

THE PRACTICE MANAGER

ESTABLISHING A QUICK AND EASY STATE BAR COMPLIANT WEB SITE

WEBCAST — JULY 25, 2007

visit: <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=7245>
to register

A NEWSLETTER PROVIDED BY THE LAW PRACTICE MANAGEMENT PROGRAM OF THE STATE BAR OF TEXAS

THE TECHNOLOGY ROUNDUP

Gerry Morris, J.D.

A New Palm Product to Watch

I use my Palm Treo for email when I'm out of the office and am not carrying my laptop. It works fine for receiving and reading emails. However, composing or answering emails is a challenge on the small keypad. I sometimes carry a folding IR keypad for my Treo but the two models I've tried don't work reliably. Palm has just announced the beginning of a new product line designed to make the smartphone more useable for email and other tasks requiring typed input.



The Foleo is a device that looks like a small laptop computer. It has a 10 inch screen and a more or less full sized keyboard. Since the item won't be available for sale until the Fall, its full capabilities are still somewhat unknown. However, the Palm website, www.palm.com, has a flash media presentation that let's us in on its basic functions.

The Foleo will sync email folders with your smartphone, either Palm or Microsoft based, via a Bluetooth connection. Emails can be read, edited and composed on the Foleo and then sent through the smartphone's Internet connection. Additionally, users will be able to surf the web on the Foleo's screen utilizing the smartphone as a modem or through its built-in Wi-Fi capabilities.

Additionally, email attachments, such as Microsoft Office documents can be opened and edited. Palm's website

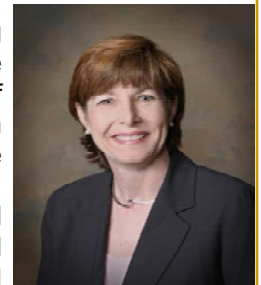
See *Technology Roundup* on page 3

THE COACH'S CORNER

Debra Bruce, J.D.

Get Remembered

Years ago at an early morning meeting Jimmy Brill, an estate planning lawyer and the founder of Solos Supporting Solos, asked each of 30 lawyers to introduce themselves and their practices. I didn't know any of them, and they all faded into a blur, except for one tall gentleman in a straw hat and seersucker suit. He said, "I'm a proctologist in the courtroom." He got some chuckles and my attention.



I often ask the attorneys I coach on business development to analyze their client list to determine how they obtained their previous clients. Most of them report that the majority of their new clients come as referrals. If your business depends on referrals, your success depends on the likelihood that others will remember you when someone has a problem you can solve.

A couple of months after that morning meeting, I asked someone in the group, "What's the name of that guy who's the proctologist in the courtroom?" "Ted Hirtz," he responded immediately. Ted's introduction stood out and triggered the memory of enough people for me to locate him again.

What made Ted memorable? Chip Heath and Don Heath, the authors of *Made to Stick*, would say that one reason Ted stuck in my mind was that his description "broke my guessing machine." I anticipated that he would say he was a trial lawyer, a real estate lawyer, or something else predictable. Unexpectedness grabs our attention and enhances memory.

In their book *Made to Stick*, the Heath brothers analyzed what makes stories, events and sayings memorable. They distilled it down to six factors that create "stickiness," which they express in an acronym that

See *Coach's Corner* on page 2



1414 Colorado, Suite 601
Austin, Texas 78701
800-204-2222, ext. 1300
www.TexasBarLPM.com

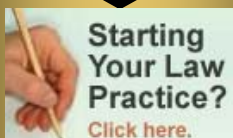
The Practice Manager
is a newsletter published by
the
Law Practice Management
Program
of the State Bar of Texas.
Please direct any questions
or comments to
Orlando Lopez

Orlando Lopez
Director
800-204-2222,
ext. 1302
olopez@texasbar.com

Sandra Molina
Program Coordinator Assistant
800-204-2222,
ext. 1304
smolina@texasbar.com

Tina Weitz
Program Coordinator
800-204-2222,
ext. 1303
tweitz@texasbar.com

click here for helpful
peer-related
resources available
to aid you in starting
your law practice



Coach's Corner continued from page 1

(almost) spells success: Simplicity, Unexpectedness, Concreteness, Credibility, Emotions, and Stories.

