

OUTSOURCE NEWS FOR THE LEGAL OFFICE

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New Year, New President

Out with the old and in with the new:

I'm excited for the 2009 new year. Many people, like me, are happy to put 2008 behind us — even lock it away in some vault.

I didn't get a chance to watch the live Inauguration of President Obama — I got to watch the day's highlights later that night.

Working for the Government, it was pretty common to come in contact with, then Governor, Clinton as I "short-cutted" through the Capitol. I left the public sector before President Reagan downsized or eliminated several positions — mine among them. Working on different bond deals, I've rubbed elbows with Mayors Pena and Webb and

with Neil Bush and that Silverado Savings & Loan thing. I've eaten with politicians, and can even count one Congressman as a friend. Therefore, I didn't think the inauguration of a United States President would get to me — but I've got to tell you, that I'm pretty psyched up.

It shouldn't make any difference if we are Republican, Democrat or Independent, or even if our skin is purple polka-dotted — we are living a part of history.

I read the Inaugural Speech, in it's entirety. A short passage that has stuck in my head:

"We remain the most prosperous, powerful nation on earth. Our workers are no less productive than when this crisis began. Our minds are no less in-

ventive, our goods and services no less needed than they were last week, last month or last year.

Starting today, we must pick ourselves up, dust ourselves off, and begin again the work of remaking America."

To borrow from President Obama, my 2009 marketing "sales pitch" motto has become:

"MY SERVICES ARE NO LESS NEEDED THAN THEY WERE LAST WEEK, LAST MONTH OR LASTYEAR!"

The weather makes you think it's spring — or does it?

Last week the temps were in the mid-60's and 70's. Today it is snowing so hard that I can't see across the street.

We have to remember that even though some of the trees have begun budding, we still have 2-3 months of winter ahead of us — although living in Colorado, we haven't seen the last of the mild days either.

The Law Office is NOT Immune From Economic Woes

I subscribe to the *BizJournals* daily updates by email.

There is quite a controversy brewing among firms and attorneys — keeping billable hours or converting to a flat fee system.

From a client standpoint, I can see the pros of knowing exactly what something

is going to cost. However, from an attorney standpoint, the same as me being a transcriptionist, I simply can't back myself into a corner and say ahead of time "This is what it is going to cost to type an hour police interview" — and I don't see how an attorney can possibly know everything that is going to be in-

involved when a case is taken.

Neither law nor transcription are cookie-cutter services. There are too many variables and surprises.

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Legal services and transcription services are not like going out and buying a John Deere tractor.

In my opinion, flat project pricing makes us robots — we go through the motions in repetitious cruise control — and we're missing out on everything happening around us — we're missing details because practicing law and typing become just ho-hum doldrums — not caring anything about the outcome or the quality — just caring about the money at the end.

I once worked at a law firm where the word processing center worked exactly that way — their favorite and over-used canned speech was: "We can't do that — we do it one way and that is what you are going to get. We can't do special formatting, blah blah blah." In actuality, the reason why they couldn't do something was because they didn't know how, and refused to take the initiative to step outside the box and learn something new. I spent quite a bit of time in the office manager's office being reprimanded because I cared

what the documents looked like, and I took the extra steps to give the attorneys what they wanted — who would have thought that it was firm policy that the attorneys and I were not allowed to have a one-on-one working relationship? It was always obvious which documents were mine, and which were the cookie cutter documents.

Setting flat project rates forces you to forget about the bond between attorney and client and simply push and push for more work — caring only about the money and not the outcome.



The "Do All" Attorney

I've been flying with my own self-employment wings since 1992.

I've always targeted sole practitioners and the smaller firms of five or fewer.

Even before the 2008 economic crisis, the small firm has always had to watch their budgets more closely.

This economic downturn is causing both large and small firms to tighten up their operating budgets. Unfortunately, the cutbacks and downsizing I'm seeing, are being targeted in the wrong direction. Legal secretaries/assistants are being let go — remaining secretaries (if there are remaining secretaries) are doubling up on an already overworked and over-stressed schedule — with burnout sure to follow.

