

LIANS/RPM Solo and Small Firm Conference: “60 Tips in 60 Minutes”

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1. Doing More with Voicemail

While there are some people that still don't like it, odds are voicemail is a tool you use almost everyday, at both work and play. So, are you using voicemail as effectively as you can?

Like so many other nascent technologies in their early stages of adoption, voicemail was despised by most of us when it was first widely implemented in the early 80's. Why? Because it just didn't work properly: messages were garbled, lines got dropped, and you often ended up in the dreaded voicemail jail – an endless loop of messages that left you with no way to a live person.

But jump ahead 25 years and e-mail has become an essential part of our everyday lives, and I am willing to bet that just about every reader of this column uses it in their office and quite likely at home, too. So, how well are you using voicemail? Can you make better use of it?

If used properly, voicemail can help you work more effectively and efficiently, and at the same time, improve your client service and communications. Let's review how.

Avoiding Frustrated Clients

No doubt, at some point you have been frustrated when you were trying to contact someone or leave a message. Now ask yourself: has one of my clients ever been frustrated when they tried to contact me? To avoid frustrating clients, consider the following pointers for handling incoming calls.

Do you know how callers to your office are greeted, and what options they are given for leaving a message? Even if you think you do, call your office to find out for sure – you might be surprised by what you hear. And, does the answer to this question change when your regular receptionist is off sick or on holidays? It shouldn't, but I suspect for many of you it will.

If your firm's incoming calls go through a receptionist, consider giving the caller the option of leaving either a traditional message or a message on voicemail. This will prevent someone that is uncomfortable or unwilling to use voicemail from being forced to do so – there are still some holdouts out there that really don't like it.

Are callers to your office asked to identify themselves? You need to tread real carefully with call screening. If you don't take a call after a client has been asked to identify herself, you are likely leaving the impression you are avoiding the call. Oops! So how do you avoid this? Set-up this protocol with your receptionist: If you don't want to be disturbed, put your phone on hold so the receptionist knows you are not available. Then when the call comes in, it can go directly to your assistant or voicemail. No need to ask for name of caller.

And, if you really want to think outside the box (for most lawyers anyways), ask yourself, do your calls really need to go through a receptionist? Most clients will feel better served if they have your direct line. Now, you are going to say, I don't want the interruptions. Yes perhaps, but consider if call display would help. Many lawyers who have call display will tell you that they initially thought they would use it to avoid calls. In fact, they tend to find they actually take more calls because knowing the identity of the caller allows them understand how much time will be involved before they pick the call up – and that 4

seconds between when the name pops-up and you take the call magically seems to get in the right frame of mind. And if you really don't want interruptions, just put your phone on call-forward. - DP

2. Greetings

Your voicemail greeting speaks to your client when you can't – so you need to make sure it says everything it should. To be of maximum assistance to a caller, your voice mail message should:

- Open with your name and title so that callers are sure they reached the correct voicemail.
- Be updated on a daily basis, including details of your schedule (but not your life story) if you expect to be unavailable for part of the day (“I am in meetings all morning”). If you are out of the office, indicate if you are checking voicemail or e-mail messages, and when you expect to be back (especially if you are away for an extended period).
- Always give callers an option to transfer to a live person, either your assistant or the receptionist. This is important if they need immediate assistance. And remember to adjust messages if both you and your assistant are out of the office.
- Encourage the caller to leave a detailed message – yes you shouldn't have to say this – but it will help pry out a few more facts from callers that are reluctant to say much. This help you learn exactly what the caller wanted without having to call them back.
- Lastly, state your policy with respect to how quickly voice mail messages will be returned (e.g. “I return calls within 24 hours”, “...by end of the next business day”, etc.). Set a time that fits you, your practice and clientele – and make it very clearly known to your clients at the time of retainer so you can set and control their expectations. - DP

3. Leaving Messages

When you leave a message on someone else's voice mail, make the most of it by:

- Leaving a detailed message giving the information you want to pass on, or asking the questions you need answered
- Stating the date and time of your call;
- indicating if there are specific times when you will be available for a return call.

Doing all these things will help the person understand why you called and, depending on the circumstances, will enable him to get back to you with the information you require, even if he must leave a detailed message on your voice mail. If used properly, voice mail can eliminate the time wasted by telephone tag.

And, to those of you that restrict people to leaving 60 second messages – please do us a favor and configure your voicemail so we can leave you a longer and more detailed message. - DP

Say Your Number Slowly!!

Now, for the most important part: clearly and slowly state your phone number. Let me say it again: clearly and slowly state your phone number. Most people say their number at speeds approaching Warp 5, with the result that it is unintelligible. Slow down and take a deep breath between each number. OK, perhaps not quite that slow, but you get the point. - DP

Dave's Tips:

In my tips section, I am focusing on the applications that I actually use on a daily basis and why I find them essential. I have unfortunately read too many well-intentioned articles that seem to have as their underlying theme that you should rush out and acquire the latest and greatest application, but you get the sense from reading the article that the writer is only reviewing the application rather than using it on

a daily basis. Accordingly, these tips are all based on my experiences living with these applications or gadgets and the benefits that I find they bring to my work and my day.

4. Case (or Practice) Management Software: in my case, Amicus Attorney

I am a huge fan of case (or practice) management software and have used it daily for over 12 years and could not imagine trying to practice law without it. Now to be clear, when I am speaking of case management software, I am not referring to Summation, Ringtail, SearchLight, Concordance, Casemap or other litigation management tools. Those applications are dedicated to helping a litigator prepare a litigation file. Here, I am speaking of: Amicus Attorney, TimeMatters, AbacusLaw, PracticeMaster or other dedicated case management applications or accounting systems that have integrated case management features into their applications such as: PCLaw, LawStream (for the Mac as well as for the PC), ProLaw, Client Profiles and the like. Case management software can benefit any lawyer, in any kind of practice.

Here is a synopsis of the benefits that I find from using case management software:

#1 — Case management can organize your day

Case management software replaces the lawyer's desktop calendar with an electronic calendar. Yes, you do get a calendar in Outlook – but Outlook organizes itself around contacts; case management organizes itself around a file, and that, as they say, makes all the difference in the world since it integrates your calendar with the electronic file and all the parts thereof.

#3 — Case management can manage your deadlines

Case management offers the ability to juggle deadlines and dates and keep on top of your critical to-dos. For example, your electronic calendar has a “to-do” area — which carries forward your “to-dos” until they are marked “done.” No need to continually rewrite lists of to-dos. Your to-dos can be converted to appointments — thereby carving out time in your schedule to do your tasks — usually by a “drag and drop.” This ability to carry to-dos and use them to block off time in your calendar allows you to quickly take your priority items and create time in your calendar to get them done! To-dos can be embedded in your calendar — indicating tasks that have to be done in the future but need not clutter up your present to-do list. Examples are limitation reminders, bring forward reminders, preparation reminders — anything for which you need a memory prompt. They will pop up on your to-do list when the requisite trigger date is reached.

#4 — Case management can make you more \$\$ by doing automatic time and billing entries information.

You can take a to-do and click on it to indicate that it is done — case management software will then prompt you to create a time and billing entry from the entry.

#5 — Case management can do some of your work for you

Case management systems will generate documents — retainer letters and agreements, fax cover sheets and the like — using the information in your contact database. Moreover, Amicus Attorney will time this task and create a time and billing entry for you for this work.

#6 — Organizes your information on each client file

Open the File Information Module/Section in any case management software — in there you will see a description of the case, the parties in the case and all contact information, notes on the case, things to be done, logs of the calls and lists of the documents generated for the file — in other words, an up to date index of the file — without having to locate the paper version. Great to get an update on the file when your client or the lawyer on the other side calls — you can pull this information up on your screen while making small talk and be up to speed on the details lickety-split.

#7 — Keeps track of all the people in each file

In an Amicus client file, click the “add person” button and see how you can add someone who is already in your database (such as another lawyer), a client, an expert — and note how all their contact

information is now associated with the new file — without having to rekey in any information. Contact information changed on someone? Make the update once and — since all contacts are in a common database — this update is immediately reflected on all files involving this person. This “file-oriented” approach is the major difference between a contact manager (such as Microsoft Outlook) and a legal case manager.

