

# THE PRACTICE MANAGER

## UPCOMING WEBCAST: CHOOSING THE RIGHT TIME & BILLING PROGRAM FOR YOUR LAW PRACTICE

AUGUST 20, 2008 - VISIT

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

### THE TECHNOLOGY ROUNDUP

Gerry Morris, J.D.

#### DSL v Cable. Which is Better?

Dialup Internet access is just about obsolete for business use. Broadband Internet service is now available almost everywhere anyone would want a law office. Larger offices or those with special needs for high speed Internet service may subscribe to a T1 line or other high capacity technology. However, most of us use the Internet just for email and access to the Word Wide Web. For that type of usage the more widely used broadband services are sufficient. In most urban areas a business user has the choice of two competing technologies; DSL or cable. If you have a choice, which one is better for you? Here are some considerations.

The two technologies are quite different and their differences may affect their suitability at a particular location. DSL stands for "digital subscriber line". Digital information is transmitted over regular telephone lines and made available to your computer network through a splitter and a DSL modem. The splitter separates the digital signal from the analogue voice signal and the modem handles the communications between the DSL system and your computer network. Nowadays, the splitter is actually something that you just plug in to your phone line rather than the gadget that the phone company, in the past, had install for a fee. Most DSL service (and cable service) is asymmetrical which simply means that the download speed is much faster than the upload speed. That's because most of us are



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### THE COACH'S CORNER

Debra Bruce, J.D.

#### Implementing a 360 Degree Feedback Program

Recently two different clients came to their coaching calls upset. They worked for very different organizations, but both had received the results of feedback surveys without any support or private debriefing session. Both were discouraged. They shared their reports with me and asked for help.



#### A Client That Saw the Glass Half Empty

One client's report actually indicated a lot of improvement and some very good results in developing teamwork in his group. However, he focused in on the responses to questions that called for negative information, such as frustrations on the job.

He seemed to disregard the responses to the question "What is working well in your group?" He also failed to notice that when asked the neutral question "Is there anything else you would like to share?" quite a few respondents volunteered comments like "I love my job," "This is a wonderful place to work," and "They are doing a great job and it's appreciated."

With that client, I simply read out loud about half of the positive comments in the survey. As he listened, he began to relax, and realized that perhaps he should review the responses again, with a different focus.

#### A Client Who Didn't Know What To Do

The other client received some pretty consistent feedback indicating that she had some issues to work on. She knew she had challenges with a couple of "difficult" employees, but the consistency of responses gave her a wake up call. She began to consider that she might play a larger role in the problems than she realized.

This client felt discouraged because she just didn't know how to improve the situation, especially in so many differ-

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Law Practice Management  
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The Practice Manager  
is a newsletter published by  
the  
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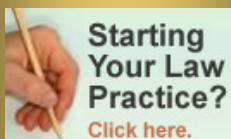
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ent areas. As a very conscientious employee, she had already been doing the best she knew how.

I pointed out to her three skills that we could work on together. I shared my reasoned opinion that, as she mastered those three skills, most of the other areas for improvement would naturally resolve themselves because they were related. The work ahead still daunts her, but she regained hope as we discussed a plan.

These two stories illustrate some of the risks involved in conducting a feedback survey without adequate advance preparation or post-results support for the participants.

### Guidelines for Successful 360 Degree Feedback

Here are some guidelines for instituting a successful feedback program.

1. Explain the purpose of the survey in advance, and provide opportunities for questions and reassurances. A couple of appropriate purposes might be (i) to identify individual strengths to capitalize on and individual areas for further development, and (ii) to identify subject areas that warrant additional firm training.

2. To minimize participant anxiety and maximize cooperation, avoid administering the survey near performance review or bonus time or during predictable periods of high workload.

3. Design the survey to measure the important competencies and behaviors that lead to the achievement of the firm's goals. Research-based surveys are already commercially available to measure certain competencies, such as the behaviors that result in effective leadership. Multiple choice questions are easiest to score, but include a few open-ended questions, as well. They allow raters to give specific examples or raise issues not otherwise addressed.

4. Tying survey results directly to compensation or other rewards can "put teeth into" the firm's initiative on improving leadership, management, mentorship, communication or other "soft skills." Such efforts can backfire in the highly competitive environment of a law firm, however. Supervisors may subtly (or not so subtly) pressure subordinates to give good reviews, or friends may collude to rate each other highly. When the firm frames the process as a self-development tool only, it may encourage more candid feedback.

