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ON THE COVER

Making the Change: The number one challenge law firm leaders face is change management. This issue has contributory articles on how changes come about and how to manage change.

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THERE'S NO AVOIDING CHANGE

BY ROBBIN DOLAN

Change was the theme of last edition's President's Message, where I wrote about the proposed ALA rebranding and new name. This is a major transformation for the organization—many members feel strongly that the ALA identity revolves around the name of the organization, and that 44 years have been spent developing the current brand. Many members are resistant to the change, yet some seem welcoming. Those see it as a positive change that will help forge a new future for the group.

This edition delves into the issue of change in the law firm. We are all faced with change, be it the retirement of long-time partners, new technologies that make us uncomfortable, reducing benefits, merger with another firm, or onboarding of the younger, more diverse generation. By nature, humans are resistant to change, resulting in tumultuous times for management when change is necessary. How we handle it can make the difference in how successful the change is.

There are many reasons humans are resistant to change, according to an article by Roseanne Moss Kanter published in the Harvard Business Review ("*Ten Reasons People Resist Change*," September 25, 2012). Most of the reasons revolve around fear; the loss of control that happens with something new, the uncertainty that goes with new territory, or concerns that you might not live up to perceived higher expectations. Change makes people uncomfortable, as they are creatures of habit. According to Kanter, it has the potential to actually hurt, as in the next example.

In our "*What Would You Do?*" article this edition, managers have to handle a difficult benefit change that would reduce Paid Time Off for staff. This type of change actually hurts employees, as they are losing benefit time. No wonder many view change negatively. Additionally, the change is not communicated well by executives, resulting in even more trouble. Any big change like taking benefits away has to be well-planned and executed flawlessly.

Another change that employers are facing is the shift from an employer-driven market to a candidate-driven one. In recent years, Melissa Haber and Micki Mersky of ExecuSearch say that hiring has sped up across the board as the economy continues to recover from the recession. In their article "*Embracing Change*" they point out the difficulties employers are facing in filling positions because demand

outweighs supply, which means employers have to adjust how they approach the hiring process. Many employers have not embraced the change and are losing talent because they are used to the client-driven marketplace of the past, where employers had access to many candidates. In this instance, employers need to keep abreast of current market conditions and change their hiring strategies accordingly.

The operating system change to Windows 10 will bring yet another type of challenge to law firms. Ryan Cody of Domain Computer Services writes about how this transformation will benefit users in "*Windows 10: Feature Rich and Bridging Gaps*." Windows 10 represents a significant change and improvement from previous generations. Likely, many firms will want to pursue upgrades to this OS, resulting in the need for user training. Not all change is negative, as we anticipate this will be a welcome change for Windows 8 users (the Start button is back!).

Jennifer Ellis-Rosa from Gensler writes in "*How is Your Office Design Affecting Your Well-being?*" that addressing the wellness-focused aspects of the workplace is an opportunity to make a positive connection between workplace design and well-being. Since wellness has become such a factor in office life, stress-reducing and ergonomically favorable benefits like standing desks, stretch breaks, and wellness coaching is a change for the good that law firms can embrace.

Finally, one of the most important changes we have faced this year was the legalization of same-sex marriage, as Sheryl Southwick from TriNet writes about in "*What Employers Need to Know About the Effects of Same-Sex Marriage Legalization on Employee Benefits*." Many employers have questions about what changes need to be made to employee benefit health plans, especially where taxes are concerned. Many employees are also concerned about how their health benefits will be handled, according to Sheryl, and human resources departments must be educated on how to handle these changes.

If you think about it, and consider all of the articles in this edition, our jobs really boil down to identifying, planning for, and managing change. It can be hard, it can be stressful and down-right miserable, but it can also be something to welcome and embrace; something that improves our lives. Being the human that I am, though, I prefer the latter!

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WHAT WOULD YOU DO?

BY ELLI ALBERT

For this feature, each issue of the *Jer-Z-Journal* will pose a scenario that could occur in the law firm. Members were surveyed and asked how they might respond if faced with the particular situation. All responses, whether serious, sarcastic, or humorous, were encouraged. All responses are confidential.

Scenario: Change is difficult. Your firm's Executive Committee has recently decided to reduce PTO benefits as a cost-saving measure. You have just announced the change. One of your staff members complains that the reduction is unfair. That staff member's attorney (a partner, who is not on the Executive Committee and was unaware of the decision) is also present, and the partner echoes that the reduction seems unfair. You can't throw the Executive Committee under a bus, so...

WHAT WOULD YOU DO?

* * *

"It is always bad to take something away—especially something so valuable as time off. I would tell the employee that the decision has been made and that s/he and the partner are free to discuss the topic with any member of the Executive Committee. I would try to explain the 'financial' reason for the decision. I would also speak separately with the partner and advise that s/he should be supporting the decision of the EC and not putting me on the spot in front of a staff member."

"I would simply explain that although this may be viewed as 'unfair,' it was a decision that was difficult to make, but nonetheless needs to be implemented."

"My opinion is that the change should have been shared with leaders, attorneys and managers in advance so they could have aired out concerns to the EC. I would tell the staff member: 'It is understandable that any takeaway results in feeling less appreciated. Our firm decided to look at the market PTO schedules of like-sized firms, and noted that we were more generous. The firm was trying to ensure we have enough support scheduled throughout the year so our attorneys are covered, as the business needs have changed. As a result, it became apparent we needed to revamp our PTO policy.'"

"First, speak with the staff member alone. Acknowledge their commitment to the firm.

State that times are difficult. Acknowledge the staff person's feelings while communicating to them the reason and the process for making the decision. State that this type of change creates stress, but reinforce the firm's commitment to get through this difficult time. Then have a discussion with the EC and recommend that partners be made aware of the changes first so they have an opportunity to voice concerns before any changes are implemented. Also, the partners should be advised that they are expected to support the decisions of the EC, especially in the presence of the staff."