More sole practitioners and small firms are making the decision to "go it alone" — with the attorney becoming chief cook and bottle washer.

I don't confess to being an attorney, although I've worked with more than several handfuls — and I know that practicing law is nothing like what the television programs portray. With that said, I also know what it takes to be a 'good' legal secretary/assistant and a verbatim transcriptionist.

I don't care how good an attorney can type, he/she simply can't be both attorney and secretary — as a practicing attorney, being a jack of all trades and master of none is simply not an option — or at least not a proud one with bragging rights.

I can't honestly believe that during those all-nighter sessions at law school, you envisioned life "after law school" as running the whole show once you graduated and passed the bar.

As a law student you were forced to type — but typing your own pleadings/court filings shouldn't be a prerequi-

site to practicing law.

What value do you place on your time?

Which is more economically feasible — typing client correspondence, court briefs, pleadings, filings — or practicing law — and isn't that the reason you went to law school?

If you insist on typing, type your thoughts down in rough draft and hand off to a professional — a legal secretary/assistant trained, and with the knowledge to place the formatted words on paper — playing up, for your client, your experience and expertise as that of an attorney.

I know what my time is worth — and you should know what your time is worth.

You should know that your skills and expertise are worth far more than your typing skills.

You cannot bill a client your hourly billable rate for typing.

However, my reasonable billable rate for typing and transcribing becomes an expected document production client expense.

I don't care how good an attorney can type, he/she simply can't be both attorney and secretary — as an attorney, being a jack of all trades and master of none is simply not an option.

Cutting Costs — but where?

It is clear that none of us can predict, with any sort of certainty, what is going to happen in 2009.

The entire world is making major changes because of what has happened in the financial sector.

In your firm, how should you determine the expenses that stay and the ones that should go?

The largest law firm expenses are people, facilities and insurance. Not every firm can reduce its staff — nor should they. Additionally, most are locked into leases.

Do you need the new photocopier or can it wait six months or even a year? Does the computer system really need to be updated right now?

Reducing staff members may be the firm's first

impulse, but be careful. By doing so, you will be more than cutting or trimming the fat — you will be cutting the glue holding the firm together — leaving you at a disadvantage with serving the needs of your clients. You need to keep the firm a place where people want to work and do whatever it takes to attract and retain talent.

Keep track of the cost of supplies. I recently found that Office Depot has quit stocking my toner cartridges “in store” — the warehouse is in Aurora, but you can't pick up supplies — it took THREE days to receive my cartridges. Make sure you have one toner on the shelf so document production/printing doesn't come to a halt. Office Depot tacks on shipping charges, but I found by calling HP,

they ship NEXT DAY and they pay the shipping. The toner price was the same as Office Depot's cost and no shipping costs.

By “outsourcing” some of your document production to me, firm toner and paper costs can be cut because you will receive a final hard copy — or any number of copies you need.

Outsourcing also eliminates the ups and downs of your workload — when you have more work than your staff can handle, I can help eliminate some of the stress and allow your staff to tend to more pressing and urgent matters. When the workload is slow, you won't have people sitting around idly doing nothing while you are paying them the same thing as when the workload is high — it can also reduce or eliminate consistent overtime resulting in burnout.

I work “with you” and your staff but not “for you.” I have no desire or intention to steal, back stab or cut throat any staff position. I am not a threat to job security — but when there are not enough hours in the day, I'm here to keep the stress level at a minimum.

Feel free to contact me to discuss how I can work hand-in-hand with your staff, or if you are a sole practitioner, how you can get out from sitting in front of the computer and back to practicing law and tending to the needs of your clients.

Smart firms are focusing on improving operating efficiencies and controlling costs — more now than ever in the past.

Outsourcing Benefits

Outsourcing offers several benefits. It reduces costs without sacrificing quality or confidentiality. Turnaround time is improved. It frees support staff to focus on higher-value work.

After associates' salaries and rent, secretarial and document processing is the third biggest cost. Including salary and benefits, the direct secretarial cost is about \$85,000/year.

