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EDITOR'S NOTE

The hinge pins of law firm marketing are building and maintaining relationships and getting your name out there. Websites, e-mail blasts and extranets are just a few good tools to get name recognition, and, working in tandem with the new social networking tools, increases your odds of establishing additional relationships.

Keeping track of those relationships, both internally and externally, gets a bit trickier. Even with the CRM technology available, the entire organization must make a solid commitment to the data integrity and the processes in order for the tool to prove beneficial.

Our thanks go to our authors for their commitment in providing the insights and ideas tackled within these pages.

Ken Hansen, Editor

Statement of Purpose: ILTA is the premier peer networking organization, providing information to members to maximize the value of technology in the support of the legal profession.

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by Jonathan Metcalf of Metcalf Marketing



::Microsoft Dynamics CRM

Ready for the Law Firm Environment?

More often than not, law firm IT executives are in the position of deploying increasingly sophisticated computer software to partners and associates who are too busy to learn new tools properly. Even though research companies tout its importance for increased revenue, customer relationship management (CRM) software is not necessarily a priority for attorneys trying to meet billable-hour quotas. However, as executive management increases its demands upon partners to market the firm and develop business, IT and marketing departments will continue to be under pressure to implement effective customer relationship technology with limited budgets, development and training. Microsoft Partners are now tapping into the need for CRM functionality by cross-selling Microsoft Dynamics CRM in addition to their traditional Exchange Server, Windows networking and SharePoint Server products and services.

This article introduces Microsoft Dynamics CRM and its underlying technology, and it explores whether this software, particularly version 4.0, can be utilized effectively in a law firm environment.

The Microsoft Dynamics CRM Story

When Microsoft began to develop its CRM product, it focused upon building a solution that promoted productivity, business functionality and technical flexibility. Microsoft Dynamics CRM is one of Microsoft's few products that was developed in-house and not purchased or acquired. Like its NT Operating System and Internet Explorer cousins, the initial releases of Microsoft Dynamics CRM were premature and lacked key features. Consequently, many users were initially unimpressed.

To its credit, however, Microsoft has improved this product with each version, from 1.0 to 3.0 (version 2.0 was skipped), and now with the new version 4.0, announced last December. Microsoft Dynamics CRM was developed to work natively with Microsoft Outlook and other Office applications and was built upon the Microsoft .NET Web Services

architecture to streamline customization and extendibility. Microsoft highlights its lower training costs, broader user adoption, less application switching, higher productivity, greater mobility and a quicker return on investment than competing CRM products.

Microsoft Dynamics CRM runs on Microsoft SQL Server versions 2000 and 2005 and is available in a number of languages. Its gorilla-sized brand recognition has allowed Microsoft to grow its client base quickly and Microsoft Dynamics CRM is now one of the fastest-growing CRM solutions on the market. (According to Jeff Raikes, President of the Microsoft Business Division, 85,000 seats were sold in Q4 2007.)

In mid-December 2007, Microsoft announced the 4.0 release, code-named Titan. Three editions are available: the Workgroup Server, which includes and supports a maximum of five users; Professional Server, which has no limit on the number of users but is limited to a single tenant deployment (further explained below in "What's New in Microsoft Dynamics CRM 4.0"); and Enterprise Server, which also has no limit on the number of users and supports multi-tenant deployments. All three editions run on Windows Server 2003 or Small Business Server 2003.

Design Features

Businesses have learned the hard way that user adoption and retention are key to a CRM system's success. If people are not using the CRM system, the information within it is not being kept up to date and the value of the data quickly diminishes. In fact, 82 percent of the respondents to a 2007 Really Simple Systems survey agreed that staff acceptance is the biggest challenge to CRM.

Other big hurdles facing CRM initiatives today include the proper maintenance of data, customization, the generation of meaningful analytics and the measurement of return on investment.

In its own client interviews and site visits, Microsoft found that if customer data is not captured at the time the customer-related work is performed, the likelihood that it will be re-entered later is virtually zero. Thus, without real-time capturing of data in a database, attorneys and marketing professionals will not have the ability to aggregate client information that is so critical to a firm's business development.

In response to this feedback, Microsoft designed their CRM technology with three broad guidelines to ensure adoptability: (1) the software must work the way the user does; (2) CRM data should be available across the entire business; and (3) the software must be flexible enough to accommodate the individual requirements of each business. Each of these guidelines is reviewed below in the context of the law firm.

Designed to Work the Way the User Does

Microsoft Dynamics CRM is designed so that new users familiar with Microsoft products can quickly become productive. End users often complain about having yet another interface to learn or about the inability to work while disconnected (*i.e.*, offsite). Microsoft's answer is its native integration with Outlook, an already accepted and familiar interface, which also allows for users to work both online and offline from the network. Workflows and reports can be created via wizard-based tools that are easy to use and maintain.

For attorneys and other firm professionals who demand an easy-to-use, reliable and effective way to track relationships with clients, Microsoft Dynamics CRM offers a promising solution. Its advanced searching feature makes finding information a snap, and its familiar Outlook-oriented interface makes e-mail and contact management an efficient process. Automation and template features also alleviate the more mundane and time-intensive activities required of CRM, such as tracking activities and sending follow-up e-mail messages.

A few challenges still remain for Microsoft Dynamics CRM in this context, however. Attorneys are usually loath to share their contacts, and once they eventually do, they are rightfully concerned that wrong or relationship-damaging information might be sent to clients via the marketing department or by other attorneys. IT executives evaluating Microsoft Dynamics CRM should carefully scrutinize whether the privacy, security and control features are satisfactory and in keeping with the firm's standards.

Designed for Broad Access Across the Entire Business

By using enterprise-level Microsoft SQL as its database engine, along with accounting system connectors, Microsoft Dynamics CRM enables all functional areas of the firm, including marketing, finance, conflicts, records, attorneys and remote offices, to have access to client-related data. The entire firm can use the centralized data to help create what CRM gurus term "a satisfying customer experience." This broad access is furthered by the flexible, Web-based interface that can be accessed anywhere, anytime, with full support for multiple languages, multiple currencies and across multiple time zones.

While firmwide implementation is key to a successful CRM program, it may be premature to expect that a law firm can instill a broad CRM culture across the departments. Most firms have yet to identify important customer-oriented business processes and don't yet believe that integrating databases, such as marketing and finance, has a significant return on investment.

It should also be noted that law firms utilize many different computer applications. Products like Adobe Photoshop, Thomson Elite accounting, ADERANT business intelligence and Google come to mind. As long as software diversity provides a competitive edge and supports client satisfaction, integration challenges will remain. Thus, based upon a law firm's CRM objectives, it is imperative to investigate integration with accounting and other important applications during the CRM selection process.

Designed for Quick Customization and Deployment

Microsoft Dynamics CRM provides tools and wizards to modify user interfaces, menus, forms, databases and workflow processes quickly. Legacy CRM applications usually require expensive, time-consuming specialized programming to accomplish customization. However, because Microsoft Dynamics CRM is so generic, it will, in most cases, need to be customized, and its success will depend upon systems analysts or Microsoft Partners to customize it effectively to meet business demands.

Microsoft Dynamics CRM is a metadata-based product, which essentially abstracts the underlying data storage components from higher level ones, such as security and the user interface. Minor to extensive customizations to the database can be applied without performance degradation or interruption. There is also a Software Development Kit (SDK) to enhance product functionality for specific needs. This flexibility allows the application to be customized to accommodate business processes and the integration of third-party software.

This ease of customization is a big advantage, but it also poses some challenges in the legal environment. A useful legal CRM solution should allow attorneys to view not only client, activity and opportunity information, but also client proposals, time and billing details, matter information and business intelligence, if available. Because Microsoft Dynamics CRM does not come out of the box with legal-oriented modules, Microsoft Partners will need to add this type of functionality. In comparison, competing legal CRM vendors provide extended client financial and case-filing information that is linked from large, proprietary databases. For example, with these products, attorneys preparing for a proposal can review which law firms are representing the prospect and the nature of their lawsuits in a particular practice area. The information can be downloaded and stored with their account in the CRM database.

It's not that Microsoft can't meet the challenge, but relying upon in-house or third-party customization to compete with niche vendors can be risky.

Overview of Microsoft Dynamics CRM Components

Built upon the Microsoft .NET framework, Microsoft Dynamics CRM supports small, on-premise deployments and can also scale for online hosted application service provider (ASP) scenarios, servicing large numbers of users. (A security feature protects the underlying services platform from unauthorized access across the Web.) Its main platform components include Microsoft SQL Server, Web Services, work flow, metadata and integration services, plug-ins for business logic extensibility and reporting services.