"This should have been better managed and communicated well in advance of notifying employees. Explain why the change was made. If the EC was faced with cutting back PTO or eliminating a position, most employees would appreciate the effort not to have to let someone go. Tell the employee that their prior PTO was more generous than others in the legal industry (if that was the case), and while you appreciate his/her concern, business decisions are not open for debate or reconsideration. Direct the partner to obtain more information directly from the EC. If, however, the new PTO is below legal industry norms, then have a discussion as to how life can be unfair at times and remind him/her that business decisions are made for a reason."

"I would remind both of them that decisions made by the EC are made for the good of the firm and its employees alike, and all must abide by those policy changes."

"When you say, 'You can't throw the Executive Committee under the bus,' I couldn't disagree with you more. The appropriate response to both the staff member and the attorney is that this was a difficult decision that was deliberated on carefully by the EC. If the staff member wants to raise their 'case' with the EC, you can offer to bring their comments to the committee. You should have a separate conversation with the partner that s/he should speak to you privately about these issues before having a group conversation, and discourage them from publicly criticizing an EC decision."

"I would thank the employee for speaking up. I would say that the firm does not believe the decision is unfair and explain why, using the particulars (you still have this number of days,

(Continued on page 7)

What Would You Do?

(Continued from page 6)

you can still use them in this manner, etc.). I would explain that the decision is the result of careful consideration of options, and it was agreed that this one seemed to be the least harmful than other cost-saving measures. I would explain that, to maintain its success, the firm sometimes has to make difficult decisions. I would add that this type of decision is ultimately in the best interest of all the employees, and that over time I would hope s/he would come to see it that way.”

“I would empathize with the employee, but I would ask them to give it a try as we don’t want to lose them, but would understand if they were so upset over it they wanted to leave. I would talk to their boss separately and tell him/her that if s/he had an issue with it, to take it up with the EC or the Managing Partner.”

“I would agree with the employee that it was a raw deal, and then I would take a PTO day.”

* * *

Elli Albert is the Office Administrator of Fox Rothschild LLP in Roseland and Morristown. To suggest a scenario for a future edition of “What Would You Do,” please email Elli at ealbert@foxrothschild.com.



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A CHANGE IS GONNA COME

“...IT’S BEEN A LONG TIME COMING, BUT I KNOW A CHANGE IS GONNA COME, OH YES IT WILL.” SAM COOKE (1931-1964)

BY SARAH CLARK, CLM AND JENNIFER BROWN

As leaders of legal workplaces and organizations who want to be successful, we cannot ignore that change is here. For some of us the change has been here for years and for others it is truly on the way. It is no longer a nice proposition to say that “yes, we probably should make a results-driven commitment to diversity and inclusion, but we really don’t see a need or that we are not ready.” Sam Cooke sang about change coming in the future. Well, the future is now and change has arrived. That is why it’s critical to have a solid understanding of *diversity* in the 21st Century and *inclusion* in the year 2015 and beyond.

The world in which we live and the leadership responsibilities each of us have in legal administration is in a time of change. This is why the ALA is working to make sure everyone understands why diversity is important and how each of us can do a better job bringing diversity and inclusion to our lives and to the workplace. The statistic that by the year 2032 Caucasians will be a minority race—and some predict there will not be a clear racial majority in the United States, should propel all of us to understand why businesses of all types must pursue diverse talent and achieve real inclusion. Success beyond today and into tomorrow demands it.

Who better to encourage change in our respective law firms and legal departments than members of the ALA? For each of us to play this critical role, we must know the many dimensions of diversity beyond what we learned twenty years ago and understand why Andrés Tapia coined the phrase “diversity is the mix and inclusion is making the mix work,” and Vernā Myers has developed the notion that “diversity is being invited to the party; inclusion is being asked to dance.” It is not enough nor a guarantee for success, to only reach the goal of diversity as defined by the EEOC. While that is part of the equation, inclusion is the key to long-term success.

The ALA’s Committee on Diversity & Inclusion is here to help each of you. We have developed tools and resources from a Tool Kit, Mentoring Guide, Tip Sheets, Speaker Lists, and

Podcasts, to Scorecards. The two Scorecards (one’s full title: ALA’s Scorecard on Diversity & Inclusion—A Roadmap to Change for ALA Chapters and Law Office Administrators) provide true step-by-step roadmaps with resources of how to be a “change agent” and leader in diversity & inclusion. We are here as your partners in making sure that our chapters and member firms and legal departments thrive into the future. Go to www.alanet.org/diversity/ and the above-listed resources (and more) are there at your fingertips.

The leadership challenges faced by each of us are real and not easily met, but together we can meet those challenges! In the words of Mahatma Gandhi, “Be the change you want to see in the World.” The ALA is here to assist.

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Did You Know?

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-Steve Jobs

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EMBRACING CHANGE: ATTRACTION AND RETENTION STRATEGIES FOR A CANDIDATE DRIVEN MARKET

BY MELISSA HABER AND MICKI MERSKY



With the end of the year approaching and hiring picking up for the new year, it's time for employers to embrace a recent, but major, change; the shift from an employer-driven market to a candidate-driven one.

What do we mean by that? In recent years, we've seen hiring speed up across the board as the economy continues to recover from the recession. What hasn't followed suit, however, is the number of legal professionals entering the market as active job seekers. The demand is currently outweighing the supply, which means employers will have to adjust how they approach the hiring process.

However, many have not embraced this change and are making mistakes that cost them great talent. Many are used to the client-driven marketplace of the past in which employers had access to a plethora of candidates; because of this, they are now missing out on candidates due to a lack of focus on the necessary attraction and retention strategies. Candidates now know that they have options these days, and they aren't afraid to look elsewhere if your firm isn't up to par with competition.

