

InnovAction Awards

And the 2005 Winners Are . . .

For the second consecutive year, the College of Law Practice Management, in concert with Edge International, launched its global search for ingenuity in the management of the practice of law. Designed to inspire creative thinking in a field known for its over-reliance on precedent, the **InnovAction Awards** are intended not only to identify effective innovation but also to inspire it through international recognition.

We were pleased again this year to have received numerous entries from four different countries: the United States, Canada, New Zealand and the UK. Our international panel of judges gathered on July 23 to review the submissions. We now announce the unanimous winners of the **2005 InnovAction Awards**:

Market Disruptors –
Firms with more than 300 lawyers



**DLA PIPER RUDNICK
GRAYCARY** Chicago Office

This global firm is recognized for creation of its “Venture Pipeline” initiative. Venture Pipeline is a separate business unit, launched in 2002 and run by experienced entrepreneurs and non-lawyers, designed to help early-stage companies. The unit’s representatives screen and scrub business plans, give companies feedback, and then work with the law firm’s numerous contacts to find appropriate funding, benefiting both the venture capital organizations and the company.

Entrepreneurs starting businesses say that finding capital is often their first priority; but most law firms play, at best, a

limited role in this process. The judges were taken with the fact that in the last two years, this group has processed over 900 business plans and provided valuable input to most of these companies, regardless of whether they decided to work with the firm.

Market Disruptors –
Firms with 51 – 300 lawyers



**Simpson
Grierson** Auckland,
New Zealand

This firm has implemented a series of very deliberately planned actions designed to transform the law firm from a market follower to a market leader.

Editor’s Note:

Welcome to the summer edition of YOUR newsletter. Fellows have been busy – please note the many moves, changes, new contact information and activities. This issue features a tribute to **Leo Eisenstatt**, a profile and a technology article.

Meet the 2005 InnovAction Award winners at our annual meeting September 9 and 10 in beautiful Vancouver. In addition, the meeting program will provide you with personal and professional inspiration – from the speakers and while spending time with your colleagues. See the article about our luncheon speaker on page 3 and more meeting information in “From MAT” on page 2.

Please consider whether you have articles that could be re-published in the newsletter, or original material that you would like to share first with Fellows, perhaps for feedback and comment. If so, please contact me. – Mary Beth Pratt

Your COLPM newsletter team: **George Brandon**, **Bob Denney**, **Roberta Montafia**, **Jan Waugh** and **Mary Beth Pratt**, Editor (prattmb@pepperlaw.com).

There was extensive time and effort invested in packaging the evidentiary materials, but what was most impressive to the judges is that the firm was able to provide independent market research showing the before and after results from their efforts.

These initiatives involved conducting (before and after) independent market research, obtaining partner support, overcoming past experiences, changing cultural inhibitions, and instituting a bold marketing and communications campaign to counter overly conservative perceptions, and reposition the firm as more dominant, contemporary and dynamic. There was extensive time and effort invested in packaging the evidentiary materials, but what was most impressive to the judges is that the firm was able to provide independent market research showing the before and after results from its efforts.

While entries were received in all four categories, this year the judges regrettably found no winners in the categories of "Client Service Virtuosos," "Knowledge Stars" or "Leader Ships," concluding that none of the law firms entering had attained the level of innovation required to receive an award.

The two **2005 InnovAction Award** winners will be presented with their "NOVA" awards on September 10 during the Annual Meeting of the College in Vancouver.

The College and Edge International thank the sponsors of the four award categories: **Greenfield/Belser Ltd., Baker Robbins & Company, the American Bar Association's Law Practice Management Section** and **Astin Tarlton Consulting**. Additionally, the contributions of the **ABA's Law Practice Management Section, Canadian Bar Association, PM Forum** and **Levick Strategic Communications** as "Publication Partners" in this awards program were instrumental in helping promote the awards, and Fellows **Chuck Coulter, Richard Potter, Sally Schmidt, Ron Friedmann** and **Larry Green** promoted the competition through their Web sites and blogs. Thank you all!

From MAT



Everyone is looking forward to the meeting in Vancouver!