5. Implement mechanisms to assure that the feedback benefits the participants as a professional development tool. Give careful thought to who should have access to the results. Widespread results sharing could cause embarrassment and defensiveness, which would hinder development efforts. For maximum safety for participants, the responses could be gathered confidentially by an external provider, with each participant seeing only his own report. For mid-level security, the responses might be shared only with the human resources

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## UPCOMING EVENTS

### What Was I Thinking?

Estate Planning and Probate Practice Management:  
Tips and the Top Ten Things to Avoid (Video)

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## ONLINE LEARNING FOR LEGAL STAFF PROFESSIONALS



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

*Tech Roundup continued from page 1*

much more interested in a web site fully downloading quickly to our browser than in having our emails go out a fraction of a second faster. Since there is only so much bandwidth available it is allocated mostly to downloading rather than uploading. (Some providers offer symmetrical service at a higher cost for users that require more upload speed.)

In the late 1990s and early 2000s DSL was not available everywhere. Even in central Austin, where I practice and lived at the time there were areas where there was either no DSL service or only very slow service. DSL is available only within about 2.5 kilometers of a telephone switching station with the proper equipment. The speed of the service deteriorates as the distance increases. In the older Austin neighborhood where I used to live, the phone lines were old and the switching equipment not up to date. For several years I could not get good DSL service. Consequently, I had to subscribe to my cable provider's Internet service at a slightly higher price. Unfortunately, the cable infrastructure in that neighborhood wasn't in great shape either thanks to fallen tree limbs and squirrels. However, by the mid 2000s things were fixed so that either type service was fast and reliable.

Cable companies transmit the digital information over, well, the cable. Even with a couple of hundred TV channels there is still a lot of Internet bandwidth available on conventional coaxial cable systems and fiber optic networks now being utilized by some companies provide even more capacity. Cable systems utilize a modem that connects to the same cable outlet as your TV and interfaces with the computer network. Generally, if there is television cable available in a block or neighborhood, there is also cable Internet access available.

There is no distance from the station limitation with cable. The only technical drawback to cable Internet access is that the system is arranged in a series of loops. One loop may include all or part of a neighborhood. There is a finite amount of bandwidth available to the loop, so, if several users on the loop are accessing the Internet at the same time the speed of the individual connections slows down. In my experience, this problem exists mostly in the minds of the cable company's competitors. It's mentioned prominently in their advertisements but I've never experienced any noticeable slowdown in my cable connections. Most if not all cable providers guarantee a minimum speed for uploading and downloading. The true speed usually far exceeds the minimum.

As a general rule, cable connections are faster than DSL, but, DSL is also generally cheaper per month. To compare prices

and speeds, I'll use AT&T Yahoo's DSL business Internet services. The package offering 1.5 Mbps downstream speed and 384 Kbps upstream speed is \$35.00 per month. Twice the download speed and 512 Kbps upload is \$45.00 per month. The top of the line package featuring 6 Mbps downstream speed and 768 Kbps is \$55.00 per month. The slowest cable business package available in my area from Time Warner Cable Road Runner is about the speed of the fastest AT&T DSL package. The cost for the cable service is about \$100 per month. Each service offers a set number of email addresses, space for a web site, etc.

So, why would anyone choose the more expensive cable service? One reason might be the unavailability of the higher speed DSL service at a particular location or the unavailability of DSL at all. If the address to be services is not within about 2.5 kilometers of the switching equipment, DSL won't be available. If the equipment hasn't been modernized recently, the quality of the telephone lines poor or the distance from the switching station approaching the limit, the speeds available might not be top notch. I found that the slower DSL speeds didn't fit the needs of my office, primarily because I like to access my network from my home or hotel via my laptop and use Windows Remote Desktop to access my office desktop computer remotely. This requires decent upload speed at my office to make the remote access useable. For several years I subscribed to the AT&T Yahoo package for with the 512 Kbps

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## Choosing the Right Time & Billing Program for Your Law Practice

### Live Via Webcast!

**AUGUST 20, 2008  
12:30-1:30PM CST**

#### Speakers:

**Nancy Griffing, Houston**  
The Griffing Network

**Al Harrison, Houston**  
Harrison Law Office

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

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professional or practice group leader, and the respective individual recipient.

6. Help the participant recognize and understand differences between his self-perception (based on his self-rating in the survey) and the perceptions of others. Also provide benchmarking data, such as the average score for all other participants in the survey, or national averages for this industry.

7. Repeat the process (perhaps six months or one year later) after implementing training or other development programs. This gives the participants the opportunity to demonstrate progress. This is especially important for those who were disappointed by their first round results.