Your staff are important—so important that you should adapt attraction and retention strategies to their needs to ensure you don't miss out on a great addition to your team. To begin, consider the image your company is presenting to candidates. Do you have an identifiable and attractive company culture? Why would a candidate want to work for your firm? More and more candidates are becoming concerned with company culture and turning to social media, word of mouth, and their own personal research to gauge proper cultural fit. When a prospective candidate is researching your company, you want to make the best possible impression, and having a polished and active social media presence is just one of the many ways to ensure you do that.

Also make sure you're being flexible with the candidates you're interviewing. For example, are you looking for someone specifically with law firm experience? Don't be afraid to remain open to a professional with an in-house work history. Worried about family versus corporate law? The right candidate will learn fast, and each specialty has a number of transferable skills that can help a professional succeed in either role.

Finally, when it comes down to hiring, make faster, more competitive offers. There is no time to waste when offering a position to a great candidate in today's job market, and in addition, the offer you do make should reflect the candidate's worth. Job

seekers know their services could be picked up in a timely and well-compensated fashion by another firm if yours doesn't pull through.

After the hire, it's time to start thinking about retention strategies. Don't wait until your employee comes up to you to ask for a promotion or a raise; rather, discuss growth from the beginning. Keeping candidates aware of their future potential from the get-go is a great way to keep them invested in what they do. If there is room for growth in a position, make sure to be clear on what is expected of the candidate in order for them to get there.

Once that's squared away, consider work-life balance. This should be an important factor in your firm's culture if it isn't already: while every company has their own policies and limitations, being as flexible as possible with scheduling, vacation time, and other aspects that play into an employee's work-life balance can help improve employee satisfaction. Likewise, acknowledge and reward your employees, as this also gives them incentive not to look elsewhere. One of the biggest complaints of disgruntled employees is the feeling of being underappreciated for their efforts in the workplace, so make a point of acknowledging hard work and accomplishments, and you should notice a significant increase in employee outlook and retention—which improves your firm's reputation and cycles back to attract future talent.

Ultimately, not spending enough time improving your attraction and retention strategies can only hurt and slow down your hiring process. Of course, every company has time restrictions for hiring to ensure their work isn't interrupted, so what do you do if you're in a hurry? If you want to act quickly but still have an opportunity to assess fit, temporary assignments and temp-to-perm roles are excellent options. These give you a chance to "test out" a candidate before bringing them on full-time.

So are you ready for your next hire? With a focus on these strategies, you're likely to find the talent you need to push business forward in this improving economy.

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WHAT EMPLOYERS NEED TO KNOW ABOUT EFFECTS OF SAME-SEX MARRIAGE LEGALIZATION ON EMPLOYEE BENEFITS

BY SHERYL SOUTHWICK

On June 26, 2015, in *Obergefell v. Hodges*, the Supreme Court ruled that state bans on same-sex marriage violate the Fourteenth Amendment of the U.S. Constitution. As a result, all state laws must now allow same-sex couples to marry and recognize same-sex marriages legally performed in other states.

Many employers have questions about what changes, if any, need to be made for employee benefit health plans. Many employees are also concerned about how their health benefits will be handled. Because ongoing monitoring of various state marriage laws is no longer critical for most employers and benefits professionals, this ruling simplified employee benefits plan administration related to same-sex marriage.

State vs. Federal Laws

The most significant changes coming from the *Obergefell* ruling involve the taxation of health benefits for same-sex spouses in states that had not previously recognized same-sex marriages. In addition to providing coverage to same-sex spouses, employers should be mindful of the state and federal tax treatment that applies to premiums.

Taxation of Employer Contributions Toward Coverage

After *Obergefell*, health benefits provided to an employee's same-sex spouse are no longer subject to state taxes in any state. Employers in states that had previously not recognized same-sex marriages and that had been imputing state taxes to same-sex spouses' health coverage should now treat these benefits as non-taxable. It should be noted that non-married domestic partners—whether same-sex or opposite-sex—if covered under an employer's plan, are still subject to both federal and state taxes on their coverage unless they qualify as IRC Section 152 tax dependents.

Recognition of Same-Sex Marriage as a Qualifying Event

As with opposite-sex spouses, employees who have a same-sex marriage event are eligible for plan enrollment outside of the open enrollment period. Employees who currently do not have their same-sex spouse on their benefits coverage must experience a qualified life status change or wait until open

enrollment to enroll their same-sex spouse on their coverage. It's also worth noting that the *Obergefell* decision is, generally, not a life-status change event that allows an employee to newly enroll an existing same-sex spouse in a company's group plan (but an exception could possibly apply for employees in a state where the group plan previously excluded same-sex spouses from being covered).

Tax Treatment Changes

If an employee is residing in a state that had not previously recognized same-sex spouses and has a same-sex spouse currently enrolled on their benefits, the company should now adjust the tax treatment for the portion of the premium attributable to the same-sex spouse. Benefit premiums, including the company contribution and employee payroll deductions, are no longer subject to state taxation.

Documentation

Because there is no legal distinction between same-sex and opposite-sex marriages, TriNet recommends that companies require the same documentation (if any) for same-sex spouses as for opposite-sex spouses. Items that benefits professionals should review and have on-hand to ensure that company plans are in compliance include:

- **Plan Document and Summary Plan Description:** Do your documents address the federal and state tax treatment of company contributions and employee payroll deductions attributable to same-sex spouses? If so, this information may need to be amended to include all same-sex spouses and eligible children.
- **Insurance Carrier Certificates of Coverage:** If your benefit plan is fully insured, review the certificate of coverage to ensure that the insurance carrier's definition of eligibility includes both opposite-sex and same-sex spouses. This is particularly important if your plan is issued in a state that previously did not allow or recognize same-sex marriages.
- **Employee Enrollment Materials and Communications:** If any amendments to your benefit plans were required, you will need to review and revise

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MANAGING A CRISIS AND DEALING WITH THE MEDIA... BEFORE YOU MAKE HEADLINES

BY ELLI ALBERT

Here's a little hypothetical scenario for you to ponder. You walk into work on Monday morning and your managing partner tells you that one of your firm's partners was charged with a DUI over the weekend, and, as an added bonus, there was an under-aged girl in the car with him at the time of the arrest. You are told that you will serve as the firm's representative when the expected local television news reporter shows up on your firm's doorstep later in the day.

