THE PRACTICE MANAGER

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

THE TECHNOLOGY ROUNDUP

Gerry Morris, J.D.

More on the Latest Amicus Attorney Upgrade

Last month I wrote about information I had just received concerning a new product offering by Amicus Attorney. Amicus Attorney is a widely used law practice management application. The interesting thing about the new product, Small Office Edition, is that it is an upgrade from Amicus' previous Version V+ rather than from its newer Version 7. I wrote about some of the problems Amicus has experienced with Version 7 and how I have decided to wait until the kinks are worked out before upgrading .from Version V+.

In my office Version V+ has been bulletproof. I have five users and we use most of the features extensively. Because I work mostly on a flat fee basis, I have not utilized the time keeping features to a great extent but we rely heavily on the calendaring, contacts, tasks, document generation, note taking and document management features. However, there were a few features lacking from Version V+ that I thought would have made it more convenient and useful. Most if not all of these were addressed in Version 7 but I didn't want to risk the upgrade. I did purchase the upgrade to Small Business Edition last month and am happy to report that the upgrade went well with only minor problems. SBE basically amounts to Version V+ Advanced Edition with several features added that I'm sure were often requested. Since I have written some negative things about Amicus Attorney in past columns I thought it only fair that I report my mostly positive experiences with this

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WEEK OF OCTOBER 15, 2007

In this issue:

THE COACH'S CORNER

Debra Bruce, J.D.

The Trouble with Email

"I send out this simple, straightforward email, then I get all this negative reaction. I don't get it."

Misconstrued Emails

Lawyers and law firm administrators that I coach report this to me a lot. Emails are informal and easy to send quickly, so we often zip them off without rereading them to see how they might sound to the reader. The recipients of the email then supply the tone of voice, cadence and volume to it, which can dramatically affect the tenor of the message.

We send out something like "Don't forget to sign up by Tuesday!" In our minds we hear the polite, encouraging voice of a flight attendant on the intercom reminding us to keep our seatbelts fastened during the flight. Our reader, however, hears the edgy voice of an eighth grade math teacher admonishing an unruly class. If there is any history of friction or conflict between sender and reader (as frequently happens with opposing counsel, subordinates who have been "counseled" or partners in competition for firm resources), the reader may hear the threatening bark of a drill sergeant.

Why is that? Most of us can't type as fast as we can speak, so we tend toward brevity and directness in our emails. Brevity in conversation often comes across as curt, disinterested, rude or commanding, unless we soften it with a cheery or concerned tone. In email, the reader inserts the tone themselves, and they often don't supply the most cordial tone.

Tips for Avoiding Misunderstandings

To establish the intended tone in an email, we can either sacrifice brevity and become more formal, or adopt the extreme brevity and informality that teenagers use in text

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The Law Practice Management Program of the State Bar of Texas

Law Practice Management
State Bar of Texas
1414 Colorado, Suite 601
Austin, Texas 78701

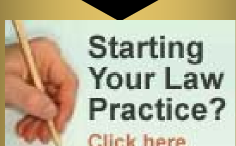
The Practice Manager is a newsletter published by the Law Practice Management Program of the State Bar of Texas. Please direct any questions or comments to Orlando Lopez

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



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messaging. "When are you going to send the documents?" might sound abrasive and nagging in some circumstances. You can soften that by substituting "It would be helpful to know when we might expect to receive the documents." Alternatively, a message that says "When r u sending docs?" is so abbreviated that the reader is now more likely to understand that the sender is just saving time, and not being curt. Readers are particularly likely to grant that extra bit of grace when the email obviously comes from a Blackberry or other PDA.

By the way, just in case you are not already aware of the little rules of email etiquette, upper case typing in email is the equivalent of raising the voice in person. In some circumstances colored fonts or bold face can also be interpreted that way. If you are a poor typist, it is better to type in all lower case than all upper case. That's an accepted way to manage the challenge of sending messages using the little buttons on a PDA or when typing rapid fire to keep the conversation flowing in an online chat.