The combination of a great location, fascinating and provocative speakers and . . . well, admit it. . . the chance to just hang out with – and pay tribute to – some awfully fascinating folks is proving to be a magical combination this year.

We've been deluged with interest from Fellows whose mates plan to join the **David Whyte** session on Saturday. And I'm trying to figure out how to clone myself so I can enjoy all four of the discussion group sessions that will follow. I know **Marty Africa, Maggie Callicrate, Ron Martin** and **Peter Zeughauser** will each take a different and equally fascinating direction with their groups! Unfortunately, we can only choose one. Perhaps later, over dinner, we can share our notes!

A stellar slate

We will induct 13 new Fellows this year. Plan ahead to honor your colleague or friend in Vancouver. Scheduled to be inducted are:

Ida Abbott

Ida Abbott Consulting

Andy Adkins

Legal Technology Institute
University of Florida College of Law

Dennis Archer

Dickinson Wright

Elizabeth Broderick
Blake Dawson Waldron

James Calloway
Oklahoma Bar Association

Norman Clark
Walker Clark

Mary Cranston
Pillsbury Winthrop

Edward H. Flitton, III
Holland & Hart

Joan Gleich
Husch & Eppenberger

James Jones
Hildebrandt

Linda Klein
Gambrell & Stolz

William Meyer
Hutchinson Black

Erica Tamblyn
Milbank Tweed Hadley & McCloy

Thinking ahead

The schedule for nomination of 2006 Fellows has been modified from years past. In order to take advantage of the post-meeting inspiration, as well as to prevent the inconvenience of having to actually think during the holidays, we've moved the deadline for nominations up to November 15, 2005. Nomination forms will be available in Vancouver and, of course, you can always download a .pdf from www.colpm.org at any time of the day or night.

Not shy, but definitely retiring

You may have heard the news that our intrepid Administrator, **Sandy Geist**, plans to retire in October of this year. We are so sorry (I mean SO SORRY!) to see her go, but I know she'll stay busy

demonstrating the art of graceful retirement for all of us. There will be more about Sandy and her replacement in the next newsletter.

Bib and Tucker

Now, go check your tux or your gown, make certain you've got your hotel reservations and meeting registration complete, and your passport or birth certificate in hand. This is going to be a meeting for the record books!

Merrilyn Astin Tarlton, President
mat@astintarlton.com

A Note about the Annual Meeting Program

You may be familiar with our morning speaker, David Whyte, and his works, but not with our luncheon speaker. **David Lepofsky** is a constitutional scholar and argues criminal appeals for the Crown in the Ministry of the Attorney General for Ontario.

David graduated from Osgoode Hall and received an LL.M from Harvard. He teaches an advanced constitutional seminar at the University of Toronto. His publications have been cited by the Supreme Court of Canada and by courts in every province.

What distinguishes David is that he lives constitutional law. He is widely considered to be one of the outstanding forces in achieving constitutional rights for disabled individuals. More than 20 years ago, when the Canadian Charter for Rights and Freedoms was being debated, he testified for the inclusion of disability equality in Section 15. While in the middle of his studies for the bar exam, he received an invitation to appear – within 36 hours. After that hearing, the debate raged and the government continued to reject the amendment. Then-Prime Minister Trudeau supported

it and advocates pressed for it, and suddenly a justice minister named Jean Chrétien announced that the government would support it.

The Charter gave Canadians with disabilities a tool to urge governments to remove barriers. But, there is still much to do, and David continues to be a leader in the effort. A recent cause has been his 10-year effort to ensure that announcements on Toronto's subway system are audible to all riders...especially important to David, who has been blind since 1978.

Don't miss meeting David Lepofsky in Vancouver.