As you try to calm your nerves, you think that this is just about everyone's biggest nightmare. What the heck are you going to say to the reporter?

I was fortunate to win a scholarship to the ALA Business of Law Conference in Atlanta, Georgia, this past October. The hypothetical scenario above was delivered by Corey Saban, an award-winning, former news reporter, in his session, "Managing a Crisis and Dealing with the Media ... Before You Make Headlines." This interactive session focused on how your firm can put its best foot forward when faced with the media in times of crisis. Although the session addressed both on-air interviews and print media statements, this article will focus on the former.

Saban selected two volunteer participants from the class (fortunately, not yours truly) and interviewed them, using the DUI scenario above and one other mock scenario as the basis for the interviews. A professional news cameraman was also present and involved in the simulation.

The two interviews brought very different results. One of the volunteers giggled during most of the interview and had difficulty answering questions clearly or at all, and the other volunteer, although somewhat more composed, provided answers to the reporter's questions that were either inconsistent or which did not put a positive spin on his firm. The purpose of the exercise was to demonstrate that being interviewed is a

learned skill, and that most people require preparation before being thrust into an interview situation.

Generally, Saban warned us that no firm or individual is immune from scandal. He cited examples of high profile situations that we are all familiar with, involving, for example, Bill Cosby, Brian Williams, BP, and Enron. He drilled down to the primary issues that the public deals with when hearing of a scandal:

- What do we believe?
- How can we trust the individual/firm again?

"The problem here is that law firms typically don't have crisis management plans in place until disaster strikes. Many will "play ostrich" and bury their heads in the sand with hopes that a situation will just go away. The lesson: Often it does not go away."

The problem here is that law firms typically don't have crisis management plans in place until disaster strikes. Many will "play ostrich" and bury their heads in the sand with hopes that a situation will just go away. The lesson: Often it does not go away.

The basics of crisis management involve having an active media plan. This should include guidelines to prepare the individual(s) who may be interviewed on your firm's behalf with the known facts and the firm's position; to let employees know who should represent the firm in case an employee is approached by the media; to keep employees informed so misinformation doesn't spread; and to be prepared for any and all questions. A lawyer typically prepares his client for a deposition—this is no different. Another hint was to return a reporter's call quickly if they contact you in advance—don't avoid it, as it will make you appear evasive. They will get to you one way or another, so be proactive about this.

Let's take a left-hand turn for a second, and talk about where a reporter often gets the "dirt." Social media is, of course, one of the first places that startling news is posted, even before reporters get wind of it. Develop a social media strategy and use it. Reporters, he advised, will dig into social media and use it against you, so be prepared and keep on top of it.

(Continued on page 16)

Managing a Crisis and Dealing with the Media Before You Make Headlines

(Continued from page 15)

- And now back to our regularly scheduled programming...
- So once you have agreed to the interview, then what?

Saban provided some tips to remember when being interviewed on camera. Body language is key (avoid crossing arms, wandering eyes, shifting from side to side, or other nervous habits). Connect with your audience. You want them to like you! Let your firm's reputation speak for you, and steer back to that as often as possible during the interview. Be poised and in control, and don't be intimidated. To that end, one of the more interesting parts of the demonstration was when Saban and the cameraman kept moving closer and closer to the interviewees to intimidate them, to "get in their face" so to speak.

In addition, you must appear trustworthy. Acknowledge the public's potential anger over your firm's situation. Know the issues and know your audience. Be empathetic. Communicate clearly. Think before you speak. Remember that reporters, like lawyers, generally know the answers to the questions they are asking you before they ask them, and have way more experience at this than you do. The reporter may try to corner you, and get you to say something you may later regret.

What's in the "Don't" column? Don't answer hypothetical questions. Don't let the reporter take control or intimidate you. Don't guess at answers. Don't question others' motives. Don't repeat a reporter's negative statement. Don't ramble, and know when to stop talking.

Something else to consider: When a TV reporter shows up unexpectedly on your doorstep, don't feel like you need to be bullied into an immediate interview. With the understanding that TV reporters are on very short deadlines, give the reporter your card, advise them that you are working on a statement, and that you will get back to them at a certain time. This is fair. And then do it.

Substantively, Saban suggested spinning a negative situation into a positive one, and to be proactive in your answers. In a hypothetical case of an attorney was accused of embezzlement, he suggested this kind of response: *"These are serious allegations that deserve our immediate attention. We are looking into this carefully, as our firm has a long history in the community of trust, stability and financial integrity. Upon hearing the allegations, we immediately retained auditors to determine if there is any validity to the claims, and we await their report. If any misconduct is discovered, we will address the situation immediately, and will implement new policies and procedures to avoid a future occurrence. We do not tolerate this kind of behavior at our firm."*

The response above is not defensive. It does not offer an opinion of whether the allegations are true or not true. It shows concern. It demonstrates that the firm is transparent and willing to address a negative situation swiftly. It shows the audience that you are willing to do whatever is necessary to assure that this kind of situation is never repeated.

Saban also suggested that, if interviewed, you should send a thank you note to the reporter, regardless of the situation that prompted the interview. He suggested that sending a thank you note after coverage of a negative situation could put you in a better position with the reporter down the road when you need coverage for a more positive situation. HR 101: Simple relationship building.