Please Don't Make This Mistake

Some writers think their readers are unreasonably sensitive and just looking for something to complain about. "I said 'Please' for Pete's sake!" they grumble. Unfortunately, however, in many circumstances the word "please" has become the signal that a command will follow, such as "Please keep off the grass" or "Please don't touch."

To avoid that implication, instead of "Please respond by Friday," try going a little more formal as in one of the following:

"Kindly respond by Friday."
"We would greatly appreciate a response by Friday."
"Would you be so kind as to let us know your intentions by Friday?"

Email is No Substitute

I can't talk about avoiding misunderstandings in emails without addressing one other issue. Today co-workers officing next door to each other often communicate by email. With email we can talk without having to make a real-time connection between two busy people. Such written correspondence also serves the valuable purpose of making it easy to track the communication and document agreements and instructions for future reference.

Unfortunately, however, people also use email to avoid direct confrontation in sticky situations. I coached a lawyer who was having difficulties with a co-worker in another department. My client was a likeable guy and his requests seemed reasonable in the situation, yet he experienced friction and resistance for weeks. I asked whether he had tried having a conversation with his co-worker to figure out the problem.

"I sent him an email," he said.
"Is he in your building?" I asked, incredulous.
"Yes, he's down one floor."
"Are your legs broken?" I chided.

He held a face to face conversation that day and got the issue resolved.

When things are already testy, email communication has a high risk of exacerbating the situation. Save time and conflict by picking up the phone or meeting in person. If you need documentation of the understanding reached or the information communicated, you can send a confirming email afterwards.

Use More Personal Touch in Touchy Situations

In summary, email is a great time-saver in day-to-day situations. When communication has the potential to get touchy, however, we need to slow down and pay attention to the possible ways that our language might be misconstrued. We can save ourselves a lot of time in the long run by taking the extra steps necessary to make sure that the positive intent of our message comes through, whether by adjusting our language or picking up the phone.

Debra Bruce (www.lawyer-coach.com) practice 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 WEBLINKS. SIMPLY CLICK ON THE COLORED TEXT TO BE TAKEN TO THE CORRESPONDING PAGE

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upgrade. Also, I'll give you the practical view of the upgraded features with my wholly gratuitous suggestions to Amicus for future enhancements.

First of all, as I said, the upgrade went smoothly. One of the attractive things to me about Amicus Attorney is that the program is relatively simple to install and configure. I do these tasks myself so I want it to stay simple and not take much time. The upgrade of my system from Version V+ Advanced Edition to the new Small Business Edition took about three hours including installing the new workstation software on each user's computer. The only small glitch was that I had to reinstall the program on one workstation because of some problem with the server recognizing the user's license. This problem took about 15 minutes to diagnose and solve.

Once the system was up and running one new feature was immediately apparent. There is a new navigation pane to the left of the program windows that makes it easier to go from one module to another. This is a bit easier than the floating task bar of previous versions. Once I started typing notes on a phone call, I discovered the new spell check feature. It pops up with suggestions for misspelled words. Unfortunately, the users in my office including me use a lot of abbreviations in notes and messages. The spell check interpreted the abbreviations as misspelled words and quickly became an annoyance. We unanimously decided to disabled it. I suggest that Amicus change this feature to work like Microsoft Word to flag misspelled words and offer the option of running spell check rather than making it real time interactive

One of the most useful new features is the improved task management module. One problem with Version V+ and previous versions was that assigning tasks to someone else and tracking progress on the task was extremely cumbersome. If I assigned the task to myself and my associate or paralegal it would show up on the to do list of my calendar along with the ones I assigned to only myself. This made the to do list too long to use efficiently. If I assigned the task only to another person in my office I had to go to the group calendar and view their tasks one day at a time or go to each individual file and view the to dos to monitor progress on the assigned tasks. The new task module in the Small Business Edition allows me to filter all assigned tasks in my office by the person to whom they are assigned and view only those I want to view. From the task module I can click on a task and send an email to the team member to whom it is assigned inquiring of the status. This is a big improvement. However, I still suggest that Amicus consider a separate task window view for those tasks assigned by a particular user to others so that only tasks so assigned can be viewed. Outlook has a similar feature that allows tasks to be viewed by assignment.