Microsoft Dynamics CRM takes full advantage of Active Directory, so security can pass through Exchange Server and across the enterprise.

The architecture supports both incoming and outgoing e-mail processing through Microsoft Exchange Server.

Hosting Options

Microsoft Dynamics CRM 4.0 provides three hosting models: on-premise, where the server(s) and clients are managed at the client site; CRM Live, which is a Web-based, software-as-a-service (SaaS) hosting option for a monthly fee; and a hybrid partner-hosted model, where a Microsoft Partner hosts and manages the CRM application, along with customization and support services.

Microsoft's hosted, CRM Live offering can be deployed and scaled quickly and is expected to appeal to throngs of small businesses that don't have the internal resources to manage their own application servers. Additionally, CRM Live can integrate with existing Exchange servers, so businesses that want to try SaaS CRM can still control CRM/Exchange e-mail in-house.

The Web and Outlook Clients

Microsoft Dynamics CRM comes with two interface options: Microsoft Dynamics CRM, which is a Web-based application; and the Microsoft Dynamics CRM Client for Microsoft Outlook. A user can access the same CRM database using either client.

The CRM Client for Microsoft Outlook is a full-featured application installed locally on users' computers. It provides an interface for users to access all of the Microsoft Dynamics CRM components from within Outlook.

Additionally, the Microsoft Dynamics CRM Client for Microsoft Outlook comes in two types: the CRM Laptop Client for Outlook and the CRM Desktop Client for Outlook. The Laptop Client is designed to work both online and offline from the network. While offline, a user can still access and modify CRM data, which is stored in a local MSDE database and synchronized regularly with the Outlook offline data. Once back online, the data is synchronized to the main database.

The User Interface and General Features

The Microsoft Dynamics CRM interface uses a left-sided Navigation Pane, divided into tabs, where users can quickly select which type of CRM data components they want to access. The navigation tabs described below are included in a default Microsoft Dynamics CRM installation. The tabs and their sub-menus can be customized, personalized or removed. For example, the Sales tab can be renamed "Business Development."

The Workplace tab is the starting point for Microsoft Dynamics CRM. Users can manage accounts, contacts, calendars and activities; search the knowledge base; and run reports.

The Sales tab provides access to the following:

- Account and contact management
- Lead and opportunity management
- Territory management and marketing lists
- Forecasting and sales analytics
- Products, pricing and quotes

The Marketing tab provides access to the following:

- Marketing planning and budgeting
- Account and contact management
- List creation, segmentation and management
- Campaign planning and creation
- Campaign launch and management
- Marketing information tracking
- Analytics and reporting
- Products, pricing and quotes

The Service tab provides access to the following:

- Account and contact management
- Case and customer communication management
- Product and contract management
- Knowledge-base management
- Service scheduling
- Workflow across teams and groups
- Service reporting and analytics

The Settings tab provides access to create or edit the fundamental building blocks of Microsoft Dynamics CRM, such as business units, teams, users, sales territories, templates, product catalog, relationship roles and many others.

The Resource Center tab provides expert information to users, administrators and implementers about using and configuring the server, database and components.

One of the most complete features of Microsoft Dynamics CRM is Advanced Find. Advanced Find is a powerful, menu-driven searching tool to find contacts, activities and other "entities" in the CRM database. In addition to the default searches found in the Saved Views list, users can create, save and run their own customized searches without technical assistance.

What's New in Microsoft Dynamics CRM 4.0

In addition to a variety of performance, mail merge, synchronization and other enhancements, there are important new features in the new 4.0 version. One prominent blogger counted over 25 new features and improvements at an early-release conference.

Where earlier versions were limited to a single organization data model, a new feature called "multi-tenancy" provides for hosting multiple organizations for firms that want to roll out separate instances of the CRM database to different groups in the firm. Applications for this feature would include setting up the London and Berlin offices on different databases or separating data between different practice groups.

For easier and enhanced reporting and analytics, 4.0 provides a service named "Connector for SQL Reporting Services," which automatically

authenticates and connects the Microsoft Dynamics CRM database to a Microsoft SQL Report Server. A number of new reporting features allow department managers to run reports securely from the CRM database without the need for a database specialist or programmer.

The new data management capability provides feature-rich tools to load data into the database and introduces new tools for detecting and merging duplicate records, bulk deleting unwanted data and for exporting and importing data through a client-based Data Migration Wizard. Data management tools are essential to a well-managed CRM database, and these are welcomed features. However, in comparison to the full-featured data management tools found in competing products, Microsoft should continue to improve this feature set for future releases.

A very useful feature in 4.0 is the ability to export CRM data to a Microsoft Office Excel worksheet, where it can be modified and then imported back into the CRM database.

In earlier versions of Microsoft Dynamics CRM, workflow development was limited to users with access to the application server. Version 4.0 now provides all users of the Web client access to develop workflows. Administrative users can now also monitor all workflow jobs.

There is a new Web-based workflow system, based upon Windows Workflow Foundation (WWF), that helps streamline how data gets passed and processed across the company. This new system also supports a broad range of activities created outside the Web client using development tools such as Microsoft Visual Studio.

Conclusion

If law firms are looking for a way to edge out their competition, the best way is to satisfy their clients. Buying CRM technology alone, however, will not help them reach this goal, nor will replacing technology that did not perform well. Successful CRM initiatives take hard work and dedication to identify and develop successful business-development and client-service processes. And, attorneys must not only buy into the

strategy, they must also participate in the implementation of the strategy and the supporting technology.

Although still lacking in features that competing enterprise legal-CRM applications offer, Microsoft Dynamics CRM is the young kid on the block. But it looks promising for firms seeking to implement a business-development and customer-focused culture as a strategic advantage. Perhaps the biggest advantage of Microsoft Dynamics CRM is its strong integration with Microsoft SharePoint Server. The latest version, 2007, provides a feature-rich database and tool set to source and present companywide information from a secure intranet platform. With SharePoint, CRM data can also be integrated with the enterprise. Secretaries and marketing staff can manage client data in Microsoft Dynamics CRM, and attorneys can access contacts from a SharePoint site, right next to client accounting, matters and the knowledge base. Law firms that are migrating their intranets in this direction should keep an eye on this product.

While the Microsoft CRM product line offers many enticing features, and has underlying .NET architecture for easy customization and application extension, the product is still in development. For firms that have a Microsoft-centric product portfolio, such as Exchange, .NET development, Active Directory Services and SharePoint Server, and that also have a long-range view of enterprise data management, the addition of Microsoft Dynamics CRM may make sense. The same reasoning might apply for firms that are just starting to use CRM technology and want to take advantage of Microsoft Dynamic CRM's flexibility or SaaS online offering. However, for firms that have already invested in enterprise legal CRM applications and can take advantage of the more mature or legal-oriented features, like data change management, activity tracking, e-mail campaign management, synchronization, analytics, content-enabled CRM and access to extended client information via proprietary databases, the best bet may be to continue improving business processes and providing great client service until the next leader in the legal CRM marketplace emerges.

ILTA's InterAction Peer Group Mission Statement

ILTA's InterAction Peer Group will provide quality educational and networking opportunities with regard to the various products and services provided by Lexis-Nexis InterAction and third-party vendors and products that integrate and complement it. The Peer Group will foster a relationship between ILTA and Lexis-Nexis InterAction to assist with the release of new products/versions and provide support for existing products.

by Lann Wasson of Blackwell Sanders LLP



::Creating Meaningful Exposures Through Mass E-Mail

In its first two years of operation, Blackwell Sanders' broadcast e-mail program grew from a handful of attorneys sending several hundred contacts an e-mail message a month to ten practice groups distributing an average of 15 communications per quarter to just over 9,000 contacts. At the end of 2003, our marketing department's goal was to triple the distribution over the next year by aggressively building new practice mailing lists and designing filter-proof and spam-compliant e-mail templates. Although the stage was set for accelerating the firm's batch and blast effort, our thinking about mass e-mail marketing was interrupted by Seth Godin's little yellow book titled, *Permission Marketing*.

Permission Marketing

More than embracing "opt-in" versus "opt-out" e-mail campaigns, permission marketing is a metaphor for rethinking one's approach to business development activities. Seth Godin advocates that marketers should engage customers in an interactive dialogue that builds loyalty through communications that are anticipated, personal and relevant. On any given day, business executives and general counsel receive an average of five to seven e-mail alerts about the same legal topic from their short-listed law firms. Most read one or two of these communications and ignore the rest. Clearly, the challenge for marketers is to consistently deliver e-mail messages that are immediately recognized as the only communication necessary to digest these legal matters.