Summer Reading

If you'd like to flex your thinker and get warmed up for discussion at the Annual Meeting, check out one or more of these books by our keynote speaker, **David Whyte**:



- *The Heart Aroused: Poetry and the Preservation of the Soul in Corporate America*
- *House of Belonging*
- *Midlife and the Great Unknown*
- *Clear Mind, Wild Heart*
- *Where Many Rivers Meet: Poems*
- *Everything Is Waiting For You*

We extend a hearty thank you to this year's meeting sponsors:

Foley & Lardner LLP
Friday Reception Entertainment

Association of Legal Administrators
Saturday Luncheon

Martindale-Hubbell
Induction Dinner

Fellows News and Notes

Camille Grabowski has become the director of alliance relations at Robert Half International. She is responsible for the development and management of relationships with the company's many alliance partners, including professional associations and software vendors.

Ron Martin retired from Holland & Hart on July 1. He can still be contacted through the firm. His contact information is on the College Web site at www.COLPM.org.

Michael Palmer joined Allen Matkins Leck Gamble & Mallory LLP as executive director in June. Allen Matkins is a 211-lawyer, six-office firm, with the main office in Los Angeles. His new contact information is on the College Web site.

David Bilinsky is the chair of and **Simon Chester** will speak at the Pacific Legal Technology Conference in Vancouver, BC, on October 14. The session, "The Shape of Things to Come? Forecasting the future direction of technology and the law," looks at where technology is taking lawyers and the profession. More information may be found at www.pacificlegaltech.com.

Jimmy Brill was awarded a Presidential Citation from the Texas State Bar for chairing the Task Force on Starting Practices.

Peter Giuliani and **Sally King** were recently appointed to the New York State Bar Association's Committee on Law Practice Management.

Jim St. Clair will be one of eight volunteers teaching commercial law to black lawyers in South Africa from August 15 until September 12. The program is sponsored by the South African Black Lawyers Association, the

Senior Lawyers Division of the ABA and the International Senior Lawyers Project. There will be two programs of eight weeks each, one in Johannesburg and the other in Durbin. Jim will teach two weeks in each location.

Merrilyn Astin Tarlton has become chief marketing officer of the Denver law firm of Jacobs Chase. Her new contact information is on the College Web site. She will continue as editor-in-chief of *Law Practice* magazine.

Robert Greene was awarded an honorary doctorate from Canisius College, his alma mater, in May.

Ron Seigneur was honored as Volunteer of the Year by the AICPA for contributions as chair of the Accredited in Business Valuation credential committee. He spoke recently on "Valuations of Intellectual Property," "Law Firm Mergers & Acquisitions," "Advanced Tax and Accounting Issues for Law Firms," and "Providing Consulting Services to Law Firms." Ron also was appointed to the board of directors of the Colorado Society of Certified Public Accountants.



Sally Schmidt recently moved her company's offices to The Dacotah Building in St. Paul, Minnesota. Built in 1889, the historic building is a testament to the Italian Renaissance style of architecture and the superior quality construction of its day. Listed in the National Register of Historic Places, the Dacotah is home to many professionals and one of the Twin City's finest restaurants. Her new contact information is on the College Web site.

Ken O'Brien, managing director of The Profile Group, will moderate a panel "The Evolving Role of the Executive Director"

at the Association of Legal Administrators Large Firm Principal Administrators Retreat, September 30 - October 1, in Arizona. Fellow **Jim Lantonio**, executive director of Milbank Tweed, will be a member of the panel, focused on the current, emerging and potential future roles and responsibilities of the executive director in large law firms.

Maggie Callicrate is returning to the United States after working for Bell Gully in New Zealand. She helped the firm find a new CEO and now plans a six-month holiday in the western United States and Europe. Her new contact information is on the College Web site.

Mary Beth Pratt, chief marketing officer at Pepper Hamilton LLP, will moderate a panel, "Dealing with the News Media: Ethical and Practical Considerations," on September 30 during the Philadelphia Bar Association's annual Bench-Bar Conference.

Personal Insights – Introducing:

Susan Nycum, former head of the North American IT and IP practice at Baker & McKenzie, now doing neutral mediation and arbitration in Portola Valley, California



Q: What do you like most about your work as a lawyer?

A: I really like working on making deals, seeing people achieve their goals in a win-win way. I now do this in mediation of disputes and am gratified by helping parties get past their "polarization" to an acceptable solution that in many cases results in their continuing to work together.

Q: If you weren't working in a law-related profession, what profession would you pursue?

