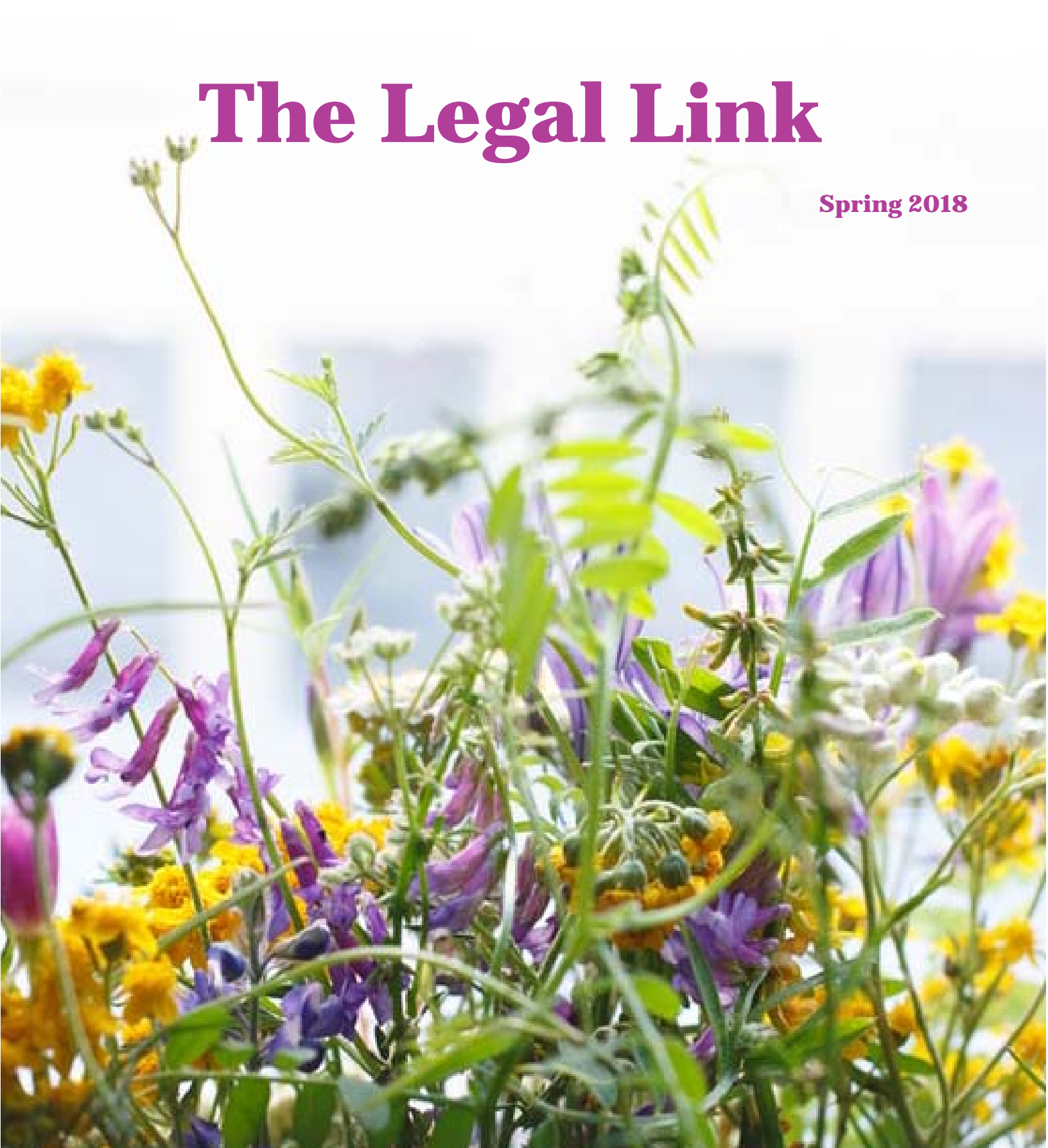


# The Legal Link

Spring 2018



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Chapter



Published by the Arkansas Chapter of the Association of Legal Administrators

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- Promote and enhance the competence and professionalism of all members of the legal management team;
- Improve the quality of management in law firms and other legal service organizations; and
- Represent professional legal management and managers to the legal community and to the community at large.

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## President's Message

I'll never forget the first time I watched the ABC network show, What Would You Do? Hosted by John Quinones, the show confronts hot topic issues in today's society and makes the viewer examine their own biases. Using hidden cameras, common people are put on camera to see how they will react in real life controversial scenarios played out in front of them by actors – will they speak up and interject or simply remain quiet and keep their opinions to themselves? I was amazed by some people's courage.

This past weekend as President of the Arkansas Chapter of the Association of Legal Administrators, I was fortunate to have listened to John Quinones present at ALA's 2018 Annual Conference in National Harbor, MD. Mr. Quinones' speech resonated with me. He had a life that mirrored the life of my own grandfather – grew up in the barrios of San Antonio, Texas; was a migrant worker with his family to help make ends meet; faced discrimination as a Mexican-American born and raised U.S. citizen; and ultimately attained the American dream though so many expected little of him based on his accent and skin color.

Today bias or unconscious bias still exists....even in the workplace. It was a recurring theme in the human resource sessions at the Annual Conference. We must all examine are biases and begin to reinvent the way we think or go about certain things such as hiring. Figuring out ways to eliminate biases in the hiring process will ensure that the best candidates are afforded the opportunity for employment and ensure that our workplaces are diverse.

This year, I hope to explore ways our chapter members can conduct the hiring process differently. By placing ourselves in What Would You Do scenarios, we can uncover ways our own biases have played factors in our past hires. Only then can we find our own courage to invoke the change that is needed in the workplace.



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# Member Spotlight: Anna Wakeling

**Tell us about your background, where you grew up, and then transition into your career.** I was born in Louisiana, grew up homeschooled in central Arkansas, and earned a bachelor's degree in English from Ouachita Baptist University in 2014. After poking around at several part-time jobs in Little Rock and online, a tip from a homeschool connection got me my first interview for a legal job.

**Tell us about your family.** My dad is a chemical engineer. It was his job that first brought us to Little Rock. Mom has stayed home taking care of us, and essentially taught me everything I know that's worth knowing. My younger sister, Hope, is about to graduate from OBU, and wants to work with teen girls. She is mostly responsible for my sense of humor.

**How did you begin your career in the legal field?** My mom got a group email from a fellow homeschool mom about a local lawyer in need of a secretary. My