



THE CHRONICLE

THE INSTITUTE OF CONTINUING LEGAL EDUCATION IN GEORGIA

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THE TIMES, THEY ARE A CHANGIN'

*with Larry Jones
Executive Director*

As we continue to explore new opportunities and ways to offer you the best possible CLE activities, ICLE is striving to be the premier continuing legal education provider in the country. As Georgia attorneys, you deserve this level of effort from us.

Our Board of Trustees is providing the positive direction and guidance that will ensure we stay on target. It should come as no surprise to anyone who knows the immediate past chairperson, Linda Klein; our current chairperson, Bill Cannon; or any of the individual members of the Board that their role has become even more dynamic and influential. I am sure that each of you will be a beneficiary of current and future initiatives.

For example, we have developed an attendee survey that is allowing you to give us the level of feedback that will enable the staff here at ICLE to work with the program chairpersons and speakers to develop even higher quality seminars and better program materials. Also, we designed and distributed a needs assessment questionnaire used to obtain your ideas on how you want your CLE activities to be constructed and offered. We are analyzing the results now, and we will periodically reuse the questionnaire in order to ensure that we keep up with your changing needs.

Under Linda Klein's leadership, the Board formed four new committees. They are: Assuring Quality, Alliances, Serving the Constituent and Technology. Each committee is working tirelessly within their respective areas and with each other to integrate the whole effort. Every attorney at ICLE works with one of the committees. I work with Alliances; Scott Coulter works with Assuring Quality; Dan White works with Serving the Constituents; and Steve Harper works with Technology. If you have any questions about what's happening within these committees or suggestions, call the appropriate attorney at ICLE. We will be glad to hear from you. In succeeding issues of *The ChronICLE* we will address each committee's activities in depth.

ICLE is your organization, and I want you to get to know us better. I hope you are enjoying this newsletter, which was compiled and edited by Lea Kilpatrick, a senior in the Grady College of Journalism and daughter of Paul Kilpatrick, a former President of the State Bar of Georgia and Former Chairperson of the ICLE Board of Trustees. Lea has done a great job and I thank her for her contributions. It is our privilege to bring it to you.

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ICLE FROM THE INSIDE

by *Lea Kilpatrick*

Rose Layher is ICLE's first line of public relations. Her daily job consists of being a receptionist and answering telephone inquiries. She also transcribes letters and trains part-time staff. Rose and the senior administrative secretary provide all the secretarial support for ICLE's four lawyers. Since ICLE offers about 170 programs each year, this is a huge task. Rose also handles many administrative matters when the lawyers are away at seminars, so the paperwork continues to flow.

Rose grew up in Terre Haute, Indiana, the next to youngest of nine children. She and her husband, John, raised their three children on a farm in Indiana. They moved to Georgia in 1989 and now reside in Watkinsville.

For Rose one of the best things about living in Georgia is the weather. She likes not having to battle the snow. Her daughter, a registered nurse working in the ICU of a local hospital, and her grandson live with Rose and her husband. Rose's oldest son is a cardiologist practicing in Athens-Clarke County. He and his family recently moved from North Carolina. Her youngest son is an accountant in Indiana. Naturally, Rose is very proud of her family and her children's accomplishments.

Before coming to ICLE in May of 1990, Rose worked for ten years with J.C. Penney as a receptionist in the personnel department. She enjoys working with people, so her job at ICLE is a perfect match for her. Her up-beat personality enables her to boost the moral of everyone on the ICLE staff and helps her be an ambassador of good will to the Georgia attorneys who are served by the Institute. She became a senior secretary in July of 1991.

In her spare time, Rose enjoys taking care of her two grandchildren who now live in Athens. She also enjoys going to plays and concerts. Her favorite play is CABARET. Her love of gardening produces blooming flowers year around in the Layher yard.

Rose's contributions to ICLE and her friendly personality have made her a vital part of the Institute.

SPEAK OUT!

POINTERS FOR PRESENTATIONS

by *Stephen J. Harper, Associate Director of Programs, ICLE; Adjunct Professor, University of Georgia School of Law*

As a speaker, informing the audience is your foremost goal. As an experienced and respected practitioner, you know that your presentation will accomplish this goal. I have gathered some points for you to ponder as you consider how you will present your material given your topic, the time allotted and your personal approach to teaching. I hope they are of value.

Getting started and then adding punch to your presentation:

If the first two minutes of your presentation "stimulate" the audience, it makes them think, "This is going to be good!"

You may want to get your audience involved during the first two minutes of your talk and make them want to participate with you by employing these techniques:

- using a story that engages and enmeshes the audience
- using mini-demonstrations or mini-opening statements to win the audience; or
- asking them non-threatening questions, e.g., "Have you ever been in this situation...?" and giving them positive feedback

First-class visual aids are always well received. Professional educators say their use increases audience attention and doubles audience retention. Visuals also offer a definite entertainment factor and can be great speaker prompts.

Watch out for what you don't say; it shows your ATTITUDE:

You will want to show non-verbally that you are knowledgeable, prepared, professional, polished, sincere and at ease.

Don't let your non-verbals demonstrate that you are arrogant, egotistical, patronizing or ill prepared.

Look at each person at least once, or if a huge audience, look at each row from time to time in order to "bring them along" with you.

If you have the time and it fits your style, the dynamic created by moving among the audience can be a very positive teaching tool.

Strong Endings:

Saying, "I guess I'm out of time; I know I've left a lot out; I'll end with a war story; I want to end with a funny story," etc. usually doesn't add value to your talk.

You may want to tie it all together with a strong conclusion (maybe referring back to your introduction).

