

THE PRACTICE MANAGER

MANAGING THE FIRM IOLTA ACCOUNTS

WEBCAST — MARCH 6, 2007

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THE TECHNOLOGY ROUNDUP

Gerry Morris, J.D.

Macs Become a Mainstream Alternative in the Law Office

I've been a PC aficionado for years. I've bought them, built them and used them at my office and at home. I've always regarded Apple's Macintosh line as an interesting novelty, well suited for graphic designers and music editors but not very practical for the law office, mainly because of problems associated with sharing files between Macs and PCs. Another factor hindering the Mac's usefulness in the law office is the relatively small number of legal applications written to run on the Mac. It is hard to find a case management system or trial presentation software for the Mac. The two leading case management systems I've reviewed in this column, Amicus Attorney and Time Matters are available only in PC format. Likewise, InData's popular Trial Director application and its other products are not available for the Mac.

Things have changed.

Two major changes in the Mac platform in the past few years have resulted in the Mac becoming a true competitor for PCs in the law office. The first dramatic change was Mac's shift to a UNIX based operating system. The specific details are beyond my ability to comprehend but I'm told that the shift to UNIX made it much easier for Macs to undergo the next dramatic change - the shift from Motorola's Power PC processor to the Intel line. The iMacs, as the Intel based machines are called, now have the same "brain" as PCs.

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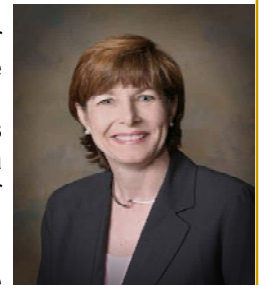


THE COACH'S CORNER

Debra Bruce, J.D.

Creativity and Innovation as a Marketing Tactic

At a dinner party recently, a lawyer and I discussed theories about the struggles many law firms are facing. Today the market place changes rapidly, but changing something in a law firm can be harder and slower than turning a battleship.



My theory was that, as lawyers, we focus on the past and on precedent. We actually have an aversion to innovation and change because too much innovation in the law creates unpredictability and instability in society. On top of that, we spend most of our time on behalf of our clients trying to determine who is at fault and assigning blame (and damages), or trying to protect against every risk that could possibly arise as the result of all the negligence and malfeasance in the world. We are too expert at pointing out the problems and risks of any new idea, and too unpracticed at seeing the benefits and possibilities.

As if on cue, the next issue of Texas Lawyer included an article titled, "Law Departments and Firms Should Nurture Creativity" (February 5, 2007). Although most of the article discussed how lawyers suppress creativity, it included several examples of innovations by corporate law departments. I promptly sent quotes of some of the innovative ideas and a link to the article to appropriate clients and prospects, as well as to the lawyer from the dinner party.

When you see new ideas, do you think of how your clients might benefit from them? Or do you just keep your focus on the law? When I trained as a young lawyer, I was taught to stick to the legal issues, and avoid the business issues. Today, however, the biggest rainmakers are the lawyers who become trusted advisors, sounding boards and doors to resources for whatever challenges their clients face.

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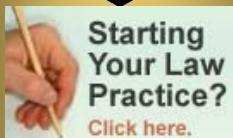
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I have read Internet newsgroup accounts of Windows software actually being loaded on iMac machines and running fine, though Mac users would quickly wonder aloud why anyone would want to do this since the Mac operating system is generally regarded as superior to Windows.

Over the past couple of years I've read various articles and occasionally talked to colleagues about the iMac's ability to seamlessly network with PCs, share files and in general fit in with an existing PC setup. Until recently, I didn't have access to an iMac populated system to see for myself. In recent months two good friends have started using iMacs attached to their predominately PC networks in their respective offices. One is a relative computer novice while the other is very computer knowledgeable. Both tell me that they will never buy another PC.

They report that setting up and configuring the iMac was easy, almost automatic, and that its integration into the PC network was flawless. Microsoft makes its flagship Microsoft Office Suite for Macs and all the applications will read from and save to files created by the corresponding PC version of the application. The problem of transferring files between Mac and PC versions of Office is now nonexistent.

The other problem with using a Mac in the law office has also been addressed in a really interesting way. There have been applications commonly known as virtual machines available for the Mac for some time. These programs allow the Windows Operating system and Windows programs to run in a window of the Mac operating system. Before Mac's shift to Intel processors these programs had to contain a layer of software that translated on the fly the Windows software instructions that are sent to the processor, to language that would work with the Motorola Power PC chip. While these programs worked fairly well, (Microsoft even produced one) the extra computer power need to make the translation slowed down the operation of the programs.

