed we want to "move forward" with our efforts, especially regarding the latest technology.

Holiday Social

Audrey Serban reported that Canoe Brook Country Club in Summit has been booked for the holiday social on December 6, 2011.

*Robbin Dolan, CLM, is the Legal Administrator
of Laddey, Clark & Ryan, LLP in Sparta*

A Quarter Past



April, 2011

The April Monthly Meeting was held on Tuesday, April 12, 2011, at the Highlawn Pavilion in West Orange. Three roundtable sessions were held, focusing on Facilities Management, Human Resource Management and Finance. Current topics surrounding employee motivation, compensation trends and electronic document solutions were discussed among the members, and information was shared on best practices.

An Educational Workshop was held on Tuesday, April 26, 2011, at Greenbaum, Rowe, Smith & Davis in Livingston. Michael Feinberg, Esq., of the Greenbaum firm presented, "What to do When Faced With a Nursing Home or Other Long Term Care Situation."

May, 2011

The NJALA Annual Managing Partner event was held on Tuesday, May 10, 2011, at The Manor in West Orange. John Remsen of The Remsen Group presented a very informative session on "Law Firm Strategic Planning" to our administrators and partners. Mr. Remsen demonstrated how firms with strategic plans become more cohesive, more profitable, and more sustainable firms.

The New Jersey State Bar Association Annual Meeting and Convention was held in Atlantic City at the Borgata Hotel Casino & Spa, from May 18 through May 20, 2011. The NJALA co-presented five sessions covering topics such as marketing, social media uses, smart technology decisions, and ethics.



The 2011 ALA Conference & Exposition in Orlando, Florida, was held from May 22 through May 25, 2011, at the Orlando World Center Marriott. The theme for this year's conference was "Imagine the Possibilities." More than 70 sessions were offered throughout the conference. Many of our NJALA administrators had the benefit of attending this year.

June, 2011

The Spring Social was held at the Rock Spring Country Club in West Orange on Thursday, June 9, 2011. Casino Night returned due to popular demand, and members had a great time. All were winners!

The NJALA Golf Outing was held on Monday, June 21, 2011, at the Hyatt Hills Golf Course in Clark, New Jersey. Both members and business partners attended this function. After a two-hour golf lesson for all levels of golfers, a fun-filled best ball competition was underway, followed by dinner and prizes.





THE MORE THINGS CHANGE, THE MORE THEY STAY THE SAME

BY DOREEN MARINO

Secretary: *person employed to handle correspondence and do routine work in a business office, usually involving taking dictation, typing, filing, and the like* (<http://dictionary.reference.com/browse/secretary>).

It's hard to get a clear picture of the origins of the secretary. Prior to women working outside the home, secretarial positions (often referred to as “clerks” or “assistants”) were filled by males. Imagine, for example, Scrooge’s poor assistant, Bob Cratchit. We never quite knew what Mr. Cratchit did, now, did we? Some say he was an accountant, some say he was a clerk. He always looked like he was “keeping the books” or making “journal entries.” It’s not clear, but consensus is that Mr. Scrooge either was a loan shark or ran a very early version of an accounting firm. Mr. Cratchit is a perfect example of the original secretary—he did whatever was needed to be done, and he was Mr. Scrooge’s sole support staff.

Time passed and women in the workforce became more commonplace—with the largest influx of women in the workforce during World War I. Women started filling clerical and assistant positions due to the lack of available men. It is speculated that women brought the “female touch” to the table and, at that time, females began to be preferred over males in clerical positions. At some unknown time, “assistant” was changed to “secretary.”



There was a change in image of the secretary that bloomed in the 1940s and 1950s—an image that continues to haunt the secretarial profession today. This was the “sexy secretary.” There was not much upstairs, but no one really cared about that; the boss was merely looking for a spouse (the secretary was always single). Throughout the years, the countless times that secretaries

were portrayed on TV and in movies as dumb and pretty still continues to stem in this time period.

