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# THE PRACTICE MANAGER

A NEWSLETTER PROVIDED BY THE LAW PRACTICE MANAGEMENT PROGRAM OF THE STATE BAR OF TEXAS  
WEEK OF April 3, 2006

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## *The Technology Roundup*

Gerry Morris, J.D.

### High Definition Television on your Desktop



The topic of this month's column won't impact your bottom line significantly but, may add in a small way to your quality of life. Occasionally I buy a piece of computer hardware that greatly exceeds my expectations. I purchased something recently that really works well and does exactly what it's supposed to do. Here's the story.

In my type of practice I watch a lot of VHS tapes of, for instance, roadside sobriety tests, police interviews with suspects, etc. Although a lot of jurisdictions are shifting over to DVD there is still quite a volume of evidence recorded primarily on video tape. Rather than clutter up my office with a TV set, I prefer to use some sort of

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## *The Coach's Corner*

Debra Bruce, J.D.

### Ineffective Management Styles



**"We have met the enemy, and he is us."**

~ Walt Kelly in *Pogo* comic strip

Last month we explored some ways to uncover obstacles to good performance by our office talent. We looked at whether they have the necessary training, the optimal equipment and clear instructions, among other things.

What if you've made sure your subordinate has all the equipment and information needed, but you're still getting poor performance? Is it time to terminate him? Perhaps. Perhaps not.

Have you had difficulty finding anyone who could perform these job responsibilities well? Have you had trouble keeping the talent who did perform well? You might first verify that you are paying a competitive salary. If you are underpaying the market, talented personnel may not be attracted to the position, or they may parlay the experience and training they get in your office to a higher paying job.

Once you have verified that you're paying market rates, however, you have to face the possibility that the problem could be a management issue. That's right. *You* could be the problem.

Could any of these management styles describe you? Are you confident enough to show this article to others in the office to ask their opinion? Are you reading this because it mysteriously appeared on your desk?

*The micromanager*. He believes there is only one right way to

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video input device on my computer to allow me to watch the tapes on my computer screen. There are plenty of them on the market. For a long time I had installed on my desktop computer an ATI All-In-Wonder video card that included a TV tuner. I could attach a VHS tape player to the TV input (either coax or RCA inputs) and play the video through the TV tuner software. I could also hook up an antenna or cable TV to the coax input and in theory watch television.

I said in theory because analogue TV reception at my office is problematic. Because of the location of the building and of my office in the building, TV reception is extremely poor. I don't watch a lot of TV there but I occasionally work a weekend when there's a game on I'd like to see or I'll watch the news after hours. The poor reception made watching TV hit or miss. Because I would be a commercial subscriber, the minimum charge for the cable at my office would be more than I can justify for the small amount of TV watching I do. All I really wanted was to be able to watch the local channels.

As we speak (or read) television is going through a revolution. Under current FCC regulations by 2009 there will be no more analogue television broadcasts. (This deadline had been pushed back at least once). By the end of that year all over the air television broadcasts will be digital. The benefit is that far less bandwidth is required for digital signals making way for more channels with more features including high definition pictures.

Those of you who already have HDTV sets with over the air tuners know that in most TV markets of any size there are already digital channels for all the local TV stations. For instance, in Austin all of the network affiliates and the PBS station have digital channels that broadcast the same programming as the analogue channels but in various resolutions of HDTV depending on the network feed. Some programs are in 16 X 9 widescreen format.

Recently ATI (a leading producer of graphics cards) has released a PCI card HDTV tuner called the HDTV Wonder at a street price of about \$100. The card contains an analogue and digital TV tuner. Given the price of HDTV's I thought "How could this thing possibly work for 100 bucks"? I bought one, and to my surprise it works great.

Setup is easy with the included software. The software contains a Media Center application that includes a DVD player (if you have a DVD drive), analogue and digital TV applications and programs to view video files and play CD's. The kit even includes a "set top" antenna that I have sitting on top of my roll top desk. Once the

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software is installed and the antenna is connected, a setup program searches for digital and analogue channels. Also included is a wireless remote that interfaces with the computer via a USB receiver.

Reception at my office is great. As with digital phones, either you have a signal or you don't. There's no snow or interference once you've locked on to the signal. I connected my VHS player to the analogue tuner input to watch video tapes on my desktop.

As I said the card works flawlessly. However there are a couple of things to consider before purchasing one, other than whether there are any digital channels available in your area. First, the video card on your computer must be capable of handling the digital picture resolutions. My All-in Wonder 7500 was not. ATI says any video card with 64 mb of memory and capable of handling Microsoft DirectX 9 graphics drivers (a component of Windows XP if all updates are installed) will work. Postings on various user boards indicate otherwise. I changed out my video card to an ATI 9600 pro at a cost of about \$100 and it handled the HD picture flawlessly.