To meet this challenge, permission marketing emphasizes the need to take a closer look at one's processes in order to create meaningful exposures through mass e-mail. Unlike batch and blast e-mail, meaningful exposures reinforce the firm's identity; they are both informational and insightful; and they create an opportunity for ongoing dialogue. At their best, meaningful exposures introduce "spreadable" ideas. Peter Davidson of the BeTuitive consultancy writes in his blog

that premium content includes "ideas that readers can apply in their own workflows, share with others in their organization or share with their professional networks." Over time, meaningful exposures build loyalty and help move relationships from prospects to clients and from clients to referral sources.

An Integrated Multi-Channel Approach

Today, some people ask whether law firms should continue their mass e-mail programs given that other available channels, such as news feeds and blogs, are relatively inexpensive and avoid the congestion and filtering commonly found in customer inboxes. However, the research on interactive marketing suggests that e-mail is still the best-suited technology for relationship building and the one with the greatest return on investment.

Recently, the Nielsen Norman Group, the world's foremost researchers on the usability of Internet-based technologies, completed their third study of e-mail newsletters. In their report, Amy Schade and Jakob Nielsen observed that, "users have highly emotional reactions to them [e-mail messages] . . . newsletters feel personal because they arrive in users' inboxes, and users have an ongoing relationship with them. Newsletters also have a social aspect, as users often forward them to colleagues and friends." By contrast, the study reported mixed reactions to news feeds because some consumers resented having to read yet another source of information, especially one divorced from the context of the original publishing media. In my experience, while some industries and regions exhibit a stronger preference for consuming information through news feeds and blogs, the best way to create a meaningful exposure is still through e-mail.

E-mail marketing also produces the greatest return on investment of any of the interactive marketing channels included in industry surveys from the Direct Marketing Association, Datran Media, Forrester and Jupiter

Research. In October 2007, Anna Chernis, Research Director for the Direct Marketing Association, stated in the eMarketer Daily that “e-mail produces the highest response rate and delivers the highest ROI of all direct marketing tactics tested.” E-mail marketing is even more effective when combined with other channels. ExactTarget’s *2008 Email Marketing Trends* report states that “for B-to-B marketers, lead conversion rates double or triple when e-mail is used in combination with direct mail or follow-up phone contact.” Sophisticated marketers understand that the most successful communication strategies incorporate and integrate content and feedback across multiple channels.

Selling Mass E-Mail Marketing in a Law Firm

Law firms apply the principles and research of interactive marketing to a much more concentrated set of executives and in-house counsel who influence the purchase of their services. Although there is a lack of survey data on law firm broadcast e-mail programs, there is enough anecdotal evidence within firms to suggest that high-quality client communications add value to these relationships and reinforce the firm’s commitment to providing superior service. This is one reason why the number of mass e-mail programs has grown among law firms of all sizes. Today, 63 law firms from the AmLaw 100 and 45 law firms from the AmLaw 200 advertise broadcast e-mail programs on their public website, up from 16 from the AmLaw 100 and 6 from the AmLaw 200 four years ago. There are even 21 firms on the NLJ 250 list under 200 attorneys operating mass e-mail programs. 18 AmLaw 100 firms and 14 AmLaw 200 firms are also publishing news feeds, with only 5 firms within each listing offering news feeds without broadcast e-mail.

Within a law firm, there are two keys to selling permission-style e-mail marketing. First, one must illustrate how broadcast e-mail enables business development activities, especially within the firm’s top client base. Framing one’s comments within the context of the firm’s growth strategy will help them resonate with executive leadership. Start by working with client relationship managers to identify key relationships and initiatives to introduce new partners and practices. Since e-mail campaigns are trackable, there are subsequent opportunities to provide feedback on the interests of these decision makers. With enough coordination, this information can also inform the activities of event planning and the preparation of presentations and proposals. The more integrated one’s approach, the greater the value one’s organization receives from mass e-mail campaigns.

Second, marketers need to raise the profile of their mass e-mail program by tracking exposures and communicating metrics and cost savings to firm leadership. Sometimes, it is helpful to formally compare the effectiveness of one’s program to those of other law firms. In 2004, Blackwell Sanders undertook such a review in part as a response to the criticism of mass e-mail campaigns engendered by the CAN-SPAM Act. By subscribing to 22 other law firm e-newsletters, we received and evaluated 174 e-mail messages over a three-month period. In May of 2004, the firm’s chief marketing officer noted in a memo to other executives that the firm distributed more broadcast e-mail than all but two firms in the study, that the program used the techniques and formats common in the legal industry or led the sample in its marketing approach by using HTML e-mail to track results, and that the firm recognized a cost savings of over \$25,000 a quarter by distributing this content through e-mail. Raising this program’s profile also translated into executive support for broadcast e-mail in

subsequent client strategy sessions, at partner retreats and during budget planning meetings. If you cannot answer yes to each of the following questions, it may be time to explore ways to increase the profile of your firm’s own initiatives.

Does the leadership at your firm understand the benefits and cost savings of mass e-mail marketing?

Does the broadcast e-mail program have an executive sponsor?

Is there a specific line item for broadcast e-mail in your budget?

Technology Solutions

Over the next few years, mass e-mail marketing within large law firms will likely become more sophisticated as organizations improve their processes and take advantage of advances in technology. Blackwell Sanders uses LexisNexis InterAction and several custom built Microsoft .NET applications to operate its e-mail campaigns. When we first started the program in 2001, custom development was the only solution that would meet our process requirements. Today, there are a number of dedicated e-mail marketing systems (EMS) available to firms which are mature enough to efficiently manage mailing lists, operate campaigns and report metrics.

Some of these software options include Tikit’s Reaction Server, Concep’s Campaigner and cMap, ExactTarget’s hosted solution, eLaw Marketing, Silver POP, JangoMail, GOT Marketing, Peer 360 and Constant Contact. While a comparison of the software options is beyond the scope of this article, consider the following when evaluating which EMS is the best fit for your organization:

Should this technology be sourced within the firm or as a hosted service?

Does the software integrate with the firm’s CRM system?

Does the software work in tandem with the firm’s website?

Does the software dynamically address bounce-back e-mail messages?

Does the software utilize design templates for brand control and consistency? Do these templates allow for personalization and trackable links?

Does the software deliver multipart messages, so that a user can receive readable plain text e-mail on their mobile device or non-HTML e-mail client?

Does the software track metrics like open rates and click-throughs?

Is the reporting functionality independent of the firm’s CRM system? If so, is it flexible enough to combine information across mailing lists and campaigns?

Does the software provide contact verification functionality?

Does the software allow the scheduling of e-mail campaigns?

Does the software include spam analysis tools? If not consider, Efiltrate, Lyris Content Checker or Marketing Power – AMA.

Does the software archive communications for reproductions or auditing purposes?

Does the software send SMTP messages randomly, so it does not appear to be spam?

Remove Low-Value Contacts

One of the premises behind permission marketing is it is less expensive to get more business from existing customers than to acquire new ones. Quoting Seth Godin, “Fire 70% of your customers, and watch profits go up!” If one applies this principle to the management of e-mail lists, it becomes clear the emphasis should be on the quality of relationships in the list rather than the number of contacts. To invest wisely in these relationships, one must become more rigorous in removing low-value contacts, especially those without valid e-mail addresses and those contacts who are completely unresponsive. Since approximately 30 percent of the e-mail addresses on any given list will decay each year, focusing on quality should be a top priority.

There are a number of different ways to identify key relationships within an e-mail list, especially if a firm has financial and relationship information within its CRM system. Sometimes the best approach is simply to ask client relationship managers to identify those relationships that drive business to the firm. Otherwise, search for contacts who:

- are associated with company records of top clients or a revenue threshold;
- are associated with industries central to the firm's growth strategy;
- are associated with companies in related practice areas;
- have titles such as General Counsel, CFO or HR Director;
- are firm alumni, former colleagues or classmates of attorneys;
- are on multiple e-mail lists;
- know multiple attorneys at the firm;
- have opened e-mail sent from the program in the last 30, 60, 90 and 180 days; or
- have clicked through to the firm's website.

Building an opt-in mailing list takes time, if done correctly. While there are always pressures within a firm to import segments of other lists, especially from professional associations, it is important to resist these impulses because external lists are the most common cause of list degradation.