The 1970s and 1980s brought about the “administrative professional” and the beginning of a true secretarial profession. IBM Magcard Typewriters were commonplace state of the art in the early 1970s but were readily replaced with the Vydec Machines by

1975 (word processors so big they were actually a whole desk, you just needed to pull up a chair). The beginning of technology was emerging and changing quickly. The backbone in spearheading technology throughout the law firm—yup, you got it—was the secretary. The secretary still performed functions like getting coffee and tending to the attorney’s personal errands, but with some resistance.



The secretary became more refined, and in order to shed the image that was created 40 years prior, the secretary strived for a very professional appearance (wearing skirt suits, and white shirts with ties). Though this was happening throughout many professions, the secretary was still struggling with being recognized as a true profession. What was unique (and remains unique) in law firms was the lack of ability to climb the ladder, as secretaries were able to do in the corporate world. There were very limited positions in a law firm into which a secretary could be promoted. Secretaries for solo practitioners or smaller offices became the business managers of the practice, handling everything including paralegal work, secretarial work, ordering supplies, billing, bookkeeping, and even collections.

The most significant changes in the secretarial field occurred after the 1980s. To begin with, schools specialized in grooming secretarial students to work in law firms. Community colleges offered degrees in legal secretarial sciences, and private schools offered specialized legal assistant programs. High schools were teaching typing and shorthand skills. Career development programs focused on service-oriented skills, such as telephone skills.

During the 1990s, the technological era brought significant demand upon the secretarial profession. The goal was for secretaries to become proficient in technology, and be able to produce at least double the volume that they were producing before. Technological training experts were needed, and the secretaries who shined were those that became proficient on the computer and moved into that field. Attorneys still heavily relied upon the secretaries, since the attorneys were not yet the “techy” generation. So the day of a secretary in the 1990s consisted of working for a minimum of two attorneys, taking shorthand, and editing/formatting documents all day. Oh, and yes, they were still getting the coffee and running the attorney’s personal errands. This is actually the time when

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The More Things Change

(Continued from page 15)

many secretaries became the attorney's "right arm." They were involved in the legal process and played a significant (and vital) role in supporting the client.

The turn of the century brought many challenges to the secretarial profession. One of the most prevalent was the new attorney. Attorneys, like the rest of the world, were becoming more and more proficient with technology. Dictation (in all its forms) began to decline steadily as attorneys found themselves more efficient and productive, and were drafting and revising directly on the computer.

The secretary was (and continues to be) faced with yet another professional transition. Secretary/attorney ratios began to climb since the attorney became more independent. Secretaries no longer became involved in the intricacies of the cases on which their attorneys worked since they were no longer involved in the drafting and finalizing stages of the documents. This caused frustration and lack of employee engagement. Emphasis became "getting the documents out the door," which involved more copy/scanning skills, and technological skills for electric filings.

Of course, the law firm supports a range of generations of attorneys. Some secretaries migrate to the more senior attorneys who still rely heavily on the full array of the secretarial skill set. But otherwise, it has been a challenge to keep the secretarial profession engaged in their job function. Many firms are taking different approaches. Some focus on training attorneys on how best to utilize their secretary. Some firms provide formal training to attorneys and have very specific instructions on what is to be handing off to the secretary. Several firms that focus on associate development have pulled back on the attorney's use of the computer by requiring (as part of associate development) that attorneys dictate drafts of their documents. This apparently helps the associate to develop court and presentation skills. But I think in the long run, the secretarial profession has been undergoing some significant changes.

Where is the secretarial field going from here?

Schools today focus on office administration and very few offer even that. The generations have grown up with computers, and utilizing them has become second nature. Enrollment in the office administration field has dropped dramatically over the years. "Spell check" catches most errors. The secretarial candidates are more senior, and we don't often see young talent entering the field. The drills of clanking typewriter keys over and over again for accuracy are over. Building typing speed is a thing of the past.

No one grows up today saying, "I want to be a legal secretary one day." Considering the salaries and overtime ability, secretaries make a pretty good living, so what's the problem? There seems to be a few speculative opinions (i.e., lack of professional growth, stigma of subservience position, salary disparity between staff and attorneys), but none of them are new. There are clear predictions

for this profession as the secretarial field experiences the large anticipated movement into retirement.