Read the following even if you have read nothing else in this article: Saban stressed that a response of "No comment" typically translates to "Guilty," and should be avoided at all cost. As for requesting that a statement be off the record, well, there is no such thing. If it's off the record, then don't say it!

"Read the following even if you have read nothing else in this article: Saban stressed that a response of "No comment" typically translates to "Guilty," and should be avoided at all cost. As for requesting that a statement be off the record, well, there is no such thing. If it's off the record, then don't say it!"

Finally, we all make mistakes, and bad interviews are given. So what will you do the next time? As Albert Einstein so famously said, "Insanity is doing the same thing over and over, and expecting

different results." Have a better media plan in place, learn from your mistakes, and don't repeat them.

My thanks again to the ALA and NJALA for providing me with the opportunity to attend the Business of Law Conference, and to my firm for supporting my participation. As with all ALA conferences, there is always an abundance of information and knowledge to be gained. If you have never attended an ALA educational conference, put it on your bucket list for 2016 – you'll be glad you did!

Elli Albert is the Office Administrator of Fox Rothschild LLP in its Roseland and Morristown, New Jersey offices.

Did You Know?

A survey conducted by PwC, found that Millennials tend to be uncomfortable with rigid corporate structures and find information silos repugnant. They also tend to like rapid progression as well as constant feedback. "In other words, Millennials want a management style and corporate culture that is markedly different from anything that has gone before – one that meets their needs."

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**2015 Business Partner Expo
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HOW IS YOUR OFFICE DESIGN AFFECTING YOUR WELL-BEING?

BY JENNIFER ELLIS-ROSA

Law professionals and stress, two thoughts that go hand in hand. Many factors contribute to the law industry's increased stress levels. Demanding schedules, heavy workloads and a billable hours system drive the need to be in the office for more than the typical 40-hour work week. It is an alarming thought that a lawyer will spend more of his/her waking hours in the office than at home. Addressing the wellness-focused aspects of the workplace is an opportunity to make a positive connection between workplace design and well-being.

Let's start with your desk. Not only is stress a commonplace factor, but also the effects of long-term inactivity are damaging to your health. All you have to do is enter "sitting is the new smoking" in your search engine and a whole host of articles come up on the topic of how sedentary work styles increase the risk of developing serious illnesses such as cancer and heart disease. Legal administrators are especially susceptible. A typical day is spent answering telephone calls, greeting clients, preparing legal documents and other technology-related legal tasks that require them to be at their desk the majority of the day. There are many adjustments that can be made to your workspace as well as to your work flow to create a healthier work style.

Workspace Adjustments

- Height-adjustable work surfaces can accommodate sitting and standing postures which promote movement throughout the day. If replacing your desk with a height-adjustable desk is not feasible there are also keyboard and monitor lifts that can retrofit an existing desk.
- The desk chair needs to be adjustable and should be adjusted to accommodate your individual stature. A keyboard tray and/or footrest may also help to achieve proper ergonomic postures.
- Proper light levels at the desk surface can reduce eye fatigue. Sometimes this is as simple as adding a task lamp.

Work Style Adjustments

- Take breaks throughout the day.
- Stretch at your desk .
- Taking the stairs and eliminating elevators can significantly raise your daily step count. People who walked a daily number of 10,000 steps for 24 weeks improved glucose levels and reduced blood pressure.

Wellness in the workplace should not stop at the desk. Imagine if your office design could actually improve your well-being. Consider the following design strategies for your workplace:

Promote Activity

- Encourage the use of existing stairwells versus the elevator. Sometimes it's as simple as making these spaces an enjoyable place to be with a fresh coat of paint and bright lighting.
- Intentionally locate the water cooler and the copier farther away to encourage movement throughout the day.
- Access to gym onsite or in the neighborhood.

Lighting

- Ensure that lighting provides sufficient light levels.
- Maximize access to natural light.

Choice

- Provide a variety of work settings to cater to different individual work styles.
- Provide a wellness room. This can be a private place for nursing mothers but can also be used by individuals who need to step away and take a break.

Healthy Food Options

- With employees working longer hours provide a pantry space that is warm and inviting but also offers healthy snacks and drinks to refuel.

Social Spaces

- Collegial interactions are not only important for career growth but also for our social and mental well-being. Creating lounges or more informal spaces can help to foster these interactions.

Support/Encourage Well-Being at Home

- Promote after work activities by supporting a company team or enrolling the company team in charitable fundraisers, ie: softball league or walks/runs for charitable organizations.

The significance of wellness in design is being recognized. The WELL Building Standard® (WELL) is the world's first building standard that focuses on human health and wellness. It sets performance requirements in seven categories relevant to occupant health in the built environment: Air, Water, Nourishment, Light, Fitness, Comfort, and Mind. Offices that are WELL Certified™ spaces can help improve the health of its occupants.

(Continued on page 22)

How Is Your Office Design Affecting Your Well-being?

(Continued from page 21)

It is no secret that real estate costs are shrinking the law firm's footprint. With thoughtful space reduction there is also the opportunity to design the space to support the well-being of a law firm's greatest assets, its employees.

Jennifer Ellis-Rosa is an Interior Designer with GENSLER who specializes in law firm design. She has a personal commitment to well-being which prompted her to create well-being initiatives in her office that have earned the Fit-Friendly Worksite recognition by the American Heart Association. Jennifer can be reached at 973.290.8534 and jennifer_ellis-rosa@gensler.com.

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UP TO THE MINUTE . . .