Since iMacs use an Intel processor, much less processor overhead is now needed to operate the virtual machine and run Windows in a window on the iMac desktop. Both of my friends use a virtual machine program called Parallels to run windows applications. The application may be

purchased for \$79.95 at www.parallels.com. I have had an opportunity to see Amicus Attorney running in a window on an iMac desktop with the aid of Parallels. The performance was remarkable. Windows is booted up in the window just as if it were a separate PC. Amicus Attorney (or any other Windows application) is started in the window. The Windows Application has full access to the network just as if it were a standalone machine. I installed the Palm Desktop and Hotsync application in Windows for my friend and it too worked flawlessly.

My more computer literate friend runs a Windows based billing and accounting program on his iMac as well as Amicus Attorney. He has located Mac drivers for his Fujitsu scanner at www.scantango.com and now uses the iMac as his document entry station for his paperless office.

From my limited personal observations and from the enthusiastic endorsements of my friends it appears to me that the iMac removed the barriers that once made integrating a Mac into the law office network a tedious proposition. My friends and other Mac users rave about the stability of the Mac operating system. They tell me that crashes are non-existent. They also contend that the Mac user interface is far more intuitive and thus, easier to master than Windows. Apple's increased sales is perhaps the best evidence that more users are seeing the iMac as a viable alternative to PCs in the office workplace.

E. G. "Gerry" Morris is a solo practitioner and has practiced law for over 28 years in Austin, Texas. He is certified as a Criminal Law Specialist by the Texas Board of Legal Specialization. His firm web site is at www.egmlaw.com. Email your comments and questions to Gerry at tech@egmlaw.com.

PLEASE NOTE THAT ALL TEXT IN "BLUE" FONTS ARE ACTIVE WEBLINKS. SIMPLY CLICK ON THE COLORED-TEXT TO BE TAKEN TO CORRESPONDING PAGE

What would your clients think if you said, "I was reading about the improvements in X, and I wondered whether that might be opening up a market opportunity for your company in our area." What message would it send to your client if you were to share with them the innovations you see in other industries that might apply to their business? What would your client's perception of you be if you said, "You know, I've been thinking about the recurring litigation you have been facing, and I wondered whether X change in procedure would reduce the number of cases." Some litigators reading this are thinking, "Litigation business is already down right now. Why would I want to help reduce it further?" To them I respond, "When litigation is down, how do you think clients choose which few lawyers will get the cases they do have?"

I think most clients would perceive such discussions as an indication that you care about their success; that you see yourself as a member of their team. Such discussions especially foster trust when the client sees you hold their interests ahead of your own. In an era of increasing competition in the legal field, you can stand out amidst armies of qualified lawyers by demonstrating to your clients, prospects and former clients that you focus on and care about their success.

And what about innovation? The February 5, 2007 Texas Lawyer article cited a survey of in-house counsel respecting the three most distinguishing attributes of successful outside counsel. Only 6% named creativity. It is not clear from that report whether corporate legal departments don't really look for innovation and creativity when they hire outside law firms, or just don't find it.

Anecdotal evidence supports the argument that business people (if not in-house counsel) want creative lawyers who offer more than just legal advice. Take the case of the outside general counsel chosen for the San Antonio Spurs basketball team. In a Texas Lawyer article entitled "J. Tullos Wells Scores as Outside General Counsel for San Antonio Spurs" (July 18, 2005), Jack Diller, the Chief Executive Officer who engaged Wells said "I was looking for someone who blended a strong knowledge of the San Antonio market with the ability to be creative in terms of reacting to the kinds of changes that had taken place in NBA basketball." Notice he didn't say he was looking for the lawyer who had the most legal expertise, or who had tried the most cases, or who had closed the biggest deals.

Texas Lawyer also reported that Rick Pych, the Executive Vice President for Corporate Development of the Spurs, said that the Spurs' reliance on Wells went well beyond providing the team with legal advice. They also relied on him for advice on the role the Spurs should play in the city of San Antonio. Diller further recounted that Wells learned how to work the NBA salary cap so the team would have money to acquire a valuable player later. That required planning ahead and conducting business in a way that would position the team to take advantage of the cap when other teams couldn't.

If you want dream clients, be their dream lawyer. Wells noted that only 29 other lawyers on the planet get to do what he

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Law Practice Management Tip

Management Tips are provided by the State Bar of Texas and ABA Practice Management Advisors. The tips are not meant as legal advice, nor binding on the State Bar of Texas or the ABA.

For those of you who prepare your e-mails in Outlook, here's something to try.

Do you have several multi-paragraph e-mails that you send out often? Save the text as a signature in Outlook. Then the next time you want to send out this text, just do Insert Signature and select the name of the signature file. It is just like using a macro or autotext within an e-mail.