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The second consideration is that if you are using a PC with Windows XP Media Center Edition as the operation system the HDTV Wonder is compatible but with certain limitations. When you install the software for the card you'll notice that the ATI Media Center application is not installed. This is because Windows MCE will recognize the card and use the Media Center software to operate the tuner. However, Windows MCE will only recognize the card's digital tuner and only then if you have a separate analogue tuner card also installed.

I recently decided to get a faster computer for my desktop and found a deal on a refurbished HP with a lot of bells and whistles including the Microsoft Media Center Edition operating system. MCE is basically Windows XP Professional with the Media Center applications added in. I soon discovered that my HDTV Wonder card wouldn't work "stand alone" with my new computer. I bought a Hauppauge WinTV-PVR-150MCE analogue tuner card for about \$50 online and installed it along with the HDTV Wonder. Everything works fine. The VHS player is attached to the analogue card input and the HDTV card pulls in local TV digital channels. The graphics card on the new computer is an ATI X1300.

If you are willing to pay the price of a cable connection or otherwise just want analogue reception the Hauppauge WinTV-PVR-150MCE is a great choice. The "MCE" stands for Media Center Edition so if you are not running that operation system you should get the plain old WinTV-PVR-150. However, for \$100 you can get the HDTV Wonder with both analogue and digital tuners and enjoy HDTV over the air broadcasts.

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## Law Practice Management Update

Spring has arrived, the days are longer, and, of course, the heat is beginning to rear its oppressive head in much of the state. That being said, summer is just around the corner and so is the State Bar's busy summer-CLE season! Law Practice Management, of course, will be offering a number of CLE programs throughout the state during the summer season.

Our very popular **Legal Support Staff Training** will make its way to El Paso on May 4, 2006. This all-day course is designed for legal support staff in various capacities from receptionists to paralegals, and will take place at the El Paso County Courthouse. This is an excellent opportunity for your support staff to learn about law firm professionalism, word processing and grammar tips, the relevance of policies and procedures, communication strategies, etc. To register your support staff, call 800-204-2222, ext. 1300.

Law Practice Management will once again host management programs in conjunction with some of TexasBarCLE's Advanced programs. In addition to those programs, Law Practice Management will continue to offer webcasts dealing with different management topics monthly. Be sure to check our web site periodically as information on all of these programs will soon become available.

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## Why I Don't Write Good

Susan K. Morrow, Professional Grammar Coach

Why indeed don't you write good—er, well? Most of us are sufficiently adept with English when it comes to writing reports, business correspondence, e-mails, and other necessary evils. However, some little problems tend to stick with people, even really smart and smug people like me!

Where do you have problems with writing at the office? In my many years working in the corporate world, mostly in property and facilities management, I was required not only to write correspondence and inter-office memos (remember memos?), but to complete monthly financial reports, annual budget narratives, and even newsletters. That's right, if you have ever lived in an apartment community and you received a newsletter that looked like it came from the manager's office—I probably wrote it!

Obviously, I am a professional writer and I have a God-given knack for language, but I recognize that I am in the minority. Being left-handed and both-brained, I can understand why many people have trouble with English. Some of it doesn't seem to make sense, right? Say these similarly-spelled words aloud and scratch your head: *tough, cough, through*. Huh?

Okay, so we live in a weird-language world and we have to deal with it. The trick is to find a way to remember the ones you have trouble with. Mnemonics are a great way to remember. When I was in 8<sup>th</sup> grade, my teacher came up with this little ditty to help me remember  $8 \times 8 = 64$ : "I *ate* and I *ate* and I got *sick four* times." I have never forgotten it.

It also helps to understand *why* something is a problem. For example, lots of people say "just between you and I," instead of the correct version, "just between you and me." Why? Probably because your mom said, "Don't say '*me and Jamie are going to the movies.*' It's '*Jamie and I.*'" Mom was right, of course, but the rule is different when you and Jamie are objects.

If it helps, think of saying only one of the objects: "The lady took a picture of him." "The lady took a picture of me." That sounds right, doesn't it? Therefore, it is also correct to say, "The lady took a picture of him and me." You may have to practice this one if you are used to using subjects.

Moving on. Let's look at some of the bugaboos that people trip over most often:

**Apostrophes:** Well, this is certainly a tricky area. As an editor, I see more problems with apostrophes than with other punctuation, verb tenses, or objects and subjects.