The best way to invite new subscribers is to offer this functionality through your firm's public website. The subscription area must be easy to find and quick to complete. In fact, the Nielsen Norman Group advises that users should be able to complete the subscription process in less than two minutes, because there is a strong correlation between the expectation of efficiency and visitor satisfaction. In my most recent review of the NLJ 250, I was surprised at how difficult the subscription area was to locate on many of these websites. Very few firms highlighted “subscribe” functionality and many others failed to distinguish clearly between Web-only and subscription content.

Bringing list quality into focus allows you to target key relationships and align list growth with business development objectives. Over time, communicating in these terms will also shift the emphasis away from the size of a mailing list to its revenue potential.

The Unsubscribe Myth

In my experience, very few people actually use unsubscribe functionality. In fact, the Nielsen Norman Group reports that people often use their spam filters or junk mail folders to handle unwanted e-mail because these tools are more convenient, and there is a lingering fear that unsubscribing would actually result in more spam. This type of behavior underscores the need to remove non-responsive e-mail addresses from mailing lists.

To the extent customers do unsubscribe, law firm CRM systems usually handle these requests by linking a contact record into an “unsubscribe” folder. The benefit of this approach is that it provides an accurate record of the request when incorporated into search criteria, since other people may add the contact back into a list after the fact. The limitation is that it is difficult to manage contacts who want to unsubscribe from one mailing list, but remain on another. To solve this problem you need to add additional information specific to mailing lists to these folders. Our solution has been to store unsubscribe requests on a list-by-list basis within an external SQL database that is referenced prior to the delivery of e-mail.

Inbox Congestion and Rush Hour Traffic

The central issue in campaign management today is counteracting the effects of inbox congestion. While spam continues to remain a nuisance, customers are savvier about handling spam, and ISPs and their corporate counterparts are much more adept at screening out unwanted e-mail. According to eMarketer, between 2003 and 2007, e-mail volume in the U.S. nearly doubled from 1.5 trillion to 2.7 trillion. EmailLabs, an aggregator of market research, reports that this translates into 304 e-mail messages per week on average for business users, including an average of 79 opt-in messages. To avoid the peak congestion periods and early morning triage, EmailLabs recommends that campaigns start between 9:00 and 11:00 a.m. PST, the hour or so before and after lunch for most of the country. If you have the luxury of scheduling a campaign, Thursday and then Wednesday are the best choices, whereas Friday is usually the worst period, since many users have mentally checked out for the weekend.

Outside of timing, the most important elements affecting the disposition of e-mail are the viewable narrative in the preview pane and the subject line, according to a Jupiter Research report titled, *Email Marketing Content Best Practices: Identifying the Impact of Content on Response Behavior*. Since recipients usually spend less than 51 seconds scanning a newsletter, the Nielsen Norman Group recommends writing brief narratives in a Web-friendly style that includes hyperlinks. EmailLabs also recommends checking hyperlinks frequently, because 28 percent of e-mail messages are delivered with nonfunctioning links. Sometimes it is tempting to place the entire content of an alert within the message body or attach a PDF of the article. However, it is always better to link back to a website so that this activity can be captured and reported to the appropriate parties.

Keeping subject lines brief and descriptive is the next best way to improve these metrics. EmailLabs reports that a subject line less than 50 characters long had an open rate 12.5 percent higher and a CTR of 75 percent higher than subject lines with greater than 50 characters. Writing good microcontent in the subject line confirms the legitimacy of the sender's e-mail, distinguishes your message from those of other

firms, and it prompts users to immediately open and read the e-mail instead of saving it for later.

Open and click-through rates (CTRs) are the most commonly used and benchmarked metrics for measuring campaign effectiveness. While there are dozens of variables that go into open and click-through rates, EmailLabs suggests as a general rule that a newsletter's open rate should be in the 30-45 percent range and CTR for permission-based newsletters should be in the 5-15 percent range. If one's click-through rates typically fall below three percent, it is time to review process, simplify design and analyze content for style and value. Since 80 percent of the responses to a campaign usually arrive within 48 to 72 hours, it is possible to identify problem areas quickly and test potential solutions.

Depositing Value into Relationships

As the clutter and congestion of e-mail inboxes continues to worsen, permission becomes an asset that is increasingly more valuable and harder to get. Once it is secured, permission can accelerate a firm's initiatives to introduce new partners and practices to the key relationships within its top client base. Communicating what people are reading is essential to developing client loyalty, because the key

relationship factor for customers is the extent to which attorneys understand their business and are responsive to their needs. Seth Godin writes that, "Permission Marketing should be the cornerstone of any business-to-business campaign that has a significant profit per customer," and he challenges his readers to consider mass e-mail campaigns as a component of a larger business development process, instead of an isolated activity.

Securing executive support by raising the profile of mass e-mail marketing as a key business development activity will stimulate interest and improve adoption throughout the firm. Tracking, benchmarking and communicating campaign performance and cost savings will help reinforce the benefits of these programs with firm leadership.

Efforts to develop customer loyalty through meaningful exposures require a focus on mailing list quality and attentiveness to writing insightful and engaging content in a style appropriate for e-mail and the Web. Although an investment in technology can provide the tools necessary to operate efficiently, success in the upcoming years will ultimately come from delivering more targeted, personalized and relevant messages to the right people at the right time.

::LinkedIn to My Facebook on My Blog Social Media for Lawyers and Law Firm Staff

by Doug Cornelius of Goodwin Procter LLP and Jenn Steele

There has been a lot of buzz lately about networking through the Internet. In case you missed it, "You" were Time Magazine's Person of the Year for 2006. With the explosion of personal blogs and other social media sites, there is now more user-generated content than media-generated content on the Internet. LinkedIn.com claims to have more than 17 million professionals using its site, and Facebook.com claims to have at least 64 million active users. ILTA even has its own group on LinkedIn, with almost 350 members as of February 2008.

Technorati.com, a website that actively indexes and tracks Web content, is actively tracking 112.8 million blogs, and states that over 175,000 new blogs are being created every day. According to Real Lawyers Have Blogs, 39 of the AmLaw 200 firms have bloggers as of August 2007. Justia.com lists over 2,000 blawgs (law blogs) as of February 2008. If you are not already using these sites, you probably know some people who are. With so many people using social media, lawyers and law firm staff need to consider whether these avenues could be useful for networking, generating business, recruiting and staying in touch with alumni.

The Sites and How They Work

Both LinkedIn and Facebook are social networking sites that allow you to share information about yourself with the people you know or with the public in general, depending on your tolerance for disclosure. Both sites allow you to control who sees what pieces of the information you chose to make available. They are also free, so there is no cost to start experimenting with them.

LinkedIn is a great tool to share connections and create an online resume, and it is the easiest first step into social media. When you create an account, you can publish less information than you have on your business card. You can easily expand that to the information you have on your resume, and take small steps in adding more information as you choose. Then you can hunt down "connections" to people in your firm, former classmates, fellow ILTAs and contacts in your address book. Once you make the connections and finish your LinkedIn profile, there is not much else to do. You can answer questions from other members of the LinkedIn community and provide recommendations for your connections, but there is a very limited ability to share day-to-day information with your connections.

That is why Facebook is a good second step into social media. Facebook was founded for college students in February of 2004 on the campus of Harvard. The site is all about communication and allows you to share information about yourself, both personal and professional if you choose. Facebook aggregates and disaggregates information in several ways. In your personal mini-feed, there is a history of your Facebook activity that shows when you added new people to your friends list, updated personal information in your profile, communicated with other members, or added new applications (although you can suppress items if you want). Your mini-feed is aggregated out and combined with other mini-feeds, so your Facebook friends see your updated information combined with the updates from their other friends. Updates and notifications can be delivered via RSS feeds, so rather than having to go back into Facebook, you can be updated via your feed reader. Essentially, this is a form of

mini-blogging, and Facebook is a very effective tool for distributing information to your “friends.” Facebook has also opened its platform to allow other applications to tie into it. You can tie your movie watching habits into Facebook through Flixster, tie the books you are reading into Facebook through Shelfari and point your Facebook “friends” to your LinkedIn profile!

While there is a lot of frivolous communication in Facebook, there is also a lot of professional communication. Obviously, it is critical to know where to draw the line. One person may view a set of pictures as embarrassing or offensive. To others, it is simply the usual firm holiday party.

Facebook is still relatively new. Its strong tie-in with college students indicates that Facebook’s users are going to be pouring into the business community in the next few years as they graduate. Will Facebook crumble under the weight of bad social behavior or dominate as a communications platform? If it is going to crumble, we can ignore it. However, if it becomes a dominant communications platform, we cannot afford to ignore it.