#8 — Coordinates your communications with all the people in each file

Open an Amicus client file and see the people associated with that file. Click on the telephone call icon for any of them — your call on that file is now being logged, your billable time is being recorded, and your notes of the conversation are being associated with the file. In Amicus Attorney you can click on the “show calls” button and review the calls with that person — or within any of the modules in Amicus Attorney you can click on the “i” info button beside a contact name and see the contact card for that person. You can then create a time and billing entry (through a few clicks), print up a memo for the paper file (using the print memo button in Amicus Attorney), create a follow-up reminder (again unique to Amicus Attorney), print up a fax cover sheet to the person with whom you have just talked, create an email to that person instead — and have all this information associated with your file.

#9 — Organizes linked events according to defined schedules

OK, so you have to create a pleading and the response must be filed within X days — how can you use your case manager to manage this? By using linked events. The “chaining of events” for particular kinds of files can be saved as a precedent — for example, you can create a chained check-list of to-dos of all your usual pre-trial checks and production deadlines including expert evidence production dates for a personal injury file — and once created, you can reuse that precedent on every personal injury file.

#10 — Lets you keep all the documents on each file at your fingertips

Every case manager will allow you to associate a document on a CD-ROM or on your hard-drive with a file in your File Manager. Once you have done this, you need not cart around any of the physical evidence with you again. You can call up the file, scan the documents and double-click on any particular entry to view, hear or see the evidence directly on your computer screen. Beats carting around boxes of documents with you where ever you go.

#11 — Automatically generates documents using information from files

Case management software can create a fax cover sheet, a retainer agreement, a letter — even a pleading — by sharing information with your word processor (or with software such as Hot-Docs). You can create your own set of precedents to work in this way.

#12 — Provides you with customization ability and reports tailored for your practice

All case management software packages can be configured or customized. You can create custom fields, precedent forms for automatic document generation and custom information on the “brad.”

#13 — Ensures that you NEVER forget to return a telephone call or email

All case and contact managers will log calls. All case management software programs will allow you to create a time and billing entry and a reminder from a logged call. You can retrieve a list of all calls, all messages and all emails for a particular client or for a particular day, directly from your desktop. No running for the physical file!

#14 — Case management makes it easy to keep track of all your billable time

Some case managers will track and log your time. This makes the task of keeping and logging billable time easier. Studies have shown that people who track their time contemporaneously with completing tasks log 20% more time than those who log their time at the end of each day. Case management software packages that record time will export your time directly into various accounting systems.

#15 — Case management — no double-entry of information

Computerized case management software offers integration within the application as well as with other applications — meaning that information once entered into the system need not be rekeyed.

Information that is entered once is re-used whenever it is needed. An example of this is marking a task

such as returning a phone call, or clicking a “to-do” as being done — which generates a time and billing entry in Amicus.

#16 — Provides you with pro-active advice about managing your practice

Case management software will provide you with feedback on how you are progressing. For example, you can set Amicus Attorney to prompt you if you haven’t opened a file in a user-selected time period — to ensure that you are continually bringing in new business or to remind you to call a client according to a user-defined time period — ensuring that you keep in touch with all of your clients.

#17 — Pro-actively reminds you about business development activities and helps you keep in touch with clients

Amicus Attorney will remind you if you have not posted any entries within a certain time on a file, reminding you not to allow files to go stale and unworked.

#18 — Helps you avoid malpractice claims/conflicts

Case management software allows you to search your Contacts list to determine if you have a conflict regarding a new potential client. You can also file away limitation reminders in the Calendar “to-do” section — to remind you of upcoming limitation dates. Furthermore, Amicus Attorney will warn you if no time entries have been made on a file within a set period of time.

#19 — Lets you work from anywhere

All case management software packages come with a version that is networkable or a client-server edition. Most case management packages can be accessed remotely — either with remote access software on your system or via a remote access module built-into the application.

#20 — Lets you manage your intellectual assets

Most case management products have a knowledge management resource built into the software. You can organize your firm’s precedents, your firm’s research (memoranda and opinions), and other “unshelved” materials. This allows you a uniform and consistent method of building up your firm’s intellectual property and making it available to others in the firm for greater effectiveness, efficiency and increased billings.

#21 — Case management works with your document management software

Most case management applications have a dynamic link with WORLDQX, the most popular document management software. This integration ability allows you to work with Worldqox as your document manager and integrate it into your case management application.

#22 — Case management calculates dates for you

You need to calculate forward dates constantly as a lawyer — from limitation dates to dates dependent on trial schedules and the like. Most case management software applications can calculate the number of business days, calendar days, weeks, months and years before, after or between any day or set of dates. If a reminder falls on a weekend or statutory holiday, then you can pre-select if you want to see the reminder before, during or after the weekend or holiday — so that you never miss an important deadline.

#24 — Case management helps you sleep at night!

You can rest easy knowing that limitation dates, reminders and safeguards to monitor your practice have been turned on and are watching your practice to ensure that you are reminded of the matters that you need to know in time to allow you to take action.

5. Adobe Acrobat 9 Professional

This is one of those applications that has become essential to how I work. Not only is the ability to send documents without hidden metadata, formatted as you wish them to be seen important, but it has become the ‘go to’ application for government filings and exchanging documents with clients and other lawyers alike. Furthermore, you can build in hypertext links, allowing you to create a brief, for example,

that contains your argument, your evidence as well as the law on which you are relying, all linked and contained in one document.

For the paperless office, Adobe offers an ISO standard format that should not become obsolete over time. The 'dual layer' nature of a searchable PDF (namely a text-layer combined with the graphic layer) allows you to easily search documents in a folder, a hard drive or indeed a network.

All versions of Adobe Acrobat except the free Reader have the ability to take a scanned document and OCR the document, turning it into a searchable PDF.

The full version of Acrobat 9 has many other features as well, one of which I really like which is the ability to create a single PDF portfolio that is composed of multiple files and formats.

6. MacBook (+ VM Ware + MS Office for the Mac + Searchlight + Keychain + Grab + hard drive encryption in OSX + iAntivirus from PCTools)

I fully admit that I have become a Mac convert. I use an IBM Lenovo running Windows XP as well as a MacBook running OS X, but I much prefer to use my MacBook. There are many advantages to running in the Mac environment.

For one, which the initial cost of a Mac may be higher than a Windows machine, the total cost of ownership, in my opinion, is lower. Not only do you save time not having to worry about Windows viruses, malware and other sort of nasties, the Mac machine runs more reliably and consistently. I can truly say that the time I have lost to rebooting my Mac is a very small percentage of the time that I have to spend on my Lenovo doing the same thing. The Mac, to put it simply, runs. I don't have to end up trying to figure out things under "Control Panel" and the like that I do with a Windows machine.

I run Microsoft Windows for the Mac (Word, Excel, PowerPoint and Entourage – an email client similar to Outlook) in order to gain full compatibility with the Windows world. Note that these are native Mac applications – they are not running in Windows under a Windows-emulator on the Mac.

While Windows machines come loaded with 'teaser' software that expires shortly after purchase, the Mac comes fully loaded with full applications like Searchlight (a hard drive indexing and search tool), Keychain (a user name and password program), Grab (for capturing screen shots similar but more fully featured than Paint), iTunes, iPhoto, iCal, Mail etc.. It has a hard-drive encryption program that just has to be turned 'on' to safely encrypt all the data on your hard drive. PCTools makes available iAntivirus, a free anti-virus application for the Mac (I have yet to find a virus or malware on my Mac). There is a built-in backup application (Time Machine) etc...

When I need to run a Windows program, I have VM Ware + Vista (yes!) that runs in a virtual machine on my Mac. I can drag and drop data back and forth between the Windows side and the Mac side of my machine.

The choice for me is clear. Remain in the Windows world and continue to wrestle with all sorts of nasties that waste your productive time, or come over to the 'White Side' as I call it (my MacBook is white) and simply get ready to get your work done.