Firms must either overstaff for peak demand, or staff must be willing to put in 10-12 hour days — which they are not always willing to do, or the overtime is not always possible.

There are times when an

associate's work gets bumped for a partner's needs. Associate satisfaction and client services can suffer.

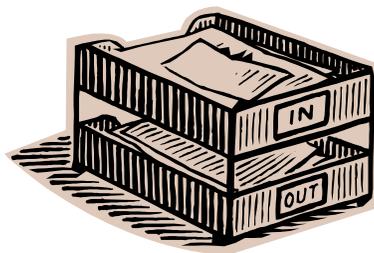
Substantial cost savings come from lower labor costs/benefits/equipment/supplies.

With the “right” outsourcing vendor, firms can be sure to have a flexible, customizable and scalable solution — scalable meaning unpredictable demand on somewhat of a short notice.

Instead of the vendor looked upon as being a job security threat, the staff can focus on higher-value tasks, enhancing their prestige, satisfaction and opportunity for

advancement.

Outsourcing can be used on a regular or “as needed” basis. For sole practitioners and attorneys that have been doing their own typing, you can get back to “billing” the client for practicing law and tending to their needs.



Getting the most marketing for the bang

I admit that since 1992 I've marketed and advertised in a variety of ways — some have worked, some have flopped and some the jury is still out.

Marketing in 2009 is posing a bigger challenge than my previous 16-1/2 years. Since the first part of 2009, I've spent close to \$500.00 on postage for my marketing.

Any type of marketing is a crap shoot, but the unknown or uncertainty with the mail system is more so, I think. First, if the recipient has recently moved, the mail gets forwarded — but I never know unless the firm notifies me of their new address — I never find out until after the forwarding time expires, at which time the mail is returned with the yellow sticker and the new address — kind of an expensive way of keeping

my database current.

I don't know if the mail gets opened or if it is automatically assumed junk and tossed. I don't even know if the mail gets to the proper person or whether the receptionist or secretary makes the decision to toss it.

Another marketing option is to personally show up unannounced. Do I ignore the No Solicitors sign at the door — because I'm not actually selling — I'm simply making my services be known.

I've sent marketing messages by e-mail — although again, like the postage system, I have no idea or guarantee of the delivery — will it get bumped into the spam/junk folder and never seen? — or will it automatically be deleted because I am an "unknown" sender? Last year I found

out that my Internet carrier classified me as a spammer because of sending out more than 25 emails in one day. After sending them the informational emails I was sending, they lifted my spam status, although I still have to be careful of volume emails because it's like "Big Brother" is watching over me.

After researching fax marketing, I ended up with mixed answers. Depending on what I read and from what authority, it's either against the law with hefty fines, or it is allowed if I've included certain information: date, time, name, company, contact information, and an "opt out" clause. If I don't get an "opt out" request to be removed from my database marketing, does that mean that it is all right to continue faxing/emailing my marketing campaign informational pieces?

Each marketing practice has pros and cons, and each met with both acceptance and rejection. For me, marketing is not so much as to what I say or how the message is delivered, but more about the timing — that had I showed up last month, last week or even two months from now, you wouldn't have had a need, and my information would have been tossed or put aside and forgotten — however, today you find yourself needing a transcriptionist, a legal secretary, a proofreader, a document specialist, color laser printouts, laminating, spiral binding, OCR scanning — I have a variety of well-rounded skills and work experience, so even if you're not sure I can help you with something — ASK.

Your documents are your reputation ... making them look good is mine!

CAROLYN BODLEY SIX MONTH STIMULUS SAVINGS PROGRAM*

For six months, Carolyn Bodley is offering NEW and EXISTING clients her 5-year price rollback — "doing my part in getting the economy moving" — now through July 1, 2009, charge rates have been dropped to 2004 rates — a **SAVINGS of \$10.00/hour.**

(*Restrictions apply—payment must be made at project completion)

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Charge rate has been rolled back — but my quality work product remains unchanged.

Offering Secretarial and Transcription
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Since 1992

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