Looking back many years to the adoption of e-mail, businesses (especially law firms) ignored it for a while. Eventually, they had to adopt it in order to communicate efficiently. Now, college students use Facebook as a primary way to communicate; many use e-mail sparingly. Facebook has become the new e-mail for this crowd. It may well become a new communications tool for business as this generation enters the workforce.

Social Networking for Lawyers

There are now also lawyer-specific social networking sites developing. LawLink and Legal OnRamp are each in their early stages. The idea of an online social network site just for lawyers may not sound very exciting; however, the practice of law and building a law practice is about developing relationships. Legal OnRamp is taking that a step further by developing a large repository of substantive legal knowledge to go along with its lawyer-to-lawyer (and in-house counsel) social networking.

Beyond these tools are blogs, which you can use to communicate with the online world. Like other social media sites, these are free or very low cost. We set up our blogs in less than ten minutes. You need no knowledge of any programming language nor do you need to learn any special techniques. Wordpress, Blogger, Movable Type and several other vendors provide free blogs and host them on their servers. You just pick a design and some colors, and then you can be off and blogging! Of course, you do need to decide what you want to blog about.

Marketing Yourself

Creating Your Brand

According to almost every career site on the planet, creating your own brand in order to position yourself in the marketplace and attract your target “clients” is one of the most effective ways to reap career results. No, we do not mean the kind made by hot irons, but some folks think this is just as painful before they try. For example, your firm has probably gone to a considerable effort to position itself in the marketplace and attract its target clients, and it can probably attribute some business success to those efforts.

If you already have a presence on the Internet, take a step back and ensure it says about you what you want potential employers or clients to know. If you have pictures on MySpace that might not go over well in a business context, now is the time to lock your profile down to private, so that only your drinking buddies can see the pictures. If you have a blog describing your adventures in belly dancing, for example, consider that while there may be many people out there who will enjoy reading it, your managing partner may not be among them.

If you do not know what online presence you might have, it is probably time to Google yourself. You might find that, like Jenn, you share a name with an adult movie star (quite a shock to her father when he Googled her!). For Doug, who has been using social media for a long time, the top ten results in Google all refer to his presence on the Internet, only one of which is his profile on his firm’s website. You might find that the first few hits are your firm, your presentation at ILTA, your LinkedIn profile and your 25th college reunion. Or you might find that you have no presence at all.

Once you know what is out there, you can start building the presence that you want potential employers and clients to see. One of the easiest places to start professionally is the first site we mentioned: LinkedIn. Go to www.linkedin.com and click “Join now.” The more completely you fill out your profile, the more people will recognize you from three jobs back. Create links to your firm, your professional blog and your volunteer organization, and people can find out even more about you (again, only what you want them to know!). Once your profile is complete, start searching based on name, company or group, and invite people you know to connect. Set your profile to public, and you will start seeing your LinkedIn profile on Google!

A LinkedIn profile may not be enough to show your brand and your expertise to the world. If your organization’s policies allow it, and you have something worthwhile to say, you may consider starting a blog. If your organization does not allow professional blogging, then they should. Some organizations have theme-based blogs for their clients, and you may be able to contribute to one of those. Whatever you decide, make sure that it is both professional and consistent with the image you want to portray. Blogs are one of the best ways to get your message out there; search engines love content in blog form. All of the linking and cross-linking is what makes the Internet so useful.

Remote Social Networking

ILTA’s e-groups are a powerful tool for remote social networking, but it can be difficult to find information about your colleagues around the globe. Sites like LinkedIn and Facebook can be valuable tools for remote social networking. Did you meet someone at a conference and wonder where he or she might have worked before? A business card can only tell you so much about a person, but a LinkedIn profile might tell you much more. Do you wonder what friends or colleagues you have in common? Check that person’s friends or connections. Do you wonder what books she is reading or what his latest blog post might be? Check out Facebook. You never know what you might find, although you probably hope it is professional, rather than intensely personal. These sites are also a way to continue “listening” to a person after having met them. E-mail or telephone communication is great, but there is only so much time in the day.

Finding That Job

According to almost every job site and recruiter, a huge percentage of job seekers find positions via networking rather than responding to postings. But who has time for intensive face-to-face networking these days? It can be difficult to keep up with connections in anticipation of needing to find your next big opportunity.

Here is where these sites can help you. Just as with remote social networking, these sites help you keep in touch with recruiters and colleagues from across the globe. Because these sites provide up-to-date ways to contact people, you do not have to worry about dead contacts in your address book; just send a message via the appropriate site!

Marketing Your Firm

Alumni

Instead of creating your own silo of internal alumni databases, use the social media site where your firm's alumni may already be. As an extranet provider will tell you, 99 percent of site maintenance is related to creating user accounts and retrieving passwords. A walled community for alumni creates another user ID and password that the user needs to remember. LinkedIn allows you to create a private group, allowing you to restrict who can get into the group, for example, there are groups for ILTA and Goodwin Procter. It allows you to easily add connections and then track those connections as they change their LinkedIn profile information.

Recruitment

Use social sites to stay in touch with young recruits. This generation is more interested in real communication and interaction than slick marketing videos. Doug conducted a survey of Goodwin Procter's summer associates during the summer of 2007 and found that:

More than 80 percent have a Facebook account

Of those, two-thirds check Facebook at least once a day

Only 25 percent have a LinkedIn account

Of those, only 10 percent check LinkedIn once a week, with the rest answering rarely

The Goodwin Procter summer associates of 2007 formed their own Facebook group. The recruiters at law firms should think about stepping into the forum that their candidates are already using. Goodwin Procter plans to launch a Facebook group for its summer class of 2008. This should give the summer associates a chance to introduce themselves to each other and find out about each other prior to showing up at the law firm's doorstep.

LinkedIn and Facebook are only two of the more popular social networking sites. Users are now starting to splinter into smaller network sites focused on their profession. We already mentioned LawLink and Legal OnRamp for lawyers.

Intranet/Extranet

Firms can even use social sites as intranets/extranets. Facebook is powerful enough that at least one firm has chosen to use Facebook as its intranet (kmspace.blogspot.com/2007/12/facebook-as-intranet.html). Also, with the Facebook's open platform you can integrate your enterprise systems into their platform. Worklight's Workbook tool allows

you to share project information and expertise within the Facebook platform. Your corporate information stays on your servers and is presented through the Facebook communications platform.

Show Your Expertise

Blogs are a great way to communicate your expertise to clients and colleagues. Networking is really about joining a conversation and giving something to the group. A blog is a great way for your firm to be part of the conversation. The blog content will get indexed much more rapidly by Internet search engines and displayed higher in results than static PDF documents published to your firm's website. One of the easiest ways to become known as an expert, is to publish quality content on a blog. The second thing is to start searching and reading other blogs that are on the same or a similar topic. You can engage another blog author in conversations on your topic. Leave comments, join his/her social networks, and provide relevant commentary. Add to the conversation.

Some Warnings

In some states, blogs and profiles in LinkedIn, Facebook and similar sites can be considered advertising. If your lawyers are going to be using these sites, they should be cautioned to comply with their states' ethical requirements.

Some law firms have strict policies about blogging and other social networking activities. You should check on the policies before setting up any professional blog that could be traced back to your firm.

If you set up an account on a social network site, you need to go back and make sure that your profile remains true and does not violate the ethics rule for your jurisdiction. If you do not maintain your profile or do not check back on your profile, then delete your account.

Whether or not you have set up an Internet presence, you should be checking to see what might be out there about you. Set up a search for your name and see what the Internet is saying; you may be able to take action by deleting things or contacting site administrators if what you find is problematic. It is very easy to set up a perpetual search through Google, Yahoo and many other search providers, which can alert you when new items appear on the Internet. Whatever you decide to do about any of these sites or searches, you cannot ignore the power of online presence.



**International Legal
Technology Association**

by Rachael Loper of Nixon Peabody LLP



It's All About Who Knows Whom

Marketing in law firms is all about relationships. Our product is people; smart people with expert knowledge, but it is the connections they make and the relationships they build that bring valuable business opportunities to the firm. After all, a former law school study-buddy may one day become the General Counsel of SuperBigCompany. At the heart of many marketing endeavors is the important question: Who knows whom?

In order to efficiently answer the critical “who knows whom” question, concerted effort must be made to maximize usage of a CRM system. InterAction (IA) is one system that can be customized to meet the needs of internal consumers so that any attorney, secretary, legal assistant, manager or marketing team member can extract valuable relationship intelligence and business development opportunities quickly and easily. To best accomplish this, IT and marketing must work together to design and implement an ongoing training schedule for secretaries, legal assistants, marketing, IT, and of course, lawyers.