7. NeoOffice (or OpenOffice)

www.neooffice.com or www.openoffice.org

This is a great alternative for anyone and not just for those opening their office where pennies are hard to find. NeoOffice and OpenOffice are open source software projects that includes a word processor, spreadsheet, presentation application and database (but not an email client – you will need to use Mozilla Thunderbird or Outlook on the PC or Mail or Entourage on the Mac).

However, NeoOffice or OpenOffice are full-featured office suites with MS Word compatibility. They are 'open source' software, meaning that many eyes have looked at the code and suggested improvements

in security and features (similar to the Firefox browser which is also an 'open source' project). You can print directly to PDF (ok you can do this all the time on the Mac, but it is good to see this on the PC side). There are features in OpenOffice that you won't find in Word...autocomplete for words for example. You start typing a word and OpenOffice suggests the rest of the word – if it guessed correctly, hit <return> and the full word is inserted. If it guessed wrong, just keep typing. It speeds up your typing more than you would realize.

OpenOffice (and NeoOffice) will also open WordPerfect files, Word files, OpenDocument (the new open format for word processing documents that is application-independent) among others. These products are well worth a serious look and not just for those just setting up an office.

8. ActiveWords

(www.activewords.com) If you have ever used Quick Correct or similar function in a word processing application, you can relate to ActiveWords. This application is cross-application and is like Quick Correct on steroids. You can type "Word" into the ActiveWord toolbar and it will launch MS Word. Type in "Photos" and you can open the pictures folder on your PC. If you use the same phrase or text all the time, you can set up an Active Word shortcut for it to substitute it into ANY application you wish – not just your word processor. I use it in conjunction with Amicus Attorney to quickly substitute in text that I use all the time. You can use it to send emails etc. ActiveWords has become so central to how I work that I look for it on my Mac – and unfortunately, it is only for the PC. Rats!

9. Condor DataVault

According to a study done at Carnegie-Mellon University, between 2-4% of hard drives – and up to 13% in some situations – fail (<http://tinyurl.com/ycthsqsj>). This higher-than manufacturer reported failure rate is attributed to the fact that computers are not tested in real-life situations – where dust, hot, humid and crowded environments and power failures – wreak their own damage. If that hard drive that failed happens to be your server or other hard drive containing the only copy of your data, you could be in for a very difficult time indeed.

Accordingly, a secure and dependable backup system is a necessity. Many options exist, but it is preferable if the system can be as automatic as possible to avoid human failures that lead to disaster. Offsite backup is certainly a good idea, as the chances of one disaster destroying two copies of the same data set that are separated by distance is lessened. I am not a fan of using data warehousing services on the web for two major reasons. One is that a computer security expert that I know tells me that the 'bad guys' out there know what treasure may lie in these data warehouses and are targeting them for hacking attacks. The second is that even if your data is secure and protected on a data warehouse, the time to pull back a full data set even over the fastest web connection is very long indeed. Let us assume you have a gigabyte of data on your system:

"A gigabyte (GB) is a unit of measure of computer data that is equivalent to 1,024 x 1,024 KB or 1,048,576 KB. Examples of approximately 1 GB of data include:

- * 100 large software programs
- * 250 music tracks (MP3 music files of 4 MB each)
- * 100 video clips (MPEG video clips of 10 MB each)
- * 20,000 pictures (JPEG images of 50 KB each)
- * 16,000 Web pages (Web page visits of 60 KB each)
- * 2 movies (approximately 500 MB) - note the size of movie can vary significantly."

Unfortunately Canada does not lead the world in terms of internet download speed (the limiting factor for moving your data back from a data warehouse back onto your system). In a study done in 2007, Canada had average download speeds of under 10 megabytes per second. Since one terabyte of data = 1,048,576 megabytes, this means you need 104,858 seconds to download a terabyte, on average. This equals over 29 hours. Actual download times will vary with the amount of data on your system and your actual download connection speed.

Accordingly, the fastest way to get a terabyte of data from an offsite location to your office may be to just pick up the hard drive backup from the remote location and move it to your office. That is exactly what Condor Data offers. The DataVault solution from Condor Data Solutions Inc. (<http://www.condor-datavault.com/product/product.html>) offers encrypted data transfer (1024 bit security and automated data backup to a remote location of your choice. Most lawyers elect to have this backup at the home of one of their partners. DataVault can be configured to keep up to 14 days worth of historical backups (meaning that you can go back to the past 14 days worth of complete backups). The DataVault connects to a USB external hard drive.

This solution has been adopted by many law firms in the Vancouver BC area.

10. MonetaMail

www.monetasuite.com

This is another one of those small little apps that have a big impact. This application tracks your time spent in reading and answering emails, in drafting Word documents, in building Excel spreadsheets and soon, in reading and answering emails on your PDA. Lawyers constantly tell me that keeping time is too difficult. MonetaMail makes the task of tracking time in Outlook dead easy and simple. It exports your time in an Excel spreadsheet or PDF. From there you can take the time tracking (down to the second) and make your entries into your time and billing program.

11. Dragon Naturally Speaking Professional v 10 + Sennheiser switchbox and headset

OK I know that voice recognition isn't for everyone. I have talked to lawyers who have achieved a 98% recognition ratio and others who were unable to get thru one sentence without an error. I think Voice Recognition falls under the Alexander Keith beer motto: "Those who like it, like it a lot".

I personally think it is magic and I have achieved a fairly high recognition rate (high enough that I can dictate faster than I can type). I use Dragon's Professional version 10, a Sennheiser switchbox and headset (stereo) that allows me to use the same headset to answer telephone calls as well as dictate to the computer. My only negative comment is that the earpads get a bit warm after a bit. But the sound is clear and the switchbox has a volume control that allows you to turn up the volume for those callers who refuse to speak in anything other than a whisper.

The Sennheiser USB microphone works well with my Lenovo and Dragon. I try to reduce the background noise (close my door) as this seems to affect recognition rates. Furthermore, I have a grounded (three-prong) power supply, as a two-pronged one somehow created 'static' that interfered with the recognition rates. Lastly, the most recent releases of Dragon have included an analyzer that spends time analyzing your existing documents and determining how you write. This seems to have a big impact in how well Dragon then recognizes your dictation.

12. Netbooks vs MacBooks

This is an interesting comparison. Do you go with a small, inexpensive Netbook that you use only occasionally (it is certainly not a desktop replacement) or do you go with a MacBook that you use in the office and indeed, everywhere else?

This depends largely on how you work and how often you use a computer outside of the office. If the answer is that you only need a computer to access the web, read/reply to email and do a bit of word processing, a Netbook would do you fine. If you do more than just the basics and like a sharp, big screen, a full sized keyboard and fast processor and lots of RAM and hard drive space....jump to a MacBook.

13. Training

One last word of advice – and this goes for every new piece of software you purchase, as well as those that have been on installed on your computers for many years: give people proper training. I guarantee 80% of the people in your office are using less than 20% of the features in the software that is installed on their computer. You will get a far greater return on your technology investment if you spend some time and money on training.

Remember that different people have very different learning styles. For those that like a formal learning environment, community colleges have excellent and very reasonably priced courses on widely used software programs. Those that like self-study can learn from a good book or multi-media tools such as the DVDs that Keystone Learning Systems (www.keystonelearning.com).

Lastly, if you have a technology savvy person in your office, encourage and reward them for their efforts, and make them the go-to person for technology issues. They can really help to improve the technology skills of other staff members.

14. Be a Better Geek

For those of you who wish to learn more about technology generally can consider getting a subscription to the Smart Computing magazine. It is a great magazine that has helpful and practical content, including product reviews and educational content that come on all sorts of hardware and software. It contains advice for people at all levels. - DP

Great books for Learning Microsoft Word

Anyone who grew-up using WordPerfect will struggle at times to make MS Word do what they want it to. For an awesome resource to learn about Word in a law firm setting, see Word 97 for Law Firms, Word 2000 for Law Firms, Word 2002 for Law Firms, Word 2003 for Law Firms or Word 2007 For Law Firms. These excellent books, all by Donna Payne, will teach you basic, intermediate and advanced skills for using Microsoft Word in a law office. Get the book that corresponds with the version of Word that you are using as the books are specifically written to address the differences in the different versions of MS Word. - DP

15. Dual Monitors

Once you have crossed the Rubicon and started to use dual monitors at your workstation, you will find that there is no going back. The ability to refer to one document on one monitor while working on another (for example, research on one and a draft contract on another) is a huge time saver.