A: It would have to be something about connecting people. For example, I see a need for people, primarily men who have been successful, to have a forum in which to share some of their accomplishments and skills. I have held dinner parties followed by a short lecture by retired men and it is fascinating to the listeners and (their wives tell me) a great depression fighter for the speaker.

Q: What are your plans for the next five years?

A: I plan to do mediation and arbitration primarily in the technology sector that I understand well. I also will provide the same service to law firms that are experiencing partner issues – that is between the firm and one or more partners or among groups of partners. As I have super-large law firm management experience and mid- to large-firm management experience, I believe I can really be of help to the parties. I performed this service on one case and felt I had made resolution possible without a prolonged and public fight.

In Remembrance

Leo Eisenstatt

Written with love by **Charlie Robinson** and **Donna Spilis**

We have so many fond memories of Leo Eisenstatt from the meetings of the ABA Law Practice Management Section (LPM). He became a friend outside the ABA, as well. Here are a few of our memories of Leo, a native of Omaha who died in April at the age of 86.

Leo Eisenstatt was the self-appointed soloist on LPM Section bus trips (and

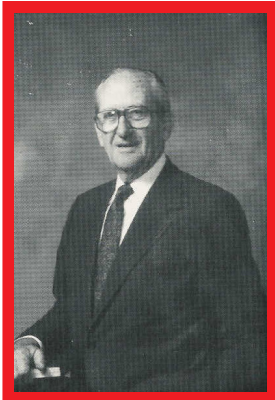
there were plenty of long bus trips) in the 1980s and '90s. His repertoire was limited to two songs. We can hear him now starting, "Oh, Lord it's hard to be humble, when you're perfect in every way. I can't wait to look in the mirror; I get better lookin' each day." The other song encouraged bodily function discipline while the train was in the station.

Leo was nearly perfect in many ways. His partners presented him with a book when he retired from active practice, *A Jealous Mistress... Leo Eisenstatt's Long and Constant Courtship of the Law*. A favorite quote: "His career is a portrait of the very best in American lawyering. He has served his profession with great skill and integrity. He fostered the best interest of his community and at all times and in all things, he acted with those virtues we identify with those we hold in reverence: respect for the individual, respect of society, and respect of self."

From the biography and stories from other Nebraska lawyers, we learned many impressive things about him:

- His love for the law.
- His role as mentor to many lawyers.
- His great military service in World War II (he was awarded a Bronze Star and his division was one of the first to liberate a concentration camp in Germany).

Leo was a pioneer member of the ABA's Economics of Law Practice Section (LPM's former name). As the Publications Division chair, he was outraged that book orders were taking six to 10 weeks to be sent from the ABA warehouse. Leo passionately suggested that LPM find its own distribution outlet for the books that lawyers needed for survival and that we "back up the trucks to the ABA warehouse" if they couldn't get the job done. (Order fulfillment at the ABA improved almost instantly.)



Leo Eisenstatt

"His career is a portrait of the very best in American lawyering. He has served his profession with great skill and integrity. He fostered the best interest of his community and at all times and in all things, he acted with those virtues we identify with those we hold in reverence: respect for the individual, respect of society, and respect of self."

We remember Leo and Aileen as friends that we wanted to share at least one dinner with on every trip. We loved to watch Aileen in action as she turned down the first room offered at every hotel while Leo behaved perfectly as a disinterested stranger watching her operate. We would burst into laughter and Leo never made a comment.

Aileen has always been an incredible bargain-shopper. At a meeting in Vail, she found fresh brisket on sale. She bought out the store and then bought coolers to provide brisket for their daughter in San Diego. They changed their original flight back to Omaha and bought tickets to San Diego to deliver the gift. Leo schlepped the brisket without complaint. We call that "true love." We teased Aileen for years about her "bargain brisket" and how much money she saved.

We dined and met and laughed and helped our profession learn quality business skills, thanks in no small part to Leo. Charlie's term as LPM chair ended within a week of Leo's 70th birthday, and that meeting became a birthday bash honoring our much-loved friend. We still treasure our coffee mugs, ordered for the occasion as party favors, with a caricature of Leo "backing up the truck."