Small Firm Edition adds new Outlook email integration functions to those found in Version V+ Advanced Edition. SFE allows electronic signatures to be automatically placed on outgoing emails generated from within Amicus. Heretofore, I had to manually add the signature before sending the email. More robust integration with the email function of Outlook would be a welcomed improvement. I don't use the communication module of Amicus to manage my email because it doesn't provide me with enough options. I receive a lot of email that I scan the content of in the preview pane of Outlook and then move to another folder for storage. I can't do this from within Amicus Version V+ or SME. It is time consuming to use the communications module to view the mail I want to save with a file and use Outlook to move emails to storage folders. I find myself not saving very many of my incoming emails to files. They remain in my Outlook folders and I retrieve them with Google Desktop Search.

Amicus Small Firm Edition adds Outlook synchronization for appointments, tasks and contacts. This feature was previously available only on the Client Server Edition of Amicus Attorney. The main benefit of this feature, in my opinion, is to give users a means to use Blackberrys and Windows devices with Amicus by syncing them with Outlook rather than directly with the Amicus program. The sync feature is a bit tricky to set up because the various fields have to be mapped between the two applications. I synced my Amicus SBE with Outlook and found that new appointments synced fine but preexisting appointments sometimes didn't. Since I use a Palm device this feature is not currently important to me, so I didn't spend any time trying to correct the problem, nor did I call Amicus support to get their help. I haven't seen an outcry about this on the Amicus user forum so I'm going to assume it's a fixable problem. Otherwise, if I ever decide to permanently turn on the calendar sync feature, I'll either figure out how to fix it or devise a workaround until all my future appointments have been created after the date I activated the process. I probably will continue to sync my contacts with Outlook so I can use email distribution lists generated by Outlook. Also, when someone emails me their contact information in a vcard attachment, I can save it to Outlook and it will appear in Amicus. I would like to see Amicus provide direct conduits for syncing Windows devices. There is really no compelling reason to worry with Outlook calendar and task integration other than to sync with a non-Palm handheld device.

Another feature added to SFE that has previously been available in the Client Server Edition of V+ is automatic timed backups. I've tried to remember to do periodic backups of my data but I don't always. SFE can be set to do periodic backups as often as necessary.

Duplicate contacts can be combined by individual users of SFE rather than just by the administrator. I find that despite our best efforts we have duplicated several contacts with each entry assigned to several files. By using the combining feature the two contacts can be merged so that the files with which each copy of the contact was associated retains an entry for that contact. Here I might add that the ability to create a distribution list independent of a file would be nice. There are several workarounds to accomplish this but none I've found are as easy to use as the Outlook distribution list feature.

Small Business Edition retains the Secondary Office feature

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Friday, October 19, 2007

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1414 Colorado, Suite 601
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Presented by

The Law Practice Management Program of the State Bar of Texas and Austin Bar Association, Solo Small Firm Section

8:30	**Registration**
8:45	**Welcome Remarks**
9:00	**Client Relationships** Martha Newman, J.D., B.J., Fort Worth
9:45	**Avoiding Grievances** William Chriss, Texas Center for Legal Ethics
10:15	**Break**
10:30	**Staff Supervision** Nickie Hyde, Legally Large, Austin
11:00	**Using Technology to Your Best Advantage** Frederick P. 'Rick' Forlano, Houston
11:45	**Lunch Break**
12:00	**Lunch Presentation – Managing Your Firm's IOLTA Trust Account** Gisela B. Bradley, Law Practice Management Consulting, Austin
12:45	**Collecting Your Fee and Dealing with Fee Disputes** Scott Kidd, Austin
1:30	**Break**
1:45	**Taking Care of Yourself to Practice Law Ethically** Chris Long, State Bar of Texas
2:15	**Establishing a State Bar-Compliant Web Site** Al Harrison, Houston Gene Major, Advertising Review - State Bar of Texas Derick Schaefer, Dallas Mark Unger, San Antonio
3:00	**Adjourn**

We invite you to attend a Beer and Wine Reception to be held immediately after the course.