The title "secretary" is going away. The identification of "assistant" is much more widely accepted in the profession. Other titles used are "administrative assistant" and "legal administrative assistant." We have returned to this profession's original title of a century ago.

One of the newer paradigms for secretarial support is returning to the secretarial pool. This pool is designed somewhat differently in that it is intentionally filled with very specific skills. For example, a pool of 6 secretaries can be designed to support 30 attorneys in the following manner: one lead secretary who manages the workflow, oversees all the billing and administrative work for all the attorneys, and is responsible for calendaring; two secretaries who focus strictly on word processing; two secretaries who focus on getting the work out the door, including scanning, e-filing, mailing, etc.; and one secretary who focuses on updating all the filing, handles travel arrangements, and performs clerical functions as needed. Each secretary is trained to back up another secretary. The specific functions of the secretaries can focus on particular practice area requirements.

The secretary has also returned to needing to be adaptable and amenable to doing whatever the attorney needs to be done, to help make him more efficient. It is not very clear on what that is anymore, and because a secretary can work for many attorneys, that responsibility can have a wide spectrum of tasks—from billable work to attorneys' personal work to designing attorney presentations to file organization. Secretaries who have specialized in specific practice areas have more of an opportunity to develop very specific responsibilities for the practice area, and take over billable functions.

In a century, the secretary has come full circle. That is not to say that a field or profession should change, after all. An attorney a century ago is still an attorney now: same job, different resources. But the secretary has struggled for many years to raise the bar to a highly regarded and sought after profession.

Having spoken to the mother of a friend, who has been in the secretarial field for over 50 years, she summed it up as follows:

"Fifty years ago I sat at a desk among a pool of secretaries with about six inches keeping the desks apart. We did everything that was needed to be done—no questions asked. Today I sit at a desk among a pool of secretaries, except now a mobile wall separates the desk so we can't talk. Still smaller than a jail cell. We do everything that needs to be done—no questions asked."

*Doreen Marino is the
Director of Human Resources of
McElroy, Deutsch, Mulvaney & Carpenter, LLP*



THE EVOLUTION OF LEGAL ADMINISTRATION

BY KAREN STEINBERGER, CLM

How did this whole concept of the legal administrator start?

Decades ago, lawyers were held out as elite and esteemed professionals who were revered for their knowledge, ability, and command of the written word. They were not thought of as businessmen. They came to the office in beautifully tailored business suits. Legal secretaries dressed to the “nines” and wrote down what lawyers dictated from across their desks in Gregg or Pittman shorthand, which they transcribed using manual typewriters that produced originals with multi-paged, onionskin copies. They were the Della Streets of the Perry Mason era. Although some lawyers recorded time entries, generally, when a matter concluded, the lawyer would think about the work that was done and dictate a bill in narrative format with a lump sum total at the end, which the client paid promptly without question for the honor of having such prestigious representation.

Although Della Street may have ordered paper and pencils when needed, there were no “legal administrators,” and the lawyer in charge (generally the one with the largest book of business—not necessarily someone possessing management skills) handled all of the administrative issues when it became necessary to do so. When the process became burdensome, many law firms shifted the administrative duties to their most senior Miss Street, who was entrusted with the tasks of adopting procedures, making equipment service calls, and perhaps even interviewing secretarial candidates when in need of additional help. Things were beginning to change.

Then something happened to revolutionize the management of law firms. The novel concept of running a law firm like a business started to become a reality. Lawyers were being told at bar conventions and other events that if they ran their firms differently, their good legal work could be transformed into more cash in their bank accounts. Thus the concept of the full-time

legal administrator emerged. Many firms at that time promoted their own trusted Della to be the firm’s first administrator as an obvious progression.

At that time, the role of the administrator was a much narrower one, holding limited management discretion and decision-making authority. In an article from PLI’s 1978 *Course Handbook Lawyer’s Assistant*, Brad Hildebrandt said that an administrator of a larger firm (considered at the time to be more than 12 attorneys) needed “skills in financial management, systems and procedures, word processing, data processing and, most of all, the ability to act as father confessor and resident psychologist.”