Virtually all laptops and most netbooks have a VGA connection that can be used to drive a second monitor. Desktops may need an additional video card installed (which are not expensive). Or if you

really decide to go full-hog, you can obtain a box that will allow you to connect and drive three monitors!

Once enabled via the operating system you can drag and drop or copy and paste from one screen to another. The efficiency gains from working from a dual-monitor setup quickly offset the small expense of a monitor (and card if needed).

16. Blackberry + Blackberry link software to the ThinkPad and to the Mac

This is one cool application. Since I use a Blackberry on the office Exchange network, it has all my appointments, contacts etc...so – how do I get all this onto my Mac? Easy – install the Blackberry software on my office PC, synch the Blackberry – then install the PocketMac Synch manager for the Mac on my MacBook. Now plug in the Blackberry to the USB port on the Mac and all this info is then transferred to my Mac in Entourage (the Outlook equivalent for the Mac by Microsoft). Voila! To keep things up to date, just plug the Blackberry into the PC at the office and to the Mac afterwards. Now all the information is up to date on all three devices..the PC, the Blackberry and the MacBook.

17. TweetDeck + LinkedIn + Plaxo + Facebook + Blog....

I am a big believer in the marketing potential of Web 2.0 – even thou it is still in its infancy. I have seen young lawyers start up a new practice and accompany it with a blog in their area of interest and see their practice blossom. They are also active on Twitter, they have built their profile in LinkedIn, Plaxo, Facebook and other social media sites...making it easy for potential clients to learn about them and see what they do. Blogs today can have a Twitter gadget inserted (see www.thoughtfullaw.com for an example) that automatically posts your tweets to your blog. By using TweetDeck (www.tweetdeck.com) you can link Facebook to Tweetdeck so your tweets are posted on your Facebook page automatically as well.

There are many new applications that are coming out that help in drawing together the different social networking services out there. FriendFeed is one of these (www.friendfeed.com). Like groups in LinkedIn, you can start discussions and share information. FriendFeed allows you a bit more control, in my opinion, on who you invite into the moat, which I think is a potential shortcoming with some of the social networking sites.

Since legal work is largely based on personal relationships, social networking/blogs/twitter etc offers any lawyer the ability to expand his/her network and reach out to a bigger (and hopefully better) class of client that they currently have. And that can't be bad!

18. GoogleDocs + GoogleMail + all other things Google

Google Labs keeps churning out new applications and new ways for people to use the web and find and use information. For personal mail, I love Google Mail – the automatic threading of messages, the ability to search all messages quickly and easily, the ability to find an attachment from years back without any difficulty combined with the ability to access Google Mail from any computer connected to the net makes Google Mail a winner. Of course, I would not recommend Google Mail for confidential client communications. But for all other uses, it is hard to beat.

Google Docs is a web-enabled word processor. If you find yourself away from the office and need to get out a word document quickly - then jump to GoogleDocs, create the document and email it off. Fast, easy and like all things Google, free. GoogleDocs has a limited feature set, but given the ease of use and access, it fits the bill when you are in a jam.

For a quick overview of what is new at Google, go to: <http://www.googlelabs.com/> and see what has recently been released. One of the most interesting projects at Google is Google Books – they are busy imaging and OCR'g as many books as possible and adding them to the online Google world. Already they have more texts than any of the biggest libraries in the world. The mind boggles (googles?) at the thought of being able to search across *all* the books ever written when looking for information. And this is just one of the projects under way at Google. I think we ain't seen any thing yet...

19. YouSendIt.com

You need to send a big file but the email box for the recipient is too small..how do you get it to them? Go to: www.yousendit.com. Here you upload the file and create an email with the link to the file. The recipient follows the link and downloads the file. Quick, easy and free.

20. www.kayak.com and other travel sites

There are many travel sites out there, including Expedia.com and Travelocity.com. But I personally like Kayak (www.kayak.com), Triplt (www.tripit.com) and StarAlliance (<http://www.staralliance.com/en/>) since I am an Air Canada frequent flier points member.

Kayak allows me to quickly search and view possible flights from all different airlines which is particularly important when booking a multiple-city trip. You can also search for hotels, cars etc.

Triplt allows you to simply email triplt a copy of your airline booking, car reservation, hotel reservation etc. and it builds an on-line trip itinerary that you can then share with those with whom you are travelling. Quick, easy and free..

Since I prefer to collect Star Alliance flight points if I can (Air Canada, United etc), I always check any possible trip against the flights that I can see at Star Alliance. This allows me to compare the flights/routings that I get from kayak.com with the flights that I could get on the Star Alliance network to determine which flights to finally select.

21. Eyejot

www.eyejot.com

Ok, say your kid has gone off to University in another province. Say that university is several time zones away that makes synchronous communications difficult, notwithstanding that you and her have both Skype, Google Chat and cell phones. What can you do? Get Eyejot. Here you can record a video message to the kidlet using the web cam and microphone in your laptop and send it off to them..and expect a video message by way of reply. Too cool!

You can also add an Eyejot gadget to your blog that allows viewers to see your profile/welcoming video and they can leave eyejots for you to view (they don't have to be an Eyejot user if you allow anonymous users when you configure Eyejot).

22. Toodledo

OK, you are the type that **never** forgets an appointment, task or to-do. Skip this tip. For the rest of us, consider Toodledo. Toodledo gives you a single place where all your to-dos are permanently stored and easily accessible. It allows you to relax, knowing that you won't forget anything. Toodledo's hotlist, email and sms reminders, and sortable online to-do list will help you remember to complete tasks on-time. Furthermore, for those of us who are procrastinators, Toodledo has a special tool that analyzes dates,

priorities, time estimates, and other characteristics to create a customized schedule of the best use of your time

23. RescueTime

Here is a great article on the lost time to all the distractions that we seem to find on the web and created by technology.:

http://www.nytimes.com/2009/09/17/technology/personaltech/17basics.html?_r=1&scp=1&sq=rescuetime&st=Search

Do you ever wish for a way to just cause it to stop for a while? Go to www.rescuetime.com - here you can turn off the internet for a set period of time or limit yourself to a set time period to social networking etc. This is a way to regain your life and your productive time! It also tracks the time that you spend on-line (so you know what you are really spending time on).

24. Eliminate Your Biggest Interruption: Banish the New E-mail Pop-up

Most people computer's present that little "new message" pop-up window come up every single time an e-mail message arrives in their Inbox. Stop the insanity - it's just a huge interruption. You know, the beep goes off, and you get bounced out of whatever you were working in, and your train of thought gets interrupted. Turn off that notification window!! Go with just the beep if you have to. And, if you don't need to know the instant when something arrives in your inbox (and most of the time you don't), consider turning off the beep too. You're going to check your inbox reasonably regularly anyway. - DP

25. Tips for using Microsoft Outlook

These five general tips will help you move around and work with items more quickly within Outlook:

1. Learn keyboard shortcuts for completing the more common tasks. The essential Outlook keyboard shortcuts include:

- Ctrl+Shift+M to create a new message
- Ctrl+Enter to send a message
- Ctrl+Shift+I to jump to the Inbox
- Ctrl+Shift+B to jump to the address book
- Ctrl+Shift+K to create a new task
- Ctrl+Shift+N to create a new note

(If you are not familiar with the syntax for describing keyboard shortcuts, simply remember that a plus sign (+) between two keys means that you press the listed keys, almost simultaneously, moving from left to right. For example, a capital B would be described as Shift+B.)

2. Use plain English dates: Outlook understands plain English entries in date fields, and will enter the next occurrence of the described date. For example: typing "tomorrow" will enter tomorrow's date, "nov 4" will enter the next occurrence of this date, "one week" will enter the date one week from today, and "2 days" will enter a date two days from the current date.