First, you have to hammer it into your head about *your* and *you're*. You already know that ***one of the apostrophe's jobs is to replace missing letters in a contraction.*** When in doubt "un-contract" it:

You're = you + are

Your = your (possessive)

This one always needs to be double-checked in business writing. It's so easy to miss!

"Un-contracting" works well for the possessive "its" too:

It's = it + is

Its = its (possessive)

***The other job of the apostrophe is to show possession:*** "Possessive" simply means that someone or something owns or has something or someone. Examples:

**Janie's** boyfriend

**Bubba's** world

The **world's** poor

If the possessive noun is plural with an "s" on the end, the apostrophe goes *after* the "s":

The **girls'** room

The four **boys'** attitude

Plural nouns without an "s" get the usual treatment:

**Women's** liberation

**Children's** library

**Men's** room

***Always remember and never forget: Apostrophes are not used for plural words! These are DON'Ts:***

There are too many **dog's** in here!

I like orange **cat's** better than any **other's**.

Those **squirrels'** sure can get up that tree.

Please spare me the lesson on **prepositions'**.

Speaking of **prepositions**, I am often asked about ending sentences, especially questions, with prepositions. (Prepositions are those "wee words," such as *on, over, by, through, with*, etc.) We have been taught by our well-intentioned English teachers that it is never acceptable to end a sentence with a preposition.

Well, here's the deal about prepositions: It is acceptable to use them at the end of the sentence if it is less awkward that way. Winston Churchill was quoted thus, "That is the type of language up with which I will not put." You can see what I mean about awkward.

I am often asked about "at" specifically. I find that, usually, the "at" can simply be dropped. For example, "This is where I am at" becomes, "This is where I am." I hear this problem more often in question form: "Where are you at?" Drop the "at" and just say, "Where are you?"

**Spelling, proofreading, and editing:** Not everybody can be a stellar speller. We all have our gifts and some are blessed with great spelling abilities, while others are blessed with fantastic ice-skating abilities and other beautiful talents.

So what's a not-so-stellar speller to do? Spell Checker is a wonderful thing, to be sure! However, it is not fool-proof. Will

See **Grammar** on page 5

accomplish the goal. He gives *too many* instructions. Although he is not in the trenches himself, and perhaps has never been there, he assumes he knows the issues and decisions to be faced there. He checks back frequently and makes a lot of mid-stream corrections. There is no room for the subordinate to make judgments or to capitalize on her natural talents. She begins to shrink and contract. She doesn't think things through on her own, for fear of being corrected again. She loses the agility to respond in the moment to whatever develops. I hear the same manager complain that his people don't show any initiative.

The deluger. This lawyer relies too heavily on the strong performer, and doesn't balance the workload. Strong performers learn that the reward for working efficiently and well is getting more and more work dumped on them. Weak performers get weaker because they get fewer developmental opportunities. Strong performers burn out, or resent the easier life of the slow or sloppy worker. They join their ranks or move on to another job.

The efficient commander. She interrupts. She speaks in curt bullet points. She discourages questions with her impatience. She is already working as she walks into the office in the morning and doesn't bother to say hello as she passes. She is so focused on the target that she doesn't notice the people in between. They get the message that they don't count and she doesn't care about them. So they stop caring about the job.

The disrespecter. This "professional" behaves unprofessionally toward his subordinates. He does not control his temper and gets frustrated easily. He may or may not recognize that he is actually angry at opposing counsel or stressing about a deadline. His subordinates just know they feel disrespected and abused. He may be a "screamer and a thrower" or he may just speak with irritation, condescension or sarcasm in his voice. Dogs who have been abused tend to cower and have "accidents," or growl and attack. People respond similarly, but if they need the job, they may hide their mistakes or hide their sabotage until the damage can't be undone.

The nice guy. This lawyer has a hard time giving negative feedback to subordinates. The feedback he gives may be so vague, muted or off target that the subordinate may not even understand that he has been reprimanded or his work criticized. This manager tends to be overworked and stressed from doing work he should have been able to delegate or redoing work he did delegate. I know of associates who got "shape up or ship out" talks who didn't grasp that their job was in jeopardy, and people who actually got fired, but didn't know it.

The blamer. She is disorganized and procrastinates. She creates crisis and chaos wherever she goes, but when she misses a deadline, loses something, or sends out a sloppy document, it is someone else's fault. Her staff learns never to give her the original of anything, and they spend time daily helping her find something. She complains about their low productivity or their backlog. No one is fooled by the "computer errors" and "secretary mistakes" but herself.