“In order to be effective, we must immerse ourselves into the future of our firms and exert the initiative to expand our roles to increasingly add value—and make a real difference.”

In the decade that followed, new responsibilities emerged, including the development of firm policies and planning the firm’s information systems. Administrators became part of the financial analysis, forecasting, and strategic decision-making, along with marketing and attorney recruiting.

I am unsure whether this new emergence was because of the heightened consciousness of law firm managing partners, or because the legal administrators of that time knew what needed to be done and took the initiative to do it. I choose to believe the later. In any event, law firms finally began to recognize the value of legal administrators in the profession. As law firms grew, so did the administrative staff, and the role of the law firm administrator evolved from administrative, to managerial, to leadership in nature.

Legal administrators were islands unto themselves in this Brave New World until 1967, when a small group of legal administrators recognized the need to unite in order to assist one another in the management of their firms. With Joan Stern as President, an organization known as the New Jersey Legal Management Society, later known as the New Jersey Association

(Continued on page 18)

The Evolution Of Legal Administration

(Continued from page 17)

of Legal Administrators, was born. Thus the concept of an administrators' organization was formed, and paved the way for the international Association of Legal Administrators.

The first newsletter of national ALA, with Brad Hildebrandt as President, was printed in May of 1971. The front page of the newsletter read, in part:

You are one of a new profession—a law office administrator or manager. Very few managers existed in law firms just ten years ago. Today, their function and value are recognized by lawyers.

Now for the first time, a national association exists for, and only for, members of this new profession!

Recognizing the value of participation in sharing of mutual problems and solutions, many legal administrators have joined in local units for the betterment of their jobs and careers.

The creation of a national non-profit association, the Association of Legal Administrators, is the result of a need for a wider sharing of information and a pooling of ideas from large metropolitan areas with similar expertise in smaller cities and towns. Through the Association, it is hoped that new recognition will come to the field of law office management and that the prestige of the position can be enhanced through employer education and continuing educational efforts for the members themselves.

Brad Hildebrandt was profiled in that first newsletter, and was described as the office administrator for the law firm of Reavis & McGrath in New York City, who was in "charge of all non-legal personnel, salary administration, purchasing, systems and procedures, coordinating all fiscal aspects of the firm's operations and all firm support services." He was also "in the enviable position of being a member of the Firm Operating Committee and attend(ed) all partnership meetings."

The role of legal administrator has come a long way from those early days of Della Street, and continues to evolve. Like those before us, it is important for us to have the initiative, drive, and knowledge to improve the business of running our firms. In order to be effective, we must immerse ourselves into the future of our firms and exert the initiative to expand our roles to increasingly add value—and make a real difference. In doing so, we not only enrich ourselves and our firms, we enrich the profession, as did the founders of this wonderful thing called "legal administration" many years ago.

Karen Steinberger, CLM, is the Executive Director of Saiber LLC in Florham Park



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What's on Tap

ALA and NJALA 2011 CALENDAR OF EVENTS

Tuesday, September 13, 2011 (6:00-8:30 PM)

The **Business Partner Expo** returns to Mayfair Farms in West Orange. Always one of the highlights of the NJALA season, come and network with over 70 local business partners. Meet new vendors, preview innovative products and services, and enjoy a great evening with your NJALA friends. This year's Expo will feature a scholarship drawing as well as great prizes provided by our business partners. Prior to the Expo, educational workshops will be offered. A buffet dinner will be served.

Wednesday, September 21, 2011 (2:00 PM)

ALA Webinar. Topic: "Ethics in the Wireless World," presented by Michael P. Downey, Esq., of Hinshaw & Culbertson, LLP.

Tuesday, September 27, 2011 (6:00-8:00 PM)

Educational Workshop, location TBA. Topic: "How Do the New 401(k) Rules Affect You and Your Employer?" presented by Eve Kaplan of Kaplan Financial Advisors, LLC. A light dinner will be served.

Tuesday, October 4, 2011 (6:00-8:30 PM)

Monthly Meeting and Workshop at the Highlawn Pavilion in West Orange. Topic: "Equipment Leasing: The Fine Print Financial Implications," presented by Mary A. Redmond, founder of Independent Lease Review. A buffet dinner will be served. **See Mary Redmond's preview article in this edition.**

For information about:

Monthly meetings – Please contact Lisa Cuffari, CLM, of Fox and Fox at 973-597-0777.