3. Drag and drop items of one type to create another – and save time. For example, dragging an e-mail message to the taskbar Calendar icon will open a new appointment. Information from the original item will automatically be transferred to the new item so you do not have to retype it.

4. Use a “right click” for format and configuration settings. In Outlook many options or features available with a simple right mouse click, including formatting and configuration settings. These options and features are “context sensitive” – in other words, you will be presented with a list of choices that are relevant to the item, field or text you are right clicking on. For example, right clicking on an e-mail in your Inbox presents you with Open, Print, Reply, Reply all, Forward etc. Right clicking on a blank spot on your calendar will let you create new appointments, and configure the calendar. You can right click on almost everything - try it!

5. Sort items to quickly find the information you want. In all views you can sort items listed in a column with a click on column title bars. Clicking a column heading a second time will reverse the order. This sort feature works the same on column style information in all Microsoft Office applications. - DP

26. Make your Mouse More Sensitive

Most computer users use their mouse or touch pad as the primary way to interface with their computer. By default it takes a relatively large amount of movement on the mouse or touch pad to move the cursor across your desktop. In many cases, in the case of a touch pad, you may actually have to move your finger across the touch pad two or even three times to move the cursor completely across your desktop. You can make it such that a smaller motion moves the cursor further across the desktop by changing a mouse configuration in control panel. To do this, Click on Start; Select Control Panel; and Double Click on your Mouse Icon. Look for the Motion tab or other tab that has a motion setting within it. On this tab, change the movement configuration to a faster setting. I like to have a very fast mouse and touch pad. On my computer about ¼ of a stroke on the touch pad will move the move completely across my desktop. Don't speed your mouse up too much at once, as it will take you some time to adjust to a faster mouse. You will likely find that you will speed it up a fair bit. Get use to that and at a later point in time speed it up a bit more. - DP

27. Print without your Mouse

Printing is one of the most frequent tasks that most people do on their computer. Most people reach for their mouse to print a document. In fact, with a few simple keyboard shortcuts you can more simply and more quickly print documents in all Microsoft programs, and indeed many other programs. To do this press Control plus “P” to open the Print Dialogue box. If you press the Up Arrow you can increment the number of copies of the document to be printed. Simply hitting Enter is the same as clicking on Okay with your mouse and will send the document off to the printer. - DP

28. Virtual Meetings

While there is something to be said for a face-to-face meeting, you can get just as much or more done at a virtual meeting, especially if you use some of the new tools that let you collaborate across the web. Virtual meetings have several benefits: you can hold them on an ad hoc basis without leaving your desk, and you don't incur the time and expense of traveling to an in-person meeting.

I am a user and big fan of GoToMeeting (www.gotomeeting.com). It allows me to show the contents of my computer screen to one to twenty other people as fast as I can send an e-mail link to them. At least once a week during a phone call I say to someone, "hey, why don't we just a bit of time right now fleshing this out." I send them a link via e-mail, which they click on to open a browser window and it displays what is on my screen. They instantly see everything I type, and I can give control of the keyboard and mouse to them if they want to type something.

I also find GoToMeeting is great for virtual brainstorming sessions. You can write a document or create an outline much more quickly when everyone can simultaneously view and comment on it as the draft as it evolves. On numerous occasions I have concluded a phone call with a decent draft or outline of a document that normally would have taken many e-mails and redrafts over days or weeks to create. WebEx (www.webex.com) and the new Acrobat Connect (www.adobe.com/acrobatconnect) are other widely used virtual meeting products. Pricing for the basic versions of these products is extremely reasonable at around \$50 per month. If you avoid just one in person meeting a month you are more than paying for them. Most of these products share common features, including instant messaging, free teleconferencing through a central number that meeting attendees can use (they pay long distance charges). Many let you share work with both PC and Mac users, and some will transmit video as well. - DP

29. Free Long Distance With VoIP

Voice over Internet Protocol, also called VoIP, is a new way to make phone calls. VoIP is nothing more than the routing of voice conversations over the Internet. A VoIP system can give you all the things you are accustomed to on your land-line phone, including voicemail, call waiting etc., and new things. VoIP is great because it lets you avoid long distance charges, easily add extra phone lines, and receive calls on the same number anywhere in the world. A VoIP system can also give you Unified Messaging: your voicemail messages can be delivered to your Inbox as an e-mail with an attached audio file. Although prices are falling, a full blown VoIP system can be expensive to implement – in round numbers a \$1000 per person.

However, if you have a high speed Internet connection and your computer has a soundcard and microphone, you can try VoIP for free with Skype (www.skype.com) or Google Talk (www.google.com/talk) – but you can only talk to someone else that has the same software installed on their computer. Both Skype and Google Talk also give you IM. I know several lawyers that are using Skype or Google talk to avoid long distance charges, for both their office and for clients. – DP (Deborah's Notes – You can also purchase Skype minutes if you want to call someone on their landline or cell for free from your computer.)

30. Paste Special

Want to add text from a web site or other source to an e-mail or Word or WordPerfect document and not deal with formatting issues (i.e. just get the basic text with no formatting)? Use the Paste Special function. Highlight and "Copy" then place the cursor at the point you want to add it to your document. But instead of clicking the "Paste" icon, go to "Edit" on your toolbar and click "Paste Special" then select the "Unformatted" option. The text will adopt the format of the receiving document and not the format of the web page or other originating source. - DP

31. Google Yourself

Google is currently the world's most popular search engine. Millions use it every day – many of whom are looking for a lawyer, or seeking information about a lawyer or legal matter. In all likelihood, your new and current clients have Googled you, as have the other lawyers and staff at your own firm, your competitors, and even your friends and neighbours.

Googling yourself is a good way to learn how the rest of the world sees you through the eyes of the World Wide Web. For the uninitiated, you Google yourself by searching your own name on the Google search engine site. Try it and see what you find.

- Go to www.google.com.
- Enter your name in the search box, and then hit the Enter key. Putting double quotes around your name forces Google to search for pages that include your exact name.
- Search the different variations of your name, full name, middle initials etc.

And now that you know what is out there about yourself, do what you can to make sure there is more information about you on the Internet. Add content to your firm website. Start a blog or post comments on other's blogs. Write articles for publications that will post them online. Speak at a CLE program to appear as a lawyer that others turn to for direction. Make it easy for clients to find good things about you and feel they know you before they ever meet you. - DP

32. Don't be the Last to Know

The Google Alerts service will send an e-mail alert to you of Google news or Web search results based on a query or topic that you specify. On the news side, it searches several thousand news sources that the Google news page indexes. On the Web search side it searches all the Web pages that the Google search engine indexes. You provide the alert service with a text string that contains the name of the person or topic you are interested in. The Google alert service then delivers to you via an e-mail message with a brief description and link to the news item or Web page that has met your criteria. You can configure it to deliver the alerts to you instantly, daily or weekly. This is a great way to make sure you are aware if there is news or content posted on the Web that is about you, your clients, your firm or other topics of interest to you. - DP

33. Google search tips

It is amazing how Google can search the web and find exactly what you are looking for. But, would you like to improve your search results, spend less valuable time searching, and do even more with Google? As amazing as Google is, you can do a few things to help it better find the information you are searching for – read on. Do these things to help it better find the information you are searching for:

- Use multiple search terms: Narrow your results with more search terms as Google will return only pages that include all of your search terms.
- Make your search terms as specific as possible to the information you are looking for.
- Remember Google uses stemming technology which means it will search for words that are similar to your search terms. Thus a search for diet will also include results with diets, dieting, dietary and so on.
- Google searches are NOT case sensitive. Everything will be understood as lower case, so john smith, John Smith, and JoHn SmItH will all return the same results.
- Use a phrase search by using double-quotation marks around two or more search terms. This is really helpful if you're searching for proper names ("George Washington"), lyrics ("the long and

winding road"), famous phrases ("Four score and seven years ago"), and computer error messages ("Maximum_Wait_Objects_Exceeded").