*Non-Members—Join the Austin Bar Association Solo Small Firm Section and we will apply $15 of your $90 seminar cost to the application! Download an application form **http://www.austinbar.org/pages/signup**

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that allows installation of the program on a laptop and transfer of data back and forth by packing a “briefcase” with the data from one for transfer to the other. This is an extremely useful feature that has not yet been incorporated into Version 7.

The drawback of SBE is that it is limited to 10 users. I haven’t yet determined if the database size is limited to around 2 gig as was V+ Advanced Edition but I suspect that it is. The Client Server Edition of V+ with unlimited user capability has not been upgraded. Larger installation will have to go with Amicus Attorney 7 or stick with Version V+ Client Server Edition if already installed. Amicus’ web site no longer offers any of the V+ versions for sale on line.

It cost me almost $600 to upgrade my five users to SBE. The main reason I upgraded was for the enhanced task management, automatic backups and Outlook integration in case I want to change to a Windows based smartphone. I probably would have spent the money just for the task module and automatic backups.

Amicus V+ and SBE are still very reliable and usable products. They are not as feature rich as Time Matters or even Amicus Version 7, but for a small office like mine, that’s part of the appeal. Amicus does what I want it to do, especially with the latest enhancements. A program can be too complex much like a cell phone with 200 features, 195 of which are never used. I just want Amicus to do well the things I want it to do and nothing else. It is still the most intuitive practice management system on the market as far as I am concerned meaning that the learning curve for new users flattens quickly. Hopefully, Version 7 will evolve into as reliable an application as its predecessor. Until it does, I’m sticking with the Small Business Edition.

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 .

The Law Practice Management Program of the State Bar of Texas

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.

Did you know that having business cards with you at all times is essential to marketing your practice? You never know who you're going to run into on the streets, at the post office, or at the grocery store - maybe someone with a legal problem in your particular area of interest or an individual that knows someone else that has a legal problem. In cases such as this, business cards are a necessity; without them, you'll know doubt have much less of a chance of getting this potential business.

Upcoming Events

The Essentials for Solo and Small Firm Law Practices is a live course in Austin October 19, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&lID=7515 See page 4 for more details.

The (Almost) Paperless Criminal Law Practice and Trial Presentation Technology is scheduled for video replay in San Antonio October 23, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit: http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&lID=7271

Law Practice Management Webcasts

Alternatives to Hourly Billing is scheduled for October 23, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit: http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&lID=7447

While the vast majority of Texas attorneys bill their clients by the hour, others find that they have to come up with alternatives to hourly billing either because of client requests or the nature of the case. This webcast will explore these alternative billing methods and the types of matters that they are better suited.

Panelists:

Charles Awalt, Plano
Attorney at Law

Philip Mack Furlow, Denton
Hayes, Berry, White & Vanzant

Richard C. Price, Fort Worth
Attorney at Law

William D. Elliott, Dallas
Attorney at Law

Drafting an Effective Law Partnership Agreement is scheduled for November 27, 2007 from 12:30 to 1:30 pm. More details soon, see www.TexasBarLPM.com and click on “Webcasts”.

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This is the perfect reference for lawyers and other professionals looking for a resource that will shorten the learning curve for building and managing an entertainment law practice. This book addresses a variety of issues critical to establishing a successful entertainment law practice, including getting started; preparing a business plan; getting your foot in the door; creating the right image; and marketing your entertainment law practice.

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