Upcoming Events

Legal Support Staff - Workflow and Records/File Management Training is scheduled live in Dallas on February 21, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit: <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6854>

Legal Support Staff Training - Workflow and Records / File Management Training is scheduled live in Houston February 28, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit: <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6855>

Law Practice Software Training - Managing Your Estate Planning Documents with Prodoc is scheduled live in Dallas on March 10, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit: <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6856>

Law Practice Software Training - Perfect Your Client Accountability with Time and Billing Tools is scheduled live in Houston on March 10, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit: <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6896>

Perfecting Your Elder Law Practice is scheduled live in Houston March 8, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit: <http://www.texasbarcle.com/CLE/AABuy0.asp?sProductType=EV&IID=6507>

Legal Support Staff Training is scheduled live in San Antonio April 4, 2007. For more information or to register, call 800-204-2222, ext. 11574 or visit: <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6902>

Legal Support Staff Training is scheduled live in Waco April 25, 2007. For more information or to register, call 800-204-2222, ext. 1300.

Planning to Conquer the Real World of Private Practice is a ½ day live program conducted at all law schools for 3-L students and recently-licensed attorneys. This course is free to current law students. The price for licensed attorneys is \$55. For more information or to register, call 800-204-2222, ext. 1518. Dates:

February 24, 2007 - Lubbock (Texas Tech)
March 3, 2007 - Houston (University of Houston)
March 24, 2007 - San Antonio (St. Mary's)
March 31, 2007 - Texas Women's University (Ft. Worth)
April 14, 2007 - South Texas School of Law (Houston)

Law Practice Management Webcast

Managing the Firm IOLTA Accounts is scheduled to take place live via webcast on March 6, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6901>

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Coach's Corner continued from page 3

gets to do. It's pretty hard to compete with a lawyer like Wells, who creatively solves his clients' problems and helps them run their business more effectively.

This month, be a shining star in your client's eyes. Lawyers called "brilliant" are usually the ones who find new solutions to old problems, or who innovate quickly enough to keep pace with the development of new problems. Keep your eyes, ears and mind open for brilliant solutions to their challenges, even if they don't involve legal issues.

Debra Bruce (www.lawyer-coach.com) practiced law for 18 years, before becoming a professionally trained Executive Coach for lawyers. She is Vice Chair of the Law Practice Management Committee of the State Bar of Texas, and board member and past leader of Houston Coaches Network, the Houston Chapter of the International Coach Federation. She welcomes your questions and comments at debra@lawyer-coach.com.

LAW OFFICE SOFTWARE TRAINING

Software & Technology Training for Attorneys and Support Staff

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and

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and click on "Seminars"

Law Practice Management Update

LPM is gearing up for what seems to be a very busy late winter/spring season.

As discussed in last month's Practice Manager, we will be once again taking our program, **Planning to Conquer the Real World of Private Practice** to the law schools. We have secured a few more dates since last month, so be sure to check out our *Upcoming Events* section on page 3 of the newsletter.

We are also working with various vendors in order to include their information in the Bar's new online **Marketplace**. If you have not visited the **Marketplace**, please do so. And for those unfamiliar with it, this is a section on our site where you can purchase various items and goods that you can use in your law practice - from computer software to office furniture. This section is still in its infant stages but we are continually adding products to it so be sure to check back from time to time. The Marketplace can be located at:

<http://www.texasbarcle.com/CLE/LMSoftwareSearch.asp>

In addition to these items, we are also bringing you additional software training sessions, Legal Support Staff Training, webcasts, and other live CLE-programming, all of which are listed in Upcoming Events and at our website. Also, coming very soon is a brand new, one of a kind training portal exclusively for support staff! Look for more information in the coming weeks.

Books of the Month

The Lawyer's Guide to Records Management and Retention

Retail - \$99.95

Our Price - \$69.95

This book is intended to address the issues arising from the need to manage records and information in a law office and use records management as a tool for:

- improving risk management
- managing e-mail as part of the client file
- implementing records retention schedules
- managing records during investigations, audits, claims, and litigation
- serving the techno-centric and techno-phobic practitioner
- and using records management as a pipeline to knowledge management
- and much more!

The Lawyer's Guide to Fact Finding on the Internet

Retail \$99.95

Our Price \$69.95

This up-to-date and expanded Third Edition is a complete hands-on guide that shares the secrets, shortcuts, and realities of conducting fact finding on the Internet. Written for legal professionals, this comprehensive desk reference lists, categorizes, and describes hundreds of free and fee-based Internet sites. Useful for investigations, depositions, and trial presentations, as well as company and medical research, gathering competitive intelligence, finding expert witnesses, and fact checking of all kinds. The book also includes information on browsers, search engines, Weblogs, library databases, public records, and much, much more. In addition, a CD-ROM features all the links contained in the book in one handy PDF file. Find the link you're looking for, and click on the hyperlink to take you there - no typing of URLs required!