- To include common words in your search (by default they are not searched) put a space and a "+" sign in front of them e.g. Star Wars, Episode +I. Look in the top right corner of the Results screen to see the words Google searched on.
- Use a minus sign to exclude pages with specific terms from your results E.g. London Arkansas – England.
- Phrase your query in the form of an answer. Think about it: you don't want Web pages that ask your question, you want pages that answer your question. So instead of typing, "Who decided Marbury vs. Madison?", type "Marbury vs. Madison was decided by".
- On the Google homepage click on Advanced Search for help on more of the searching options Google gives you.

34. The 2/3 Rule

This rule says the goal of being a happy lawyer with a successful practice can be achieved provided all your clients/matters meet at least 2/3 of the following requirements:

1. You are working on interesting and challenging legal problems
2. You are working with people you enjoy.
3. You are getting paid for your work, or are doing pro bono work that actually agreed to do on a pro bono basis.

Go through your client/matter list – how many comply with the 2/3 Rule? You can be happier and build a better clientele by making sure all your current and future clients comply with the 2/3 Rule.

35. Docketing Do's and Don'ts

Are poor docketing habits letting time and money slip through your fingers? Many of you will painfully recall doing hand-written dockets on time sheets (and unfortunately, some of you will still be using time sheets - I won't mention any names). Your staff person will have (or still has) equally painful memories of the mindless task of entering this information into your accounting system.

Time sheets are bad news. They are not very efficient as the same information is transcribed at least twice. There's also lots of opportunity for errors, and even missing information all together. Throw out your time sheets and go electronic.

Electronic Dockets Are a Must

Today, there are many excellent time/billing and accounting software products that make it dead-easy for you to directly enter time dockets on your own computer. Most of the practice management software packages have similar functionality.

When you enter your own dockets, you save time by eliminating the double-entry by your staff person, and more importantly, the opportunity for transcription errors. Once entered on a computer, dockets can go directly into accounting programs, correspondence or accounts as is necessary. If you are the road warrior type, remember that you can create electronic dockets on your laptop or PDA. The efficiency, extra speed and greater accuracy of electronic dockets makes them a no-brainer.

Now that we have you in the world of electronic dockets, and even if you were already there, here are some other pointers for capturing more of your precious time. - DP

Docket Throughout The Day

You get to the end of a crazy day. You're wiped. You've been running around like a maniac all day, responding to and sending e-mails, talking with clients on the phone, and drafting umpteen letters and documents. Time to pat yourself on the back and check your total time for the day. You add it up - only 4.3 hours. Huh??? You ask yourself: "Where did all my time go? I worked like a dog today. I got here early, I worked through lunch, I stayed late - and I have only 4.3 hours docketed."

You move to disaster recovery mode. Time to try and rebuild the day. What did I work on? What telephone calls did I make? How long were they? How much time did I spend drafting the agreement on the Smith file? How many times was I interrupted while working on that agreement. You review your sent folder to try and figure out what e-mails you read and/or sent that day. Stop! Trying to create docket entries for work done earlier in the day (much less in the more distant past) is very time-consuming, and not likely to be very accurate or complete.

It is universally recognized that lawyers who create docket entries contemporaneously with completing the task end up capturing a significantly greater portion of the work they have done - some studies suggest a gain of 20 per cent or more. Docket your work as you go.

Most time and billing programs have a timer feature to help track how much time you have spent on any given task. It works just like a stopwatch. Most lawyers grossly underestimate the time they spent on individual tasks. Try timing your own tasks, you will be shocked by how much time you are missing. If you get interrupted while working on one task, pause or close the docket for it, and create a new docket for the new task. Reopen the original docket when you return to the task.

At the end of the day, you should still review your docket entries. Look for missed time, and make any necessary corrections or additions while things are still fresh in your mind.

Docket In Detail

Many time and billing programs have standard billing descriptions, for example, "conference with client", or "review of correspondence." While these standard descriptions are convenient, they don't include nearly enough detail. Having detailed docket entries is critical as a record of the work you did on a file, and for communicating to the client what was done.

A detailed docket entry looks something like this: "telephone conference with client re details of weekend access problems." Or, "drafting of correspondence to client confirming instructions to skip zoning search."

It will take you mere seconds to add a bit of extra detail to your docket entries. The ROI on those few seconds will be massive. Detailed docket entries will help you refresh your mind as to the work that was done on a matter, even if it was in the distant past. You will also find that they give clients much less opportunity to complain about their accounts. In the event you have to sue a client for fees, or appear before a fee dispute resolution panel, detailed will make proving your fees were reasonable a slam dunk, and they quiet possibly could save your butt in a malpractice claim. - DP

Docket Every Minute You Spend On a File

Don't pre-judge and write off time spent on a file as unnecessary by not docketing it on the day it was done. Docket everything and wait until you final or interim bill the file, at which time you can properly judge all the factors that determine what should be billed on the matter. - DP

Docket All Administrative and Other Non-Billable Time

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Let's walk-through an explanation of the contents. Your signature should contain full contact info, including:

- Your full name;
- Title or status at your firm (Partner, Associate etc.);
- Firm name;
- Phone number - including area code!
- If you list a toll-free number that doesn't work outside your state or the US, list a direct dial number too;

- Fax numbers, if appropriate your practice;
- Include your e-mail address – remember that the address in the Sent box won't always display properly on screen or in printouts, so having it right in the message can be very helpful;
- Your firm website URL; and
- Any other relevant contact information (name of assistant).
- Your social networking names, if appropriate for your clients and area of practice.

I don't put a street address in an e-mail signature as people I send messages to would only rarely want my address – but depending on the nature of your practice, it may make to include your address.

Marketing Info

After your contact info, include a little blurb that markets you in some way. It could refer to an upcoming presentation that you are doing, or a helpful article that appears on your Web site – and to make it dead easy to get more info or a copy of the article, include a direct link in the message. This is the easiest and cheapest direct marketing you will ever do! Don't include more than one or two marketing items as people just won't read all of them. Instead, to keep things fresh, remember to change or rotate your marketing message every month or two. - DP

Signature Format

Remember to add three or four blank lines to the start of your signature so that you have a blank space at the start to type your message contents. This will save you having to bump your signature down a few lines in every new message you open. I also include "Dan" at the top of my signature so I don't have to type my name at the end of every message.

To make your signature standout more, start it with a divider line of one or more types of characters. You can also put a divider at the start of the marketing portion of the signature. To make the signature standout and look more presentable, I make all my dividers the same length and keep all text in the signature within the dividers so that it appears in a box-like shape. - DP

Other Content

You can also use a signature to add a confidentiality notice, the IRS notice or any other content you want in every message you send. And note, if you want something to appear before the content in your message, you can still use the signature feature to place the text into each new message - you will just jump down a few lines to type the message contents. - DP

E-Mail Form Letters

Outlook, and many other email programs, actually allow you to create more than one signature – this is helpful if you have different signatures that you want to include on different messages. Maybe you set a

default signature if you use the same one the majority of the time, or maybe you manually pick one on each message if you use a number of signatures.

But don't stop there: Do you have one or more blocks of text that you frequently include in your messages? Consider saving the text for these as signatures. Then, the next time you want to include one or more of these text snippets in your message, place the cursor where you want the text to appear and insert the signature that contains the text you want. It is just like using a macro or autotext feature within an e-mail. Cool! - DP

Vcards

So what is that little contact card icon you sometimes see at the end of e-mails you get? It is a

vCard. A vCard is a standard file format (.vcf) that facilitates the easy exchange of contact information – consider it an electronic business card you attach to your e-mail message. vCards can contain name and address information, phone numbers, URLs, logos, photographs, and even audio clips.