Make IA a part of your users' daily routine. With a little creativity, you can take IA usage to a higher level, far beyond the mailings and events tracking that is typical. A firm could base its internal business development newsletter in IA, practice group leaders could run reports on past and upcoming activities and the visibility efforts of individual lawyers. With the matters and opportunities modules, a true picture of sales in your law firm can be achieved. Nixon Peabody LLP's Chief Marketing Officer Mark Greene says, “Continually adding layers of information that is immediately useful to attorneys is the key to success.” Here is how to tame the relationship beast.

Secretaries and Assistants Are Key

How do you keep thousands and thousands of shared contacts up to date? We all know that people change jobs frequently, and while the

marketing department works diligently, it cannot be expected to research, update and correct every single contact for every lawyer in the firm. Instead, the legal secretary, who in many cases knows the clients and prospects personally, needs to be motivated to take each lawyer's contacts under his or her wing. Based on my experience in three different law firms, it is often the case that the secretary feels invested in supporting the legal practice but not the business development practice. I believe that a cultural change in the secretaries' mindset to one of “account management” will benefit the secretaries, their lawyers and, ultimately, the entire firm.

Faith in the System

Ongoing data clean-up provides the baseline for faith in the system. If marketing can be in a position to alert attorneys to title changes and job moves of friends and acquaintances, it means we are pushing timely and valuable relationship information to those who can act on it with immediate payoff. Users become encouraged and excited by the growing amount of accurate and useful information available. At any given moment, we can accurately identify who knows whom. “Do we know anyone at Acme Widgets Inc.?” “Yes, we've done some real estate matters for them, and our new lawyer from the IRS knows their chief lobbyist.” “Ms. Brown, *Legal Times* has it today that your client at MNOP Corp. has moved to a new job.” When sending news like this to the lawyer, copy the secretary who can make the change, and coordinate a congratulatory note from Ms. Brown to the client. Now we're getting somewhere!

Turn Up the Volume

In order to increase usage and capitalize on this investment in time and software, the marketing department and IT should work together on a training and outreach program to reinforce the value of the CRM system to the firm's attorneys and staff. Essential to the process is a training and implementation consultant who can bring the latest best practices

to the firm. Deborah Holt, a consultant with whom I've worked, says, "The success or failure of a firm's business development efforts lies in its relationships. CRM applications, like InterAction, highlight the 'enterprise' view of the contacts in the database, which extends far beyond an individual or departmental view. This cultural evolution is one of the most difficult obstacles firms face when implementing a CRM tool. Job one is to develop an appropriate end user-driven methodology that appeals to all groups and ensures key decision makers will enthusiastically use and endorse the technology. CRM is rapidly becoming an integral part of how law firms practice law; cultural change and user adoption must follow."

Brag Sheet

In my first month inside a law firm, I was assigned one of law firm marketing's most dreaded tasks: the in-house newsletter. I looked over a draft PageMaker design and pondered the pain of interviewing lawyers, making countless rounds of edits and navigating the politics of whose case to feature on the front page.

Then, I was struck by an idea. Why recreate activities that should already appear in the CRM database? A printed, designed newsletter didn't seem to make sense when our audience's most valuable daily read is BNA's Daily Report for Executives, an e-mail newsletter consisting of merely headlines and links. We could save a tree by mimicking BNA's style using IA. This solution also addresses the age-old argument that an in-house business development newsletter is dangerous because rivals or rogue reporters could obtain confidential information with a simple "forward" or a printed copy rescued from the trash. An internal business development newsletter based in InterAction could look like this:

Smith Schools Universities and Colleges in the ABCs of ERISA:

<http://www.interaction.article>.

Users can click on the link if they want the full story and a list of other panelists and attendees at this conference presentation. If you're not an employee of the firm, sorry, you can't get to it.

Here's another example:

Anderson Agitates Prospect in Corn Country, Tees Up Labor and Employment Issues: <http://www.interaction.article>.

Now, if you're a user of this firm's CRM system and share my twisted sense of pun, you can conclude without clicking that Anderson has paid a call on Whirlpool Co., headquartered in Newton, Iowa, but outsiders cannot. System users may click through and discover whom Anderson pitched, the specific issues discussed and her planned follow-up activities. An in-house newsletter could consist mainly of a string of headlines and links including client and prospect visits, articles and press mentions, speeches and one juicy article attachment with marketing or business development tips and ideas. Lots of positive feedback from readers is sure to follow!

What Comes Next?

IA can also be used to keep a record of initial business development calls and opportunities and to provide reminders for follow-up calls, much like the process I employed as an advertising sales representative

for the publication *Legal Times*. One of the challenges in selling ad space to law firms is that the sales cycle is quite long by advertising industry standards. Many times I would phone or visit a prospective buyer only to be told, "We're not there yet, give us six months." I would faithfully note this pledge to call in my sales database. Six months later, I would print out my weekly call sheet, and there would be my scheduled follow-up. It would have been ludicrous for me try to memorize these promised return calls, but that is exactly what many lawyers attempt to do.

A CRM system can and should play this role for lawyers. If a lawyer has a notion that her new client might need [xyz] services but feels the relationship is too young to plant the seed, she can note it in IA and give it a future contact date. Some firms have even implemented the "reminder" capability that syncs with Outlook's calendar. In a perfect world, every lawyer would print out "this week's business development calls" and get a list of possibilities from months ago. There is no need to commit these little brainstorm to memory when the software can do the work instead.

Compensation Is the Carrot

Compensation is a sensitive issue in most law firms. With the best of intentions, firms spend countless hours filling flip charts with ideas and equations to arrive at a fair and equitable compensation formula. Many firms have moved toward transparency, and that is a good thing. But individual lawyers often struggle at comp time with recreating their visibility and business development activities from pages and pages of nonbillable time notations. A well-designed CRM system can solve that problem.

InterAction could provide attorneys with a "how do I look?" report on a quarterly basis. In IA, this is simply a listing of activities from the previous quarter with types of activities totaled up as a summary:

Speeches/Presentations5
New Matters12
New Clients3
Articles2
Client Visits7

When it comes time for attorneys to write their end-of-year compensation memo, they've got data. Adding activities to the database also provides a rich record of the various ways we've touched the client or prospect. Attorneys across the firm look smart when they can say to a prospect, "So you heard Smith's speech on green affordable housing tax credits. Is this an issue you are still grappling with?" This is certainly preferable to, "Oh, I didn't know your company attended the conference this year."

Referrals Rock

For firms without satellite offices scattered across the globe, referrals to and from other law firms worldwide are a key source of business. Using CRM as a tracking mechanism makes this process more effective and efficient. Need a lawyer in Brazil? Find referral sources in two clicks. Have a case you'd like to refer to a firm friend? Search the referral database by practice area and scratch a back that will someday scratch your back in return. Recording referral activity is an important part of business development for law firms.

When New Lawyers Arrive in Who-Ville

When laterals arrive, loads of valuable new “whos” can be added to the system. One way to encourage early CRM usage and to quickly integrate new lawyers is to run a report of “who knows whom” on their own contacts to find where colleagues and friends overlap. This is the low-hanging fruit you sought when you recruited and hired this powerhouse. Gather it while it’s ripe.

Training Never Ends

Don’t insult lawyers by showing them how to enter a new contact from a business card. Their time is far too precious. Convince attorneys in 30-minute, one-on-one sessions that IA can become a valuable part of their day-to-day routine. Make sessions manageable, digestible and tailored to each attorney’s work style. Show them how to find out who knows whom in three clicks, and you are on the right track. If a lawyer is going to Chicago to present a paper, she should instinctively know to ask for a “who knows whom” report on firm clients in the Chicago metro area well before leaving for the airport. The travel can be leveraged into additional client and prospect visits with consideration and ease.

Secretaries and other administrative staff should receive a two-hour group beginner session followed by advanced classes and topic-specific workshops on an ongoing basis. IT and marketing should work closely (and perhaps with a consultant) to develop user-specific, targeted training sessions that appeal to each group’s needs. Each group session should include a brief introduction to the firm’s business development goals. IT can also team with data stewards to build a solid reputation in the firm as approachable and reliable resources for answers and new ideas for IA. Quarterly continuing education seminars for secretaries and one-on-one sessions for new lawyers should remain top priorities.