Ted Hirtz used concrete words that created an image in my mind. (Let's not go any further with that.) We remember concrete images more easily than abstract concepts. He also kept it simple. He conveyed one straight-forward message: that he is a tough trial lawyer.

Ted's statement also evoked some emotion. Most of us either winced or chuckled. Studies show that people remember thoughts paired with emotion longer. No wonder we remembered Ted's statement. In one sentence he utilized at least 4 of the stickiness factors.

People also remember what you do if your description triggers them to imagine that you can help with a problem they struggle with or know someone else who does. So keep those legal concepts simple and easy to understand, and try to illustrate the benefit of using you. Don Graul, a lawyer who handles family law mediations *before* attorneys get locked in battle, says that he helps parents get divorced with less pain for themselves and their children.

Sometimes Don says he does "early intervention mediation," but he recently remarked that often even lawyers don't seem to get it. That approach doesn't employ the principles of simplicity and concreteness. Big words often float right over our mental retention pond. It also lacks the emotional depth of Don's other description.

What if what you do is just naturally complex and difficult for a lay person to understand? Boil it down to the most basic issues, or the most meaningful concrete benefits. Kevin Maguire switched from saying that he is a condemnation lawyer to saying he helps resolve land disputes. His listeners responded with questions about his work. Lisa Thorp, a public finance lawyer, said her descriptions of what she did bored people. Now she speaks with pride about helping communities build hospitals and schools. Chris Kotlarz, a tax lawyer, says he helps keep the government's hand out of your pocket. Who doesn't want that?

Notice that none of the previous examples started with "I'm a lawyer." Most people already have in mind an image of what it

means to be a lawyer. Unfortunately, today that may not be the image you want to invoke. Once you stick a concrete image in their minds of the benefit you provide, however, you will often get a follow-up question like "How do you do that?" There's your opportunity to tell a brief success story, illustrating the point and strengthening your listener's memory. It might start with, "Well, I'm a lawyer and, for example, when my client had a problem with X, I helped him by doing Y."

How will you know when your introduction works for you? Here are some good signs. One: you get a follow-up question indicating curiosity about how you do what you do. Two: Your listener asks for your card. Three: You hear other people repeating some version of what you said. An acquaintance may introduce you to a third person using your words, or even better, someone may call to hire you because they heard you can help with *whatever you said*.

By way of example, Steve Scholl got trained in a specialized form of mediation called peacemaking. He began introducing himself as "a trial lawyer and peacemaker." I knew he had achieved stickiness when someone at my church remarked to me that she met a man who is "a lawyer *and* a peacemaker," with a certain tone of surprise in her voice.

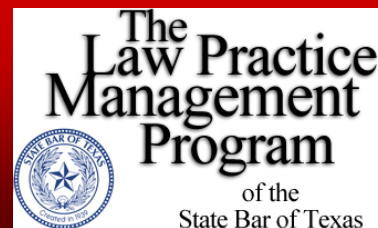
If these ideas sound effective to you, but you keep drawing a blank when you try to apply them to your practice, perhaps coaching will help. Find a buddy to brainstorm and experiment with, or contact your favorite lawyer-coach.

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.

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



Available at *your* convenience!



Online Learning for Legal Staff Professionals

<http://www.360training.com/texasbar/>

Technology Roundup continued from page 1

lists Powerpoint presentations as one of the device's capabilities. Adobe pdf files can be viewed. I can't tell from Palm's info or from the numerous web articles about the device whether it has the capability of creating a new Microsoft Office document or of just editing one downloaded as an email attachment. Photos can also be transferred from the phone to the device and viewed.