In Outlook and many other e-mail programs, you can instantly add all the info in a vCard into your Address book by simply double-clicking on the .vcf attachment. If you want to make it easy for people to add you to their contact list, specify that a vCard be included in your email signature when you create and configure it. - DP

No Signature Required

Do you need a full signature on every message you send? Absolutely not! Internal or informal messages and those to friends or family don't need one. So how do you quickly get rid of a default signature? As soon as you click within the body of your message, press Ctrl+A, and just start typing. This selects all the text in the message, and deletes it. – DP

37. Track Your Advertising Dollars

On intake, determine where your business is coming from. Ask how your new client heard of you (e.g. personal referral, website, other advertising). Keep track of this to help you make a decision on next year's advertising budget- including if or how much you will spend on print advertising, such as yellow pages and other publications. Whatever you save on your print advertising, put into online and other types of marketing your practice.

38. Utilize Search Engine Optimization (SEO)

Learn the essentials of SEO and the use of right keywords to get readers and potential clients to your website. For resources see:

WordTracker at www.wordtracker.com;

KeywordDiscovery at www.keyworddiscovery.com; and

SpyFu at www.spyfu.com; as well as

Heather Lutze's *The Findability Formula: The Easy, Non-Technical Guide to Search Marketing* (John Wiley, 2009); also

The Lawyers' Guide to Internet Marketing, 3rd ed., by Greg Siskind (ABA 2007).

39. What's on Your Computer?

The Belarc Advisor is a free PC inventory utility you can run to analyze the contents of your computer. In just a few seconds, the Belarc Advisor will create a complete list of all your hardware and software, including such things as your motherboard, chipset speed, operating system, software versions- everything you need to know about your computer. So if a problem arises, you'll have all the information you need to help your IT staff or tech support desk solve the problem. www.belarc.com

40. Create a Separate Deleted Items Folder for Junk

When going through your e-mail, if you identify items that are clearly junk, you may want to save them to a separate Deleted Items folder from your other deleted e-mail. Often e-mail may need to be retrieved and it will be less troublesome if you do not have to sort through mountains of deleted junk to get to the item for which you are looking. Another tip for making deleted items easier to retrieve is to store your e-mail in the order modified instead of the order received. Then the item you most recently deleted will appear at the top of the list, making it easier to locate if you mistakenly deleted it and want it back.

41. Jott.com

Jott allows individuals and businesses to capture thoughts, send emails and text messages, set reminders, organize lists, and post to web services and business applications using any phone. Jott converts voicemail into email and text messages, and makes voice transcription accessible to anyone with a cell phone. See <http://jott.com/default.aspx>

42. Check before Closing a File

Don't close a file that has any unfulfilled undertaking, any fees outstanding or any funds remaining in trust. Review your trust balances frequently. Determine why funds are still in trust. Have you missed paying something?

43. Spell Check and Grammar Check

Spell check all your documents, including your e-mails. Be sure to spell your client's name correctly. It is very annoying to a client to be billed for work product that contains spelling errors especially his or her name.

44. Networking

- Get out of the office for a walk and/or a lunch break or coffee break with peers. It will reduce your sense of isolation and you will be refreshed on your return to the office.
- Join a ListServ, especially in your area of practice – RELANS has a very active listserv for property practitioners. APTLA has a listserv for trial lawyers.
- Attend educational sessions offered by LIANS and NSBS
- Join one or more of the CBA sections and divisions and take advantage of their educational sessions

- Join one or more of the ABA sections and divisions and take advantage of their many resources
- Consider joining a social networking site that caters more to professionals like www.linkedin.com.
- Spend time with your children and network at the same time. Volunteer for activities in which they participate.

45. Civility

Do not send emails or correspondence written in anger without taking the time to cool off and re-read. For emails, save as a draft. Re-read the next day, and consider whether you really want to send the email as drafted.

46. Create a "Thank You" File

In it should go the letters from satisfied clients, the replies from speaking engagements, the minor league support letter-anything that demonstrates that you are making a positive difference in someone's life. What gets measured gets done. Start measuring the impact that you are having on the world.

47. Phishing

Avoid being "phished". This happens when an email which claims to be from a legitimate business or business function asks you to visit a website which requests some form of personal information. It asks you to click on a link and enter your personal info into a webpage. The attacker tries to lure you by wording the message in a way to get you to react immediately.

Tips on protecting yourself from phishing attacks:

1. Be suspicious of any e-mail with urgent requests for personal information.
2. Don't be fooled by e-mails with statements that try to get you to react immediately. Think before you click. e.g. – "Your bank account information has been compromised".
3. If you suspect the message might not be authentic, do not use the links within the e-mail to get to a webpage.
- 4 Don't complete forms in e-mail messages that ask for personal information.

48. Have and Enforce an Internet and E-Mail Usage Policy

Usage of the internet can be a huge time waster and expose your network to unnecessary dangers. While individual use of email and internet during lunch or other breaks may be acceptable to you, make it clear to employees that excessive use is not acceptable, and that their usage of the network can and will be monitored. Also consider the danger in communicating with your client via his or her work email. Your client may be breaking their employer's internet use policies and solicitor-client privilege may be waived.

49. Insurance Coverage: Are you Adequately Covered?

Consider:

What would happen in your practice in the event of your death?

What would happen in your practice in the event of your incapacity or your long-term disability?
What would happen financially in the event of your death or disability (both professionally and personally)?

Can your current health benefits and life insurance continue after your retirement; if so, what steps need to be in place to allow for coverage without losing existing benefits?

Various CBIA Insurance products, including health, death, disability and travel insurance are available to lawyers, their children and staff through the Canadian Bar Insurance Association (Canadian Bar)

50. Written E-mail and Cell Phone Policies Prevent Problems

Draft a written e-mail policy for clients to clarify the use of e-mail in your solicitor-client relationship. The written policy is meant to control the client's expectations and set forth how you deal with e-mail. In today's fast-moving world of almost instant communication, clients are expecting immediate answers to e-mails. Despite the client's expectations, such e-mails may require thought and, possibly, research. If your client understands that you may take several days to respond to an important e-mail, the client will not become impatient waiting for you to respond.

The client should also be made aware of the non-confidential nature of email and cell phone conversations and should specifically authorize you to communicate in this manner. Include this authorization in your retainer agreement.

Sample wording includes:

Notwithstanding our diligence, we cannot guarantee the security of communications via the internet, or via cellular communication. Your signature on the within agreement constitutes your consent for us to exchange information electronically.

I authorize communication by email: _____ (client initials)

I authorize communication by cell phone: _____ (client initials)

51. Multiple E-mail Addresses

Use several different e-mail addresses for different functions and roles. For instance, a Yahoo address can be used for e-mail related to volunteer work, or a G-mail address for customer notices and offers. Another address can be used for listserv sign ups. This will save your e-mail inbox from the clutter that comes with certain activities. Bear in mind, however, that whatever e-mail address you use to send mail likely will be the one captured by the recipient for getting back in touch with you. So don't send messages from your office account to recipients that you don't want to have your office address.

52. Email Etiquette

As email becomes the primary form of business communication, we need to remember some basic rules to avoid getting sloppy: Include a descriptive subject line; add a personal salutation; use full sentence structure proper grammar; check your spelling; add a proper closing, such as TIA, Sincerely, etc.; remove old signatures and unnecessary clutter. Taking just a few extra seconds will payoff with improved relations with clients, opposing counsel, new acquaintances, and potential new clients. Make sure you

send e-mails that appear as professional as the letters you send!

53. Establish a Backup Plan for Absences from the Office

Have a backup system in place for when you and/or your regular staff are away from the office, either because of illness or holiday. Be particularly vigilant of work completed by a fill-in. Deadlines are often missed and other mistakes made when someone not familiar with the file is filling in for your regular assistant.

54. Adobe Online Resources

Rick Borstein's blog [Acrobat for Legal Professionals](#) is an excellent resource for lawyers or support staff dealing with PDF files. His blog provides many tips and information about using PDFs in the practice of law. Consider following this blog to increase your efficiency in your use of Adobe

Adobe Systems, Inc. offers free eSeminars on the use of Adobe Acrobat. For more information, see <http://www.signup4.net/public/ap.aspx?EID=ADOB19E&OID=110>. Previous Adobe training videos can also be found at <http://acrolaw.host.adobe.com/>.