CHARACTERISTICS OF SUCCESSFUL LAW FIRMS

First of a three part series

*by Ezra Tom Clark, Jr.
forward by Lea Kilpatrick*

We are pleased to offer part one of the article *Characteristics of Successful Law Firms* written by Ezra Tom Clark, Jr.. Tom lectures frequently on law practice management to local and state bar associations. He started his own consulting firm in 1983, from which he consults with solo practitioners and large firms around the nation. Each year, usually in January, Tom presents two seminars for ICLE that always receive rave reviews from attendees. This article is designed to help law firms become more cohesive and, by so doing, more successful. In it Tom encourages the legal community “. . . [to] have a team attitude and spirit including a willingness to share work and clients.” The article will be concluded in the next two issues of the *ChronICLE*.

Hardly a week goes by without reports about partners or groups of partners abandoning their firm to start a new firm or join another. Some lawyers justify their departures by citing disputes about compensation, lack of direction or vision, management conflicts, clashes regarding values and philosophies, and concerns about firm productivity and profitability. Of course, these may be a lawyer's ostensible reasons for bolting a firm, but the deeper reason, which should concern all attorneys who practice in a law firm, is the growing perception among successful lawyers that their firm provides little or no value to them. The problem can be stated simply: “How does a firm offer value in excess of the sum of its parts?” In other words, can a law firm as an institution acquire a measure of value that is independent of the skills, talents and contributions of its partners?

This question can be answered only by analyzing the advantages that a law firm has over a sole practitioner or a group of lawyers who share only overhead. There are a number of possible answers, including the following:

- Shared skills and expertise
- Backup or additional help when needed
- A “safety net” during economic cycles
- Shared resources, such as technology, library, forms, research and other work product
- Cross-selling and/or referral of work
- Expertise and access to others with different disciplines
- Use of highly trained associates, legal assistants and support staff
- A brand name or firm reputation that makes marketing easier
- More sophisticated and skilled management
- Opportunities for individual lawyers to become highly specialized

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THE CHRONICLE

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- A system of partner coaching to bring out the best in each partner
- Emotional support, encouragement and personal recognition
- Flexibility to allow lawyers to be more involved in pro bono, community and bar activities
- Continuation of existence beyond that of current owners

Few firms provide all of these advantages effectively. However, unless the “firm” offers those advantages that a partner believes are important, it is unlikely that he or she will stay with the firm. Most successful and dynamic law firms have certain characteristics or hallmarks that distinguish them from their competitors. Some of these are listed below:

Competent, Hard-Working, Focused Lawyers

A law firm cannot operate as a collection of practices that have no interaction with one another. When individual practices merely exist under the same roof, internal competition, hoarding of work, jealousy and suspicion develop. Successful law firms must have a focus or *raison d’être*, and each lawyer should develop specialized expertise consistent with the firm’s mission. Focused law firms will have significant marketing advantages because they will know what they are marketing. They will also be able to use technology, personnel, and value pricing more effectively and will be able to respond to changing economic and political considerations much better than firms that continue to have a general practice or full-service mentality.

Commitment to Quality

Successful firms recognize that “quality work” has a dual meaning: technical quality (how good is the work?) and service quality (did the client have a positive experience dealing with the firm?). Unfortunately, quality work in most law firms is like Justice Potter Stewart’s informal definition of obscenity, “you know it when you see it.” This ad-hoc and subjective approach to quality legal work exists because no standards or evaluation procedures exist in most firms. Service quality, which clients are increasingly demanding, can be determined only by regular client and matter performance evaluations. Clients value lawyers and law firms who know how to communicate and are sensitive to their needs and concerns.

Collegiality and Esprit de Corps

Successful firms have a team attitude and spirit, in-

cluding a willingness to share work and clients. Firms with this attribute are composed of lawyers who care about and respect the persons for whom and with whom they work, trust their employees to be smart and use initiative, and ask for genuine input regarding changes or challenges.

Loyalty

Fragmenting firms are plagued by declining allegiance to the firm and its lawyers and the failure to keep confidences and build relationships. Loyalty is strengthened when individuals are respected, trusted, involved in the process of making decisions that impact them, when credit and decision making are shared, when there is recognition for a job well-done, and when there are honest, fair and consistent relationships. Loyalty evaporates when secrecy, poor communication and pseudo caste systems exist among associates and partners or among staff and lawyers. The typical symptoms of disloyalty and distrust typically are a lack of interest in the firm, reduced productivity, high turnover, poor attendance at firm meetings or activities, lack of cross-selling and a fear of expressing opinions because of possible retribution.

On May 21, 1999, ICLE held the Advocates for Special Needs Children Seminar at the Sheraton Buckhead Hotel Atlanta. ICLE covered some charges so lawyers did not have to pay for attending the event. In return, the lawyers agreed to give pro bono legal advice to special needs children and their families. They would accept a referral of a case and agree to work on the case at no cost to the client. The Sheraton Buckhead provided a plated lunch at no cost for about one hundred people. Bill Ericson, then the Sheraton Buckhead Director of Catering, became the first non attorney to receive an ICLE chairperson’s shirt.

On November 19, 1999, ICLE co-sponsored a program at the Springer Opera House in Columbus, GA with the Columbus Bar Association and the Chief Justice’s Commission on Professionalism entitled “Clarence Darrow: Crimes, Causes and The Courtroom.” The program featured Graham Thatcher as Clarence Darrow. The program was attended by approximately 100 people, many of whom were members of the Columbus Bar Association. Special arrangements were made by the Columbus Bar Association to pay the registration fee for each member and a guest. A reception was also sponsored by the Columbus Bar Association for the attendees after the performance.

by Lea Kilpatrick