SUMMARY OF MINUTES OF THE NJALA EXECUTIVE BOARD MEETINGS HELD THROUGH SEPTEMBER, 2015

BY MARY BETH DONOGHUE

Board Members are Robbin Dolan, CLM, President; Doreen Marino, Vice President/Programs; Kurt Brown, Vice President/Membership; James Wostbrock, Treasurer; Mary Beth Donoghue, Secretary; Audrey Serban, Immediate Past President; Mary Ellen Dolan, Mitchell Rait, Esq., Gayle Englert, James Van Leir, and Theresa Siegle, Trustees; Louise Ruffo, Nancy Harris, Elli Albert and Elyssa Goldstein, Alternate Trustees.

President's Report

Robbin Dolan discussed the proposed name change of ALA to *LawVantage, Your Business of Law Society*. The membership will be surveyed in the fall, after which time we will vote for or against it. If approved by ALA members, chapter bylaws will need to be updated and approved by January 2017.

CLI Report

Doreen Marino summarized the highlights of CLI, which was held in Grand Rapids, Michigan in July. Rebranding was the main topic, as well as member engagement.

Membership Survey

Elli Albert has created a chapter membership interest survey that was approved by the board and which will be circulated to the members.

CLM

In an effort to encourage more participation in the CLM process, Robbin Dolan, CLM, Sarah Clark, CLM, and Fran Puntillo, CLM, will host a CLM introduction class on Monday, October 5th. The board also reviewed the CLM testing fees, and agreed that the CLM registration fee will be reimbursed to a chapter member who successfully passes the exam.

Membership

Kurt Brown reported that NJALA currently has 140 paid members, and several potential new firms have expressed interest in joining.

Programs

Doreen Marino presented an outline of the topics proposed for this year. In addition to the regular speakers, Dana Moody,

our ALA Regional Representative, and Mark Bridgeman from ALA, will address the chapter on the rebranding topic at our November meeting.

Community Outreach

Jim Van Leir reported that the funds from the June Social's 50/50 raffle will benefit Homeless Solutions. The charity for the 2015 Business Partner Expo will be Runway of Dreams. The annual Bowl-A-Thon is planned for February, 2016, with funds to benefit Interfaith Food Pantry.

Business Partners

Mary Ellen Dolan reported that all business partners from last year have renewed. The Business Partner Expo is scheduled for September 16th at Mayfair Farms, and will be preceded by an educational workshop on the subject of diversity, presented by Sarah Clark, CLM.

Communications

Elyssa Goldstein stated that our Facebook page has 54 "likes" thus far. The Facebook administrators are Elyssa, Elli Albert and Audrey Serban. We are being encouraged by ALA to use social media more aggressively to attract members.

Newsletter

Robbin reported that the next edition should be distributed August 15th.

Past Presidents' Council

Audrey reported that the committee is considering a golf outing in the fall as well as considering options for a Business Partner Appreciation night.

Treasurer's Report

Jim Wostbrock raised the possibility of scanning all of the chapter's financial records to avoid paper files and for easier portability as the Treasurer changes from year to year. The board agreed to consider this.

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Up To The Minute...*(Continued from page 23)***Compensation Survey**

Jim Wostbrock and Elli Albert reported that the survey is complete and that the winner of the raffle had been notified. Participating firms will receive a free copy of the results. Non-participating member firms can purchase a copy of the results for \$300.

Website

Teri Siegel reported that the new website is still under construction, and that there are some database issues that are being resolved. She will keep the board updated as this progresses.

President's Award of Excellence for 2016

Elli Albert reported that she has reviewed the qualification guidelines, and believes we will not have any problem qualifying for the award in 2016. She will be contacting board members to make sure everything is in order.

NEW MEMBER SPOTLIGHT

INTRODUCING OUR NEWEST MEMBERS OF NJALA

Donna Burnett

Accounts Receivable Manager
Bressler Amery & Ross, P.C.
325 Columbia Turnpike
Florham Park, NJ 07932
dburnett@bressler.com

Richard Sibelman

Director of Finance
Saiber LLC
18 Columbia Turnpike
Suite 200
Florham Park, NJ 07932
rsibelman@saiber.com

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MEMBER PROFILE: ALISON RIZZO

BY FRAN PUNTILLO, CLM

I'm pleased to introduce you to one of our new chapter members, Alison Rizzo. Alison is another Jersey Girl who currently resides in Kinnelon with her husband, Brian, and her daughter, Caitlin. The proud Mom reports that her daughter, Caitlin, will get her nursing degree in another year or so. Family is very important to Alison, as she comes from a large one (her hero is her mom who raised Alison and her seven siblings after her dad passed away). The Rizzo family vacations in North Carolina, visiting with immediate family, and has done so for the past 8 years.

In her spare time, Alison volunteers with Blue Star Mothers of North Jersey, an organization that acknowledges the significant contributions and sacrifices made by families of people serving in our military. The Blue Star Mothers' volunteers go to Veteran's Homes to play bingo monthly, make and place wreaths on the gravesites of fallen heroes in North Jersey and raise funds to provide financial assistance to military personnel, veterans and their families when in need (i.e., help pay utility bills for families of military who are struggling financially and buy Christmas gifts for the veteran's families). The Blue Star Mothers seek donations and send much needed everyday supplies (detergent, body soaps, shaving cream razors, etc.) to our troops overseas.

On a professional note, Alison started her career at law firms when she joined her brother-in-law's firm as their receptionist. Her brother-in-law taught her the "basics" and she took that skill set and moved into a secretarial/paralegal position at the firm of Leary, Bride, Tinker & Moran in Cedar Knolls, a firm of nineteen attorneys specializing in insurance defense. She worked there as a secretary/paralegal for several years until the firm's bookkeeper retired. Alison was then promoted to the position of Office Manager, and now "does it all" from accounting/finance to HR and IT. She feels very fortunate to have a managing partner whom she describes as very supportive; he not only trusts her, but encourages her to take on new tasks at the firm. He's the wind beneath her wings at work.