Educational Workshops – Please contact Robbin Dolan, CLM, of Laddey Clark & Ryan at 973-729-1880.

NJALA Socials – Please contact Jackie Pampinella of Fox Rothschild at 973-992-4800.

October 13-15, 2011

So you don't think you'll be able to convince your firm to send you to the ALA conference in Hawaii next year? Then consider attending the **ALA Region I Conference & Exposition** at the Omni William Penn Hotel in Pittsburgh, PA! Regional conferences offer all the benefits of the national ones, but in a more intimate setting. Attend workshops, hobnob with business partners, and enjoy plenty of social events with your ALA peers. More information to follow.

Wednesday, October 19, 2011 (2:00 PM)

ALA Webinar. Topic: "Your Firm's Risk Insurance Needs: Professional Liability Coverage," presented by Jennifer A. Ritman, President and Founder of Ritman & Associates, Inc.

Tuesday, November 8, 2011 (6:00-8:30 PM)

Monthly Meeting and Workshop at the Highlawn Pavilion. Topic: "Hiring and Interviewing," presented by Michael Cohen, Esq., of Duane Morris, LLP. A buffet dinner will be served.

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



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THEN AND NOW PILLBOX HATS TO PILL BOX MEDS

BY BEVERLY LOUGHLIN

At my age, I have a lot of THEN. Not so much NOW. Chalk it up to longevity, not a bad thing but for a few twinges, both physical and nostalgic. My principal objection to growing older is that there's no future in it. Two years ago, I attended a dinner party where the host asked us all to name the best period of our lives. Not one of us picked NOW. We all liked THEN, and we were pretty specific about it.

When my children were young, they would ask me my age. For the longest time, I told them I was 29 and holding. They bought it. The ten best years of my life were between 29 and 30.

I wore a lot of hats. Today, if someone is said to wear many hats, it connotes a very busy person. Then, the wearing of many hats carried only one interpretation—that the wearer liked hats. I wore many hats, just not simultaneously. Jackie Kennedy popularized the pillbox hat; I was more of a wide brim gal. I did not know it was a precursor of other, wider brims.

Did you know the bikini was named after Bikini Atoll in the Pacific, the site of an atomic bomb test? Its designer, the French engineer, Louis Reard, hoped that the burst of excitement it caused would be as explosive as an atomic bomb. I remember bikinis. If I wore one today, it would be pretty explosive. I'll go back to the beach when they design an incredibly stunning bodysuit with feet ...hat optional.

I confess to looking back a lot. From my perspective, there's just so much there. I do acknowledge that looking back creates a certain amount of wistfulness. When did skinny dipping become coupon clipping and bar hopping turn into pharmacy shopping. My house and my pill box are both multi-level. When did Charlie Brown's "Good Grief" become so relevant?

Did it begin in the 1960s? That decade set a pretty frantic pace: Bob Dylan, the Beatles, Woodstock and Kennedy, the Hippie Movement, mini skirts, activism, sex, drugs and rock and roll.

Fast forward and Woodstock, the Beatles and Kennedy are but memories. I aged out of The Hippie Movement; now I'm aging out of any hip movement. We maintained our love affair with activism, sex, drugs and rock and roll, and since all of that was so much fun for so many people, we created *Celebrity Rehab*. Hey, we're here to help.

Fiber: I remember when I considered wool, silk and cotton—all natural—as the only fibers I needed. What a difference a few decades make. Spandex, while not a natural fiber, works for me. So does Metamucil.

Let's move on. Technology is so NOW. Or is it? Today, we have Smartphones. Are people any smarter? Phones once had rotary dials. Now, rotaries are retro except in some states where they're traffic circles. Then, shared party lines offered endless eavesdropping opportunities, all legal. Today eavesdropping is considered hacking and, unless you're a cabbie, hacking is most definitely not legal. Telephones were often mounted on a wall and were mobile to the extent we could stretch the telephone cords. Telephone cords? When we left our house, we had to leave the phone behind. How quaint.