It’s Worth the Work

Your firm can reap significant, positive results from your investment in CRM. Information can flow freely throughout the firm, across practice areas and departments. Associates and staff can add value by being more aware of business development activities and thus have greater opportunity to contribute. This investment in CRM takes a lot of work, and it requires buy-in at the highest level. In a business built on relationships, we cannot afford to be ignorant of whom we know.

ILTA’s Core Values

- :: Maximize the value of technology in support of the legal profession
- :: Provide quality, independent, unbiased and accurate information to our members about technology and the practice of law
- :: Maintain vendor independence
- :: Provide quality educational opportunities for our members and ongoing learning for navigating through change
- :: Foster, rely on and celebrate volunteers for their real-world experience and their value as a resource for colleagues
- :: Recruit and retain the highest caliber of professional staff
- :: Act as a vehicle for meaningful peer networking
- :: Respect our colleagues
- :: Commit to the highest standard of professionalism
- :: Maintain a financially sound organization that provides full value for the members’ investments
- :: Promote member advocacy with vendors regarding product development and support
- :: Recognize that ILTA is a volunteer-governed organization managed by a professional staff



by Jessamy Field of Howard Rice Nemerovski Canady Falk & Rabkin

::CRM Training

Reviving User Adoption of InterAction

Howard Rice originally invested in LexisNexis InterAction in 1999, but the system was largely underused. In 2007, the firm made a strategic decision to reinvest in the tool to support its strategy of developing deep, knowledge-based client relationships to provide superior value to clients.

After a period of piloting with the marketing team and a user group, we took the all-at-once upgrade approach, moving from InterAction 4.x to 5.5. Subsequent training was offered in various modes of delivery over an eight-week training and support period. We learned that in order to successfully implement an effective training program, key areas must be addressed.

Understand Your Firm's CRM Goals

Customer or Client Relationship Management (CRM) is a process or methodology used to learn more about clients' needs and behaviors in order to develop stronger relationships with them. While there are many technological components to CRM, thinking about CRM as simply a piece of technology is a mistake. The more useful way to think about CRM is as a business strategy aimed at developing and enhancing client relationships. Your CRM technology is a process that will help bring together lots of pieces of disparate information about clients to enable and support your business development and marketing strategies. This distinction is important. Many firms embark on the technological aspects of CRM without having a clear client strategy in place. This makes training challenging, as it is difficult to articulate the benefits of a CRM system in isolation of a firmwide approach to managing and developing client relationships. It is almost impossible to know the specific features of any CRM technology to emphasize in training or where to begin configuring a system such as InterAction if the strategic goals haven't been identified and articulated.

Ultimately your training sessions need to be able to outline for users:

- Your firm's client relationship management strategy
- How the CRM system will help client retention and profitability
- How it will uncover new business opportunities
- How it will ensure better client service

Create Compelling Content

Integrate all marketing activity. All too often, marketing departments complain that lawyers and secretaries are not adding the content to their CRM when the marketing department itself is using disparate systems to manage things like pitch and proposal tracking, event management, experience database and e-mail marketing platforms. It is critical that all marketing activities be integrated into your CRM, and this is key to demonstrating that InterAction is more than a Rolodex. In the six months prior to our upgrade, the marketing team focused on integrating information that would be compelling to users. This included:

Pitch and proposal activities dating back four years. Each activity was attached to the client and the bid lead, and included qualitative information including reference to the actual pitch stored in our document management system.

Client profiles with relatively basic information from our time and billing system. The initial information we uploaded included: client number, date the client was opened/closed, the number of open matters, the key billing attorney and a list of attorneys working with the client. The information is now refreshed nightly and is integrated with the firm's conflicts department and new business intake system.

Segment your database. Initially, data should be segmented into clients, personnel and alumni. Once you are further down the adoption path, you will want to refine this segmentation by including referral sources, prospects, vendors and experts. You can then pursue even more in-depth client segmentation models. The segmentation process isn't rocket science; however, success depends on your ability to identify the actionable attributes that matter most to your firm. Segmentation will not only make things immediately more useful to your end users and assist the marketing team in better targeting, it will help you identify data sets appropriate for more aggressive Smart Connect¹ configuration later on, for example, automatically connecting client contacts into the firm database.

In the early stages of the project, keep the number of segments to a manageable number and build easy-to-grasp profiles for company-wide

distribution along with a nomenclature that embodies the character of each segment.

Focus on data integrity. This is key to ensure trust in the data. Don't even consider venturing down the InterAction path if you aren't able to assign at least one data steward per 5,000 highly managed contacts.² Some firms have tried to implement what is called "a fully distributed data management model." Ultimately, this means no single person is responsible for the overall data quality nor are there comprehensive data management standards in place.

In the six months prior to our upgrade, our data stewards worked, in collaboration with the word processing department, to process thousands of duplicates and perform general data maintenance tasks. It is essential that you have a data maintenance schedule that is documented and followed rigorously. Having segmented your database as suggested above will ensure that you can better prioritize datasets for maintenance.

Form a Secretarial Focus/User Group

A successful InterAction implementation requires that users know and understand how InterAction or any other CRM can enhance their day-to-day tasks.

The establishment of a secretarial focus group was key to the development of a training program for our secretaries. The purpose of the group was not necessarily designed to help them reach consensus, but rather, to elicit the full range of ideas, attitudes, experiences and opinions held by this important group of users.

Another benefit of this process was the development of a group of power users who could assist in the ongoing training effort and one of its most effective methods, peer-to-peer knowledge transfer. Our focus group also became our InterAction champions who talked about the benefits of InterAction and its ease of use to their colleagues. Forming the focus group also ensured that the training program was centered on how InterAction could streamline day-to-day tasks.

Reduce Formal Classroom Training Times

InterAction is a vast tool with many features. Designing a training program that covers every single feature, as well as your firm's protocols, standards and business processes, would mean an extraordinarily lengthy training session.

Although rollout training should be comprehensive, it doesn't have to be limited to lengthy instructor-led training sessions in a classroom setting. One group of end users may have different needs from another group when learning how InterAction can help them improve their day-to-day business tasks. You will need to design your training program to effectively meet these varying needs and communicate this information appropriately.

During the rollout at Howard Rice, we offered the following training options:

A "Quick-Start Pack" outlined the strategic importance of the system and provided enough information for users to get by until they had a chance to attend a class or obtain one-on-one training. This was delivered to every user the night before the upgrade. The Quick-Start Pack also included a custom printed Post-It note for

users who relied on business cards. They used these to easily identify for the secretary how the contact should be entered into the system.

Classroom training for attorneys was designed to meet the Continuing Legal Education requirements. Attorneys who participated in the hour-long classroom training qualified for one hour of general credit.

Secretarial training was delivered in two phases. This was designed and delivered in close consultation with the focus group and the secretarial manager to ensure that appropriate coverage was provided. Four hours of training was broken into two sessions.

Extensive floor support was offered each day so that the classroom trainers could follow up with class attendees and also schedule one-on-one sessions with attorneys who preferred desk-side training. Sometimes this training lasted five minutes, sometimes an hour, depending on the user's needs.

An ongoing education program was also set up to be delivered throughout the year in multi-mode formats, including e-mail and intranet messages, desk-side and traditional classroom training.

In combination with an ongoing training strategy, initial attorney training could be reduced to as little as 15 minutes and the formal classroom training time to 45 minutes. It is imperative that reduced training times are combined with a strategy of ongoing training focused on task-based activities.

At the end of the training period, the training statistics for our key groups were:

- Business Partners (93% trained)
- Litigation Partners (76% trained)
- Business Associates (79% trained)
- Litigation Associates (90% trained)
- Paralegals (67% trained)
- Legal Secretaries (98% trained)

Invest in Comprehensive Training for Marketing/IT

It is not possible to over-invest in this area; the more training key user groups such as IT, marketing and your in-house trainer receive, the more efficiently the system will be used and the more productive it will be for end users.

Be Flexible

Don't fight your users. Some will use the Web client, some Outlook, and some will not use the system at all. While you might have a preference or firm standard for which interface you use, your training program needs to cater to multiple modes.

Users will create new contacts in many ways other than using the "New InterAction Contact" button. Recognize this will happen and ensure that your system is configured and that your processes accommodate all the ways in which contacts are entered (*i.e.*, downloading vCards, right-clicking "Add to Outlook Contacts" directly from an e-mail message, and using Outlook's native "New Contact" button).