55. Looking for help with a software application? Try YouTube!

If you are looking for a tutorial or "how to" for a specific software application feature, search on [YouTube](#). There are video tutorials available for everything from inserting video into a PowerPoint presentation, entering a *to do* in Amicus Attorney, creating an electronic signature in Adobe Acrobat and many more. Just go to [YouTube](#) and use their search feature. Enter a search term such as "Adobe Acrobat signature," hit search and YouTube generates the list of how to create a digital signature files!

56. Paying Out a Secured Line of Credit

While you payout a secured line of credit on closing, the financial institute may not close the account. Your client may run up the line of credit again and the financial institution may refuse to provide you with the release you expected and/or undertook to provide. Discuss this possibility and the form letter you will send to the bank with your client before closing. Confirm your client's instructions that it is okay to send. Be clear in your payout letter on what you expect from the institution. Consider this wording:

"Please find enclosed our trust cheque in the amount of \$X.00, the proceeds of which are to be used to payout and close/release mtge/LOC number 000000000. These funds are forwarded on the escrow condition that, upon cashing the cheque, this account will be cancelled or the security transferred to another property. You will forward to us a Release/Discharge of Mortgage/LOC executed by the appropriate officers of the bank for recording purposes."

57. Practice Management

Improve response time to your request by clearly identifying in your subject line what you are requesting. For example, if you're looking for a Clearance certificate for CRA - describe the certificate correctly. Otherwise your letter will likely get rerouted to a wrong department, with reduced response time. Correspondence is generally routed according to subject line; letter not read in its entirety when it is first received.

58. Retain a Professional Accountant

It is always money well spent to retain an accountant who specializes in professional services companies and ask them to review your practice from an accounting and taxation and business planning standpoint. They can advise on complying with trust account regulations and can advise on the possible tax saving benefits of incorporating your practice and establishing a family trust.

59. Xobni

An Outlook add-on which indexes emails, shows connections, etc.

60. Windows LiveSync

If you use both a laptop and a desktop, and need to keep files in sync between the two, use Windows LiveSync. It's free. Download the small program onto each computer, link the directories on each computer you want to keep in sync, and that's it. As long as/whenever the computers are both online they sync automatically over the net.

Downside: both computers have to be online (i.e. web connected) at the same time.

Upside: you have up to date copies of files on each computer; changes to file on one computer will be reproduced on the other computer. It's a lot easier than copying files onto thumb drives back and forth.

61. Online Calendar Applications

Consider marketing your practice by way of a "virtual storefront" online, which includes an online calendar. For an example see www.gusrichardson.com.

62. Delegate Effectively

Set out clearly what you're expecting and when you need the task completed. The "to do" or task function on your software program will allow you to detail what needs to be done, to prioritize tasks, assign a due date and delegate the task to someone else. You can keep track of the task as it also remains on your to-do list until removed by you.

63. Don't Dabble

Don't dabble in areas of law in which you do not have expertise. Refer the matter to someone who practices in that area. If you want expertise hire experienced co-counsel. It will save you a lot of time and grief.

64. Data Security on Employee Termination

Once an employee is terminated, make sure that his or her access to your network, including remote access is cut immediately to prevent possible sabotage to your valuable data.

65. Attention to Detail

Review final work product carefully – don't rely totally on someone else for this. Inadequate review can be costly.

66. Save Your Personal File Notes

Don't destroy personal notes when culling the file – these are often the most important part of the file from our perspective in defending against a negligence claim.

67. Keep Good Time Records /Avoid Suing For Fees

Even if you are working on a contingency fee basis keep good time records. You may be asked to justify your account based on a time spent basis. Also, time records can corroborate dates and times advice was given and instructions received. Have an effective billing and collection process in place so as to avoid suing for fees. Actions to collect fees can result in either a negligence claim or a professional responsibility (discipline) complaint by your former client. See paper in material.

68. Confirm Your Communication Has Been Received

Remember that sending an e-mail or fax does not guarantee that it has been received. Train your staff to read the fax transmission notice to confirm that transmission was successful. E-mails may not have been received or read. Have a system in place for follow-up by phone especially when the communication is time sensitive

69. Effectively screen clients at the outset and avoid accepting clients who:

- has unreasonable motives or a hidden agenda
- resists paying the required consultation fee or retainer
- has unreasonable expectations about the outcome, cost or time involved
- wants you to guarantee a particular outcome
- has a negative attitude towards lawyers
- doesn't take responsibility for his or her own actions and arrives at your door at the last minute and expects immediate attention
- doesn't want to accept an objective evaluation of the case
- wants to eliminate necessary steps in the presentation of the case to reduce costs.

Learn to recognize high-risk clients. If you choose to represent them, recognize the extra time and energy they will require from you and your staff and how this will impact on your ability to meet other clients' needs on a timely basis.

70. Determine Legal Issues and Strategies at the Outset

Don't wait until you're well into the case. Research times vary on intake – remember they might vary from jurisdictions nothing similar to s.3(2) and s.3(4) Limitation of Actions Act elsewhere in Canada. Also be aware that with new Civil Procedure Rules and in particular rule 4, courts are probably going to take a much stricter approach in exercising discretion for applications for exclusions to issue and observe.

71. Don't Send Bank Drafts by Regular Mail

Be aware that bank drafts cannot be cancelled. If you intend to send bank drafts, do not send them in the regular mail. Send in some way that the delivery can be timed and the item must be signed for.

72. Beware of Auto-Complete!

More and more, lawyers are falling into this snake pit, as their software helpfully completes e-mail addresses as they begin to enter them. Make sure you turn off the auto complete feature of your e-mail. A large number of lawyers use Outlook for e-mail access. Some think it's a great advantage to begin typing a client name and have the software automatically complete the rest. This is a recipe for disaster at best and more realistically, auto-complete may mean auto-embarrass. This means that you could be typing a message that you intend to send to Frank Jones. As you begin to type Frank, Outlook fills in the rest of the name. You hit 'send' before seeing that the auto complete inserted Frank Allen (opposing counsel) instead of the name Frank Bolton, the intended recipient. Oops! Many lawyers using auto-complete report say that they have sent confidential data to the wrong party. This is not a roster you want to see your name on.

73. Confidentiality

Be mindful of confidentiality wherever you are, be it in your office, your reception area, or outside your office. Have confidentiality agreements signed by outside service providers, such as printing companies. Demand confidentiality from everyone in your office as well. A breach of confidentiality can have serious professional and financial consequences to you.

74. Conflicts

Representing more than one party is always risky and frequently results in claims, because the parties' interests are at odds. Check for conflicts before discussing a matter with a prospective client.

All good conflicts checking systems should:

- be integrated with other office systems
- require that the conflicts check be done in a consistent format and be completed by persons trained and responsible to do the check
- be easily accessible to everyone in the office
- require that the check be documented in the file for names checked and who completed the check
- require that there be a check before an appointment is set; before a file is opened and when any new party enters the case
- require a double check when the file is opened to confirm the conflict check was done
- check for previous names (surname and given) and for the various spellings of names
- require that all persons or entities connected with the case, and their connection to the client are entered into the system
- include in the list, lawyers in the firm, other staff and close relatives of staff and lawyer
- include one-time consultations

Even with a good conflicts checking system some conflicts may arise during representation. You should develop a policy to handle conflicts as they arise and this policy should be communicated to the client in your engagement letter/retainer agreement.

Recognize conflicts and potential conflicts and think through the specific circumstances of the services you are being asked to provide and whose interest you are being asked to represent/protect. Know who your client is – corporation, shareholder, parent, child, spouse? See Conflicts of Interest: Final Report, Recommendations and Toolkit CBA Task Force on Conflicts of Interests, August 2008. See www.cba.org/CBA/groups/pdf/conflicts_finalreport.pdf and www.cba.org/CBA/groups/pdf/conflicts_toolkit.pdf

75. Documenting Your File

Get written instructions e.g.; release of holdback funds for deficiencies, distribution of sale proceeds and payout of specific debts.

76. Send non-engagement letters to all those clients you decline

Send engagement and file closure letters to those clients you do represent.

A special thanks to Reid Trautz for his contribution of some of these tips.

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