Initially, her biggest work challenge was interacting with the support staff after her promotion. However, Alison feel that "having been in their shoes" gives her a unique perspective when dealing with issues that arise between the staff and management. One of her goals is to improve overall morale and performance through more open dialog, through her, between the support staff

and management. Another recent challenge was converting to PCLaw at her firm. Now that she's finished that project, she says she a big fan of the software!

I asked Alison about her management style: she said it's "Stew/Chew/Decide." She's a self-proclaimed OCD personality and confesses that she is very hard on herself. She is, however, proficient at multi-tasking, prioritizing, and is comfortable with IT, all essential traits for law firm managers. She enjoys new challenges and wants to help her firm grow their business base. One of the most important goals she has for herself is to become an integral, productive, and valued member of the management team at her firm, and she feels NJALA will help her reach that goal.



Alison Rizzo

Alison said that the job of office manager is a lonely one, as I'm sure our chapter members would agree. However, after joining NJALA, she quickly found "like-minded" people at the monthly meetings. She realized that many of our members face the same or similar issues at work as she does. She describes herself as a "sponge," trying to absorb as much as she can from NJALA's networking opportunities. She commented that having a "mentor" introduce her to other chapter members at her first meeting was a gift, as she sometimes finds it hard to break in to a new group. (We both think the NJALA Board should continue to use "mentors" for its new members.)

She attended the recent ALA conference in Nashville and loved it! She followed the HR tract at the conference and found it not only educational, but fun and personally rewarding. She made new friends at the conference and now has even more ALA resources to call upon if and when needed. I asked her if she'd consider working on a committee of NJALA—she declined saying she's still too "green" and feels she has more to learn than she has to offer (not true, Alison!). NJALA needs to hear about new ideas, issues, and concerns from all of its membership. Some of the best ideas have come from our newest members!

I'd like to encourage our membership to stop and speak with Alison at the next meeting. Let's tap into her enthusiasm and experience: she's another new voice that needs to be heard.

*Fran Puntillo, CLM, is the Office Manager of
Weiner Lesniak, LLP in Parsippany.*

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WINDOWS 10: FEATURE RICH AND BRIDGING GAPS

BY RYAN CODY

Technology is about change. It's about embracing and adapting to change. When it comes to technology in the legal community we should not only expect change, we need to accept it as well. Change can be painful for law firms at first, and early adapters are often the ones who feel most of the pain. If we didn't embrace change at our firms, however, we would still be writing our appearances into the Lawyer's Diary calendar and regularly doing scavenger hunts for red welds.

Windows 10, the newest OS version from Microsoft, represents a significant change from previous generations. Microsoft went bold with Windows 10 and merged the desirable features of Windows 7 and Windows 8 and added a myriad of new features to make a Windows version that may be the best yet.

Windows 10 effectively bridges the gap between Windows 7 and 8. Based on its interface, features, and functionality Windows 10 seems like it should have been the precursor to 8. In a sense Windows 10 moves backward (in a good way) and forward. Microsoft went to great lengths to make sure Windows 10 would be friendly for professional use, ideal for keyboard and mouse devices, and optimal for touch screens. With the painful memory of the much maligned release of Windows 8 fresh in their minds, Microsoft made sure Windows 10 underwent comprehensive testing. The OS was tested by 4 million people worldwide before its release, making it the most beta-tested Windows version to date. In designing Windows 10 Microsoft listened to consumers about what they wanted and expected from a new Windows version. So let's dive into some of the details.

The Windows You Know, Only Better

As busy legal professionals you don't have time to wrestle with technologies that have steep learning curves. You have your firms to run and time is money, especially in the legal field. By combining the best of Windows 7 and 8, Windows 10 will look and feel familiar to users. The main benefit of the familiar interface is that users will be able to be productive with the new OS from the start.

One of the most significant features of Windows 10 is that the start menu is back. The new start menu includes the standard Windows software with space to pin your favorite Windows Application Tiles to the right. In addition to being able to pin

full application tiles you can also pin tiles that will take you to specific features and functions you want to use within the application. Not a fan of the tiles? No problem, you can simply remove them from the start menu. Love the tiles? You can keep them as part of the start menu or revert back to the full Windows 8 start screen. Additionally, just like in Windows 7 you'll see your most used apps on the left side of the start menu. At the bottom there is an "All apps" shortcut plus a shortcut to File Explorer, Settings, and Shutdown and Standby.

The Edge Browsing Experience

With the release of Windows 10 comes the release of a new web browser from Microsoft; Edge. Edge is the new default browser for Windows 10. For years now Internet Explorer (IE) has not offered the best browsing experience compared to other search engines such as Google Chrome and Firefox. Edge, however, seeks to fix that. Internet Explorer's problem is history. Because IE has been around so long it needed to be compatible with previous Windows versions as well as legacy web pages and applications. This significantly impacts browsing speeds.

Edge was specifically designed for modern web browsing and is always up-to-date. The most significant difference between Edge and IE is that Edge is quite simply faster. Microsoft recommends that IE 11, the newest IE release, be used in conjunction with Edge if you are running any earlier versions of IE. IE 11 is the only browser that is fully compatible with Windows 7, 8.1, and 10. Therefore any legacy apps that work on IE 11 will continue to work on Windows 10.

Edge takes browsing beyond browsing and enables users to have an interactive browsing experience. With new features such as Web Note, Reading View, and Cortana (Windows 10 new Siri like personal assistant), Edge allows users to actively engage with the Web. Both IE 11 and Edge come with significant security upgrades that ensure a safe and secure browsing experience.

Convenient Desktop and Tablet Use

A common complaint about Windows 8 was that it significantly favored tablet use over desktops and laptops and was too focused on being touch screen friendly. Conversely, Windows 10 was designed to be ideal for both tablet and desktop/laptop use. On Windows 10 you can freely switch from tablet to desktop mode

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Windows 10: Feature Rich and Bridging Gaps

(Continued from page 27)

in “Settings.” In tablet mode the icons appear larger and are optimized for touch screen use. In desktop mode the icons are smaller and are optimized for point and click use. If you are using a Microsoft Surface and attach/detach the keyboard, you’ll get a message on the lower right hand side of your screen asking if you’d like to switch to tablet or desktop mode, a very smart and convenient feature.