Leo wasn't much for retirement and continued to keep busy. He learned to work with different kinds of stone that he turned into beautiful clocks. We each have one, and they keep memories of Leo fresh every time we look up at them.

The song ends, "Oh Lord, it's hard to be humble, but I'm doing the best that I can."

Leo was a wonderful, fun, brilliant, self-effacing man. Leo was a great lawyer, mentor, husband and father. To us, Leo is a friend we will always think of with a smile and perhaps a tear.

The Lawyer's Desktop

**Taming the Messy Desk:
How A Search Engine Can Help**
by *Simon Chester*

How messy is your desk?
How do you know what's where, and can you find it fast?



Now think about your computer. Are you rigorous about storing work in the right place? If you've got a good assistant or the discipline of a firm-wide document management program, you'll have your electronic files saved in the right directories. But check your C-drive or "my documents" folders – is it a dumping ground for your work?

The blizzard of email makes things even more difficult to find. Key client documents often arrive via email. So how do you cope with information overload? The tools that Windows provides – Windows Explorer – are painfully slow in finding anything on a hard drive. Given the lightning speed that we find things on the Internet, can't similar personal search tools be developed?

That's the rationale for personal desktop search engines. After you download the software to run the search engines, the applications are easy and straightforward and – best of all – free.

There are three popular products currently available – and a new tool from Windows just out of beta release – MSN Local Search. Let's look at the products from Google, Yahoo, MSN Local Search and a Canadian product, Copernic. All are free, but with distinct strengths and weaknesses.

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Google

We all know what the interface looks like. The Google Desktop Search looks exactly like the classic web search engine – on your own computer. Type your query into the box and the results come back showing hits, supposedly ranked by relevance. You then narrow your search by looking at file type.

The simple query box is a little crude to find the missing document that you know was somewhere a month back, or locate a specific email. Relevance rankings are spotty, tending to favor recent work, and not differentiating between types of documents. Google Labs will continue to improve the program (filtering and sorting results, for example), but right now it has limitations.

Yahoo

Yahoo's product comes in the form of a toolbar. It can search a large number of file types, and the index that it forms isn't a huge file to store. But the search interface is rudimentary, with limited ways to rank documents and an unattractive way of displaying results.

MSN

The Microsoft MSN Toolbar with Desktop Search was released this summer. It is strong, flexible and indexes a large number of file types, though to index and search Adobe PDF files you'll need an add-on. The product is biased towards Microsoft products, which may be a problem if your browser of choice is Mozilla. And, it can affect your computer's performance.

Copernic

In a recent shoot-out evaluation of desktop search engines, Montreal-based Copernic Desktop Search came out on top. It is intuitive, powerful and easy to use. It's been my constant companion for the last six months and has saved hours of time locating messages and files. It

opens up a window for you to specify search criteria – keywords, date, subject, who a message was from or went to, how long ago it was created and the like. You can specify file type, size or folder. It indexes hard drives and network drives. The results appear virtually instantaneously in a window, with underneath, a preview into the message or document showing where your term occurs, an invaluable tool to avoid opening a number of irrelevant files.

I use the ability to sort and group results all the time. For example, when reviewing my dockets, it's useful to look at all of today's emails (regardless of which folder they are in within Outlook) stacked by subject, and then by time received, so I can tell how long that exchange of emails with a client actually took.

It's been a powerful lawyer's tool, a real time-saver, and I've happily recommended it to many lawyers. And it's available in both French and English. You may view it at <http://www.copernic.com/en/products/desktop-search>

Simon Chester is a partner in Heenan Blaikie LLP, Toronto, practicing in the litigation and business law groups, with special emphasis on knowledge management, research and legal opinions. During the past 25 years, he has been a pioneer in the application of technology to the practice of law.

San Francisco in 2006

For those Fellows who like to plan way ahead, the hotel has been booked for the College 2006 Annual Meeting. You responded in the recent Zoomerang survey that San Francisco was your first choice for the destination, so San Francisco it is. Mark your calendar for September 8 and 9 at the Palace Hotel.