Make Wise Configuration Choices

In addition to your firm's client relationship strategy, your configuration choices will also help determine your training outline. Here are some of the configuration choices we made to reduce administration and training for end users without compromising the quality of information:

Contacts can be left unresolved. It is not necessary for secretaries to spend time resolving contacts. Not only does this save administration time but also leaves the contacts 'open' to later be connected by your Smart Connect rules. In the Howard Rice environment, new contact configuration is currently set so any new contact created in a method other than the "New InterAction" wizard is left as unresolved. Smart Connect will then automatically resolve the contact if it already exists in the firm list. We have future plans to increase the connectivity of Smart Connect to automatically connect to contacts with the designation of Client. This highlights the importance of database segmentation discussed earlier.

All new companies are created or at least reviewed by the data steward. This saves secretaries from having to search for a company first, create it, then create the contact and associate the contact to the company. It creates more work on the back-end for the data steward but ensures that companies are thoroughly researched and entered according to their legal entity name and with complete contact data. Once again, your segmentation choices made earlier will help prioritize which companies are more strictly managed by the data steward.

Have your BlackBerry devices configured to the latest best practices and ensure you are constantly monitoring recommended configuration changes. Historically, this has been the biggest source of corrupt or "bad" data.

Have documented protocols and policies about spam, data collection and privacy in place. It is critical that your firm is knowledgeable about federal, state and foreign laws that affect how the information about clients, prospects and contacts is captured, managed and used.

Secure Management Support

This is inarguably the most critical aspect of ensuring a successful training program and adoption of a CRM system such as InterAction. Until you have management support, you should not invest in a client relationship management technology, as your CRM endeavors will ultimately fail. The management team must take ownership of the CRM initiative, be willing to communicate the importance of the initiative to the rest of the firm and then lead by example.

- 1 Smart Connect is a feature of the InterAction software that enables automatic connection of any contacts in a user's collection to those contacts already in the firm database, reducing the burden on the user to resolve these contacts.
- 2 Managed Collections is an InterAction feature that allows you to determine which contacts or group of contacts you want to manage or for which you review the changes users make.

::Using Collaboration Technology

To Generate Business Opportunities and Enhance Client Service

by Kenneth Jones of Sedgwick, Detert, Moran & Arnold LLP

In 2003, Sedgwick, Detert, Moran & Arnold LLP, began the journey to become a thought leader in the use of collaboration technology to deliver additional value and services to clients. Moving in lockstep with other Sedgwick initiatives to grow and expand the firm's presence, both domestically and overseas, the firm's management committee created a subsidiary specifically dedicated to providing technology-based services to clients. Named the Xerdict Group, this subsidiary started on a relatively small scale providing litigation-based extranets to select Sedgwick clients. Since that time, Xerdict has expanded the scope and capabilities of its suite of collaboration technologies to generate business leads and provide broader service to our client.

First Generation Extranets

The initial systems developed and deployed by Xerdict were built by a team of technology professionals working on the Oracle database platform and were designed to support many of the "classic" litigation support needs. These included tracking and managing litigation document sets, maintaining a litigation calendar, and tracking and managing the status of all the claims within a mass tort or other large litigation. Xerdict's initial charter also called for functionality that would allow this information to be shared, according to a variety of security permissions and rights, with clients of the firm.

The litigation support needs of clients began to expand. For example, several clients expressed an interest in tracking some of the different financial aspects of their claims (*e.g.*, settlements and case budgets). Other clients asked for assistance creating and maintaining expert witness databases. Still others needed to track more detailed information about litigation, such as the work histories and medical backgrounds of the plaintiffs related to a matter.

As each of these needs emerged and was presented to Sedgwick, Xerdict partnered with the firm to expand the standard feature set within the litigation oriented product line. The ability to rapidly and effectively deploy additional litigation management functionality enabled Sedgwick to track and manage an increasingly broader set of data for its clients and, in some cases, to attract additional clients to the firm, especially those who made this type of functionality a "must-have" in their request for proposals (RFP) for legal services and representation.

Business Development Portals

In 2006, Sedgwick attorneys working to launch and grow the firm's new Electronic Discovery, Data Management and Compliance practice group were looking for ways to demonstrate their expertise and knowledge in this new area to potential clients. After discussing their ideas with Xerdict, a partnership was forged to develop a new type of collaboration

technology within the firm. This new “flavor” of collaboration technology has come to be known as the Business Development Portal at Sedgwick.

The business development portal is a repository of information related to a specific practice or area of law. For example, in the area of electronic discovery, the working team ultimately decided to post a wide variety of data including salient case law, articles, statutes and regulations, information on e-discovery vendors and other types of data.

The users of the data grew beyond what was envisioned at the outset of the project. For example, although there always was a clear interest in building a portal and content repository for business development purposes, the team also discovered a great demand for this information from a knowledge management perspective within Sedgwick. More specifically, the firm realized that the case law, forms and templates, and other information residing in the portal were tremendous resources to any Sedgwick attorney assisting clients in complying with and understanding the new Federal Rules of Electronic Discovery, which went into effect on December 1, 2006.

Consequently, this new resource took on a dual purpose. One was the initially envisioned use as a tool for Sedgwick clients to use and leverage as a value added service. And, the second key use was as an internal resource for all Sedgwick attorneys needing information on a particular topic. The use of the content within the firm helped Sedgwick provide consistent and high-quality counseling to clients on the new federal rules and other related topics.

Extending Client Services and Operational Capacity

Building upon the successes Xerdict enjoyed in the theaters of litigation support and content portals, opportunities continue to emerge. Some opportunities Xerdict and Sedgwick are pursuing now are in the areas of “electronic file rooms” or “brief banks.” The firm

sees considerable opportunities to develop electronic repositories of information, which are sharable among offices while keeping the costs associated with storing these types of documents as low as possible by retaining the information in a digital format. The “electronic file room” strategy and initiative within Sedgwick also allows for the potential to share work product or other electronic information directly with clients on a secure, Web-based platform.

The firm sees a tremendous opportunity to include the Xerdict technology professionals as members of the team helping Sedgwick attorneys, paralegals and information management professionals evaluate vendors in the electronic discovery market. As those who will actually use the software for electronic discovery needs look at the products from the perspective of their clients and system users, the Xerdict team members can provide evaluations from the perspective of a software company, reviewing vendors’ service agreements, operational efficiencies, security plans, and backup and disaster recovery capabilities. By creating a team of legal and software experts, Sedgwick can further distinguish itself in the area of electronic discovery, data management and compliance.

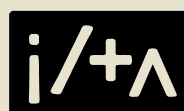
Xerdict also recently completed a migration of its server farm to an professional-grade hosting provider to accommodate the growing scope, number and complexities of client systems. This shift in operations is expected to provide clients with the capacity, redundancy and operational excellence they need to access their business critical data at any time.

Looking Ahead

As the firm continues to expand its support of an increasing number of multinational clients, Sedgwick and Xerdict expect to maintain their current culture of flexibility and quick development to enhance client service and grow new business opportunities.

Embrace, Employ and Enjoy E-Groups

ILTA's wide array of e-groups — private, Web-based discussion forums — facilitate communication among peers. They are delivered to your e-mail inbox in the format of your choice, plain text or HTML. The **InterAction** and **Marketing** e-groups are just two of the many topic areas offered. Both of these e-groups are great places for exchanging ideas, and they allow you to benefit from the experience, knowledge and wisdom of your peers. Any employee of a member law firm or law department can subscribe to any ILTA e-group. Visit ILTA's website at www.iltanet.org, click on the “E-Groups” button and join now!



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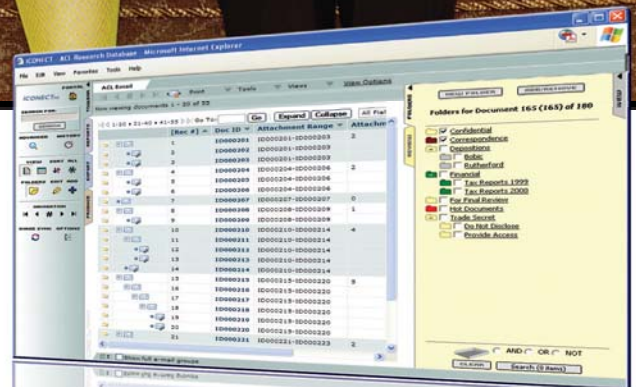


IMPROVING PARENT-CHILD RELATIONSHIPS

No one said parenting was easy, especially when it comes to document management. Obstacles like multiple attachments, embedded files and confidential items make consistent parent-child relationships crucial for efficient reviews. iCONNECT's Document Groups offers a host of features with one purpose – to help you work faster and more effectively.

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