Universal Windows Apps

Today law firms, out of necessity, need to give their lawyers and support staff the ability to work anywhere. Users can no longer be tethered to 1 or 2 devices. Microsoft went to great lengths to make the new OS mobile friendly by giving users a consistent application experience across devices including tables and phones. With the Universal Windows Platform, Windows 10 has effectively achieved platform convergence. With its single, unified common app platform Windows 10 apps are capable of running on every device that is running Windows 10. From the phone in your pocket, to the tablet in your bag, to your desktop at work, with the Universal Windows Platform you’ll have a consistent app experience across all devices no matter where you are. Ever thought you’d be able to use Excel or Word on your phone? Now you can, Office Mobile offers 20% of the features and functionality that you use 80% of the time.

Additional Features

Some other advantageous new features of Windows 10 include screen quartering; the ability to run multiple virtual desktops on one screen; enterprise quality security; Cortana, the personal assistant previously mentioned; a new Windows Store where you can download desktop programs as well as modern Windows apps; a new contact support app that helps users find tips online and connects them to Microsoft support via a chat box; and Windows Hello, a secure logon authentication using facial and iris recognition (requires a 3D infrared camera on your pc).

Licensing

If your firm is currently on Windows 8/8.1 Pro or Windows 7 Professional Ultimate you can upgrade to Windows 10 Pro for free within 1 year from the Windows 10 release of July 2015. The free upgrade is conveniently delivered through Windows Updates. If you are a larger law firm you’ll want to go with Windows Enterprise. For Enterprise, volume licensing is available. For details on volume licensing for Windows 10 Enterprise, consult with your IT department or your trusted technology service provider.

Like any new Windows version, Windows 10 will continue to evolve. It is, without a doubt, an improvement over Windows 8. If you are thinking about upgrading your firm to Windows 10 you may want to wait until any potential bugs, glitches, and/or security vulnerabilities are worked out. Although Windows 10 is impressive, technology should never be blindly chosen or implemented without expert guidance and advice. So when you are ready to upgrade do so with the help of an IT professional.

Ryan Cody is Director of Business Development at Domain Computer Services, Inc.

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What Employers Need To Know About Effects of Same Sex Marriage Legalization on Employee Benefits

(Continued from page 12)

all employee communications, including enrollment forms, internal documentation and websites.

- **Payroll System Updates:** You may need to update your payroll system to apply both federal and state pre-tax treatment of health plan premium deductions and company contributions. If you use a third party payroll provider, request verification that its system has been updated.
- **Retirement Plan Considerations:** Do not forget about your company retirement plans! Following the *Windsor* decision, non-spouse beneficiary designations now require the same-sex spouse’s consent and the defined default beneficiary under the plan terms should be the spouse, regardless of gender. In addition, same-sex spouses now have spousal rollover rights and are an eligible payee under a qualified domestic relations order.
- **FMLA Policy:** If your company is subject to FMLA, review and update your FMLA communications, policies and procedures to expand eligibility to same-sex spouses. You’ll also want to review whether state leave laws apply to your company’s employees and if eligibility rules and leave rights differ from FMLA.

Considering the relevance and complexity of these changes, TriNet also suggests training your benefit and human resources teams to ensure they are aware of these changes and are communicating accurate information to your employees.

This communication is for informational purposes only; is not legal, tax or accounting advice; and is not an offer to sell, buy or procure insurance.

Sheryl Southwick is Executive Director, Benefits Compliance for TriNet. She can be reached at 888.874.6388 or visit TriNet on the web at www.trinet.com.

2015 / 2016 NJALA COMMITTEES AND CHAIRPERSONS

**IF YOU NEED ASSISTANCE,
OR IF YOU WANT TO BE PART
OF AN NJALA COMMITTEE,
PLEASE CONTACT ANY
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OR BOARD MEMBER (See Page 3).
WE WOULD LOVE TO HEAR FROM YOU!**

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PRESENTING... OUR BUSINESS PARTNERS

BY MARY ELLEN DOLAN AND LOUISE RUFFO



Meaningful partnerships are the foundation for success. Working with our Business Partners can be very rewarding, and supporting them can be a win-win situation. An NJALA Business Partner, Kevin O'Connor of Document Solutions, and a member, Robbin Dolan, of Laddey, Clark & Ryan, LLP, share what makes their partnership of value to each of them, the NJALA, and their firms.....

"We at Document Solutions have been involved with the NJALA for the past 14 years. The NJALA has demonstrated to us, through our many law-firm clients, their commitment to providing invaluable information to their members as to how to increase efficiency and productivity within their firms. The NJALA saves their members time and money by doing the legwork for the improvement of its members' operations. Through their affiliations with their sponsors, the NJALA and its members have created a large network of services that we at Document Solutions have personally taken advantage of. The benefits we have received from the NJALA over the past 14 years have us excited about the next 14." – Kevin O'Connor, Document Solutions.

"We recently started our relationship with Document Solutions, although they have been a trusted NJALA business partner for years. Their prompt, courteous service and knowledge of their product, along with their experience in the legal industry, make them a partner that I can trust. They understand my firm's needs, making them better able to provide the best service possible. I also know that they will go the distance to help me succeed, due to their relationship with other members in the NJALA community." – Robbin Dolan, Laddey, Clark & Ryan, LLP.

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Presenting Our Business Partners

(Continued from page 30)

the legal industry. Our clients rely on our professionals to serve as sounding boards for operational matters because we understand the unique challenges encountered while running a law practice.

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