Associates and support staff will attest that these are not imaginary characters. Even if you only engage in *some* of this behavior *some* of the time, you may not benefit by discharging your poorly performing subordinate. You may just train the new hire to cause similar problems. If you just can't find good help these days, you may need to stop looking at resumes and start looking in the mirror. At least this is a personnel problem that is in your control!

Debra Bruce ([www.lawyer-coach.com](http://www.lawyer-coach.com)) practiced law for 18 years, before becoming a professionally trained Executive Coach for lawyers. She is a member of the Law Practice Management Committee of the State Bar of Texas, and the co-founder of Houston Coaching Network, the Houston Chapter of the International Coach Federation.

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#### Grammar continued from page 4

it catch "you're" instead of "your"? Sometimes, it will give you a little green line, showing that something is amiss.

What about "a miss" versus "amiss"? I almost misspelled that one just now! A good trick to catching misspelled words is to proofread from the end to the beginning. That way, you are looking at individual words, rather than skimming through sentences.

Here's good news: Most good dictionaries—and no desk should be without one!—feature grammar and editing information, rules, and advice. Check it out and see if you don't find more help there than you expected. And don't forget the internet, where you will definitely find more than you could possibly want!

For really important documents, articles, reports, and marketing materials, hire a professional editor or proofreader. It's worth the money.

Well, I may be biased, but it doesn't mean I'm wrong!

Susan K. Morrow is a trainer, editor, and writer, who owns *Words Are We* and *Workshops Are We*. She is a frequent presenter in seminars with the State Bar of Texas, as well as numerous venues throughout the state. Contact: [SMorrow@WordsAreWe.com](mailto:SMorrow@WordsAreWe.com)  
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## Upcoming Events

**How to Organize and Manage Your Elder Law Practice** is scheduled for video replay in Houston on April 19, 2006. To register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=5897>

**Planning to Conquer the Real World of Private Practice** will take place live at Texas Wesleyan University School of Law in Fort Worth on April 22, 2006. To register, call 800-204-2222, ext. 1518.

**Legal Support Staff Workflow and Records / File Management Training** will take place live in Dallas on April 26, 2006. To register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6192>

**Legal Support Staff Training** will take place live in El Paso on May 3, 2006. To register, call 800-204-2222, ext.1300.

**Law Office Software Training – Managing Your Case and Clients’ Files with TimeMatters** will take place live in Dallas on May 6, 2006. For more information or to register, call 800-204-2222, ext. 1300.

**Perfecting Your Estate Planning and Probate Practice** will take place live in Houston on June 6, 2006. For more information or to register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6153>

**Perfecting Your Estate Planning and Probate Practice** is scheduled for video replay in San Antonio on August 1, 2006. For more information or to register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6181>

**Perfecting Your Estate Planning and Probate Practice** is scheduled for video replay in Dallas on August 1, 2006. For more information or to register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6182>

### ***Law Practice Management Webcasts***

**Now You’re Hired – How Do You Do the Work?** will be webcast on April 12, 2006. To register, visit: <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6029>

**Using Technology to Your Best Advantage** will be webcast on May 10, 2006. To register, visit: <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6124>

## Law Practice Management Special Offers

### Books of the Month

#### **Paralegals, Profitability, and the Future of Your Law Practice**

Retail - \$69.95

Sale Price - \$48.95

Successful law firms know that using qualified paralegals helps them deliver better service and more value while increasing their profits. Now more than ever, the paralegal is a necessary component in the successful and profitable delivery of legal services. Paralegals help you improve your client service, lower client costs and improve your bottom line. This guidebook will show you how to effectively integrate paralegals into your practice and expand their roles to ensure your firm is successful in the next decade.

#### **The ABA Guide to Professional Managers in the Law Office**

Retail - \$79.95

Sale Price – \$55.95

Hiring professional managers to handle administration of your law firm frees up your attorneys to do what they do best—practice law and develop new client relationships. And it provides you with the leadership of a competent professional specifically trained to provide top-notch management services. *The ABA Guide to Professional Managers in the Law Office* is a "soup to nuts" guide on interviewing, hiring and training this essential member of your firm.

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CALL 800-204-2222, EXT. 1300**

## Law Practice Management Tip

*This week’s tip is provided by Paul Murrillo of Business Software Made Easy (512-451-9720). The tips are not meant as legal advice, nor binding on the State Bar of Texas.*

Here’s an easy and useful tip that will benefit those of us that have trouble reading print in some documents or on some web sites because of small font sizes:

While using Internet Explorer or Microsoft Word:

- 1) Open a desired web page
  - 2) Hold down the CTRL key and rotate the scroll wheel towards you on the mouse
- The text is then magnified!

Please note that this only works if the mouse you are using has a scroll wheel.