Television used to sign off in the early hours of the morning. Today, television and phones are on 24/7. We are never out of touch. Are we any closer? This is our NOW. Someday, it will all be THEN.

Good Grief.

*Beverly Loughlin has been a member
of the NJALA since 1991*

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THE EXTRAORDINARY MANAGING PARTNER:

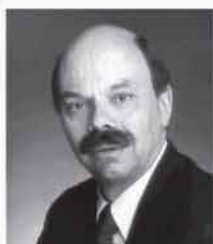
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John J. Michalik, J.D.

Written by **John J. Michalik, J.D.**, former Executive Director of the Association of Legal Administrators (ALA), *The Extraordinary Managing Partner* will be of interest to lawyers and administrators alike – anyone with the desire to become an extraordinary law firm leader.

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NJALA'S RETURN TO THE 2011 NJSBA ANNUAL MEETING

BY SARA DIAZ

Maybe it is a result of the CLE credit requirement for New Jersey attorneys. The attendance at the New Jersey State Bar Association's Annual Meeting has nearly doubled over the last two years. This past May, at the Borgata Hotel in Atlantic City, there were 1900 attendees, 66 educational seminars (presented with the participation of 263 speakers), 76 exhibitors, and attendees had the opportunity to earn 12 CLE credits. NJALA members who are part of the NJSBA's Law Office Management Committee (LOM) organized the law office management track programs. The LOM program track was as follows:

“Converting Contacts into Clients and Referrals”—Donna Miller, Above & Beyond, Inc., and Sean Carroll, WorkLiveDream.

“Making Smart Technology Decisions in a Tough Economy”—Carol Schlein, Esq., Janet Costello, Esq., and Ivo Allen, Hunter Technologies.

“The Online Dimension: Leveraging Social Networking for Business Development”—Nicole Black, Esq., lawtech Talk.

“Ethics: Audit – No Problem”—Mimi Lakind, Esq., Office of Attorney Ethics.

“Social Media Risks & Policies for Law Firms” —Galit Kierkut, Esq., Greenbaum Rowe, et al., and Randi W. Kochman, Esq., Cole Schotz, et al.

The LOM programs competed with the other 61 other legal education programs offered, yet all our sessions were well attended.

The collaboration with the Bar benefits both organizations. We collaborate with the Bar in an effort to raise the profile of legal administrators and promote the benefits of NJALA. In return, Bar members have an opportunity to learn from administrators whose field of expertise in law firm management can be one or several.

As a result of NJALA member efforts in organizing the educational programs, NJALA is given a free exhibit table at the Annual Meeting. The administrators who represent NJALA at the exhibit table have the opportunity to meet attorneys, law clerks, librarians, and paralegals, and briefly describe some of NJALA's benefits. It would be great if we could attract attorneys to join our association, but equally important is spreading the word about NJALA and our members.

Surprisingly enough, we met many in the legal field this year who were unaware of what legal administrators actually do, or that there is a national and local resource available for those in our field. Many still confuse us with the Paralegal Association.

We put our best foot forward by bringing “tchotchkes” (giveaways) that attract the attention of passersby, displayed the NJALA banner, handed out copies of the *Jer-Z-Journal*, and distributed pamphlets describing ALA and NJALA, all of which displayed the new ALA/NJALA color scheme. A sure way to attract people to our exhibit table was to offer NJALA flashing pins. Attendees couldn't help but stop in their tracks to check them out and bring them back to their kids.

If you would like to get involved with the Bar Relations committee or wish to offer your services as a speaker for an upcoming Bar seminar (a number of our own members have served as speakers in past years), don't hesitate to contact Sara Diaz. Also, do not hesitate to contact Sara or one of the Bar Relations Committee members if you have a good idea for a program that we can consider offering at next year's Annual Meeting. The more members who become involved with these efforts, the stronger the bond between our two associations will become.

Sara Diaz is the Director of Administrator of Chasan, Leyner & Lamparello, P.C. in Secaucus



Gayle Englert, Michael Harrison and Louise Ruffo at the NJALA exhibit table.

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