8. Don't just focus on negative results. Capitalize on the strengths revealed in the survey by assigning important duties to those who exhibit capability in that arena, rather than on the basis of seniority, revenues produced, or other measures not specifically tied to the necessary competencies.

### Examples of Survey Questions

If you have never participated in a 360 degree feedback survey, you may be wondering what kind of questions are involved. Typically the survey will describe a behavior or competency (or group of competencies), then allow the rater to rate how frequently the subject engages in the described behavior (never, seldom, frequently, always) or how accurately the trait describes the subject (strongly disagree, slightly disagree, slightly agree, strongly agree).

Here are a few sample measurement questions gleaned from different surveys:

- Keeps focus on fixing problems rather than finding someone to blame
- Places a premium on collaboration, cooperation, and contributing to other's success
- Considers the impact of actions and decisions on others before implementing
- Actions and behaviors are consistent with words
- Deals on a timely basis with issues that need to be addressed
- Encourages open and candid expression of ideas and opinions
- Is flexible in dealing with changing or new circumstances
- Effectively uses available technology to increase efficiency
- Analyzes data to determine the root causes of work process and procedure problems
- Clearly communicates critical job task expectations and measurement standards

### Would 360 Degree Feedback Benefit Your Firm?

Do the above rating statements describe behaviors that would improve the productivity and morale of your firm? Would it be valuable for people in your firm to see how their behavior is perceived by others on such standards? If so, a 360 degree feedback survey may be useful for your firm. If, however, members of management and other leaders do not acknowledge the feedback they receive, and take some public steps to improve on any poor scores, the survey may cause more problems than it solves. Don't ask unless you are prepared to listen!

*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 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](mailto:debra@lawyer-coach.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.*

**Did you know that even under ideal conditions, the practice of law engenders a certain level of stress? Stress speeds the depletion of your daily supply of energy. Consider the following factors that can reduce or induce stress:**

- practice area
- practice setting
- office comfort
- clients
- judges
- opposing counsel
- other parties
- deadlines
- travel
- office systems
- technology
- "dog" files
- fees
- office expenses
- office debt
- personal expenses
- personal debt
- anger

**Choose to carefully control how you react to these factors. Strive to reduce the propensity of these factors to cause anxiety, discomfort and stress. Save your energy for your best service to your best clients. Be proactive about changing how you react to these factors. Remember that your office is your "sanctuary." Ensure your office systems are serving you; ensure that your staff feels safe to express opinions and to ask questions; ensure you are on track to achieve and maintain a more satisfying practice little by little each day.**

upload speed. I found this upstream speed to be adequate but perhaps a little slow for remote access. The fastest DSL speeds were not available at my office until fairly recently. I was contemplating upgrading but another factor caused me to switch to cable even though it costs me an extra \$45 a month.

I found that the biggest drawback to my DSL access was having to deal with a phone company for service. AT&T Yahoo DSL service would periodically change things on their system such as requiring different security settings to use their outgoing mail server. On the AT&T Yahoo system a user has no choice but to use AT&T's outgoing servers. This is to help prevent their servers being used by spammers. The latest security changes were intended to make it even harder for unauthorized users to send mail over their servers. However, the changes were made with little or no prior warning. On several occasions we suddenly lost the ability to send email in the middle of a business day. Calls to AT&T Yahoo's service representative were, to say the least, unhelpful. To find a solution to the problem I would have to Google the error messages I received to find blog entries from other users who had experienced the same issue. I found that the blogosphere was more helpful than AT&T Yahoo support for finding a solution to the problem. After several instances of interruptions of outgoing mail, I changed to a cable provider.

Of course, not every DSL provider will have the same technical issues and poor customer service. The point is that in a busy office fixing a problem in a hurry is important. In my experience, I've found that the technical support technicians at my local cable company are much more attentive to my technical issues than were those employed by my former DSL provider. Time Warner cable has excellent technical assistance provided by local technicians. There is also an account executive in charge of my account that we found to be accessible and helpful during the setup process.

On Time Warner Cable Road Runner, we are able to use the outgoing mail servers provided to us by our domain hosting service, FutureQuest. Since Time Warner does not require the use of its outgoing mail servers on the Road Runner network, clients who bring their laptops to my office can access my wireless network and send email with the outgoing server that they ordinarily use. With AT&T Yahoo, they could send email only if they were configured to use that company's servers. This was a small issue but somewhat of an annoyance. More importantly, so far the cable access is faster and more reliable.

It would pay to check the blogs to determine overall satisfaction with a provider before signing up. Reliable service and technical support may be worth paying a premium price. The more we rely on email and other Internet services, the more costly interruptions are.

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