The Foleo runs a Linux based operating system. Its stripped down functionality allows it to be "instant on" at startup. Palm says its battery life is about 5 hours between recharges. The device weighs just a tad over two pounds.

The initial price tag for the Foleo will be around \$600. As an introductory offer Palm will include a \$100 rebate to bring the price down to \$500 for a while.

Palm's founder, Jeff Hawkins, touts the Foleo as the beginning of a new generation of devices. He describes the product as the extension of the smartphone that users have long asked for. Judging from the blog articles about the device, its reception in the techie community has been mixed. However, the criticism has been of an interesting sort. Those who have actually been able to try out a prototype haven't complained about its functionality but rather what it won't do. The main criticism from those who've tried it as well as those who have simply read about it is that it won't do what a laptop will do. But, as one blogger pointed out, that's the whole point of the thing. It doesn't have all the software and operating system components of a laptop so it can be "instant on," go for five hours on a charge, weigh two pounds and cost around \$600.

Still, the bloggers critical of the Foleo ask a legitimate question. "Why would you want one?" If you have a laptop, you can download your email and do anything else your software allows. Why get a device that only does a few things? Some writers go so far as to predict that the Foleo will turn out to be a serious boondoggle for Palm. Given Palm's past success, I expect the future will be brighter for the Foleo.

Palm and Jeff Hawkins have displayed a genius for developing simple devices that perform popular tasks well. The Foleo is set to be the latest edition of this tradition. Yes, a laptop can do a lot more. But, a two pound laptop costs three

to four times as much and has shorter battery life. And, laptops don't turn on instantly.

In my day to day professional life, I am out of my office frequently. When I'm out, I often communicate with my office and others throughout the day via email. I also make notes to myself and for my files by sending myself emails. I can't do this very effectively on my Treo keypad and I don't like carrying my relatively heavy laptop with me all day. I think a device like the Foleo could be real handy for me. Most of the time I simply don't need to do anything with an Internet enabled device but send and receive email, or view an email attachment. Given Palm's past history of making good products I expect that the Foleo will do these simple tasks well. I'll probably give one a try.

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.

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.

Tip - Change your greeting daily - or at least weekly - to reflect your schedule so callers will know whether you will receive their message in ten minutes, ten hours or ten days! Also, avoid suggesting that callers leave a detailed message. Why? Afterward, the client may believe he/she has a lawyer-you!

Upcoming Events

Managing Your Real Estate Law Practice in a Changing Market is scheduled live in San Antonio July 13, 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=6996>

The (Almost) Paperless Criminal Law Practice and Trial Presentation Technology is scheduled live in Houston on July 24, 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=7137>

Disaster Preparedness is scheduled live in Dallas July 26, 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=7076>

Perfecting Your Estate Planning and Probate Practice is scheduled for video replay in Dallas August 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=6990>

Law Practice Management Webcasts

Establishing a Quick and Easy State Bar Compliant Web Site is scheduled on July 25, 2007. For more information call 800-204-2222, ext. 1574 or visit:

<http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=7245>

Law Practice Management Special Offers

Books of the Month

Compensation Plans for Law Firms, Fourth Edition

Regular Price - \$94.95

Sale Price - \$66.45

Get complete and systematic guidance on establishing a workable compensation plan! Craft a compensation plan that meets your firm's unique needs and circumstances. Discover what other firms use and avoid. Take advantage of the latest trends. Stay flexible but fair. Achieve stability through satisfaction.

Think Again! Innovative Approaches to the Business of Law

Regular Price - \$84.95

Sale Price - \$59.45

Today's reality is that success in the practice of law requires business solutions, and this book provides the ideas, strategies, and tactics to help you take your legal career and law firm to new heights of business success. Think Again! is about creating a client-centric law firm and delivering great client service, differentiating your law firm from other firms, and developing the specific skills and strategies needed for effective and productive relationship building and business development results.

TO ORDER CALL (800) 204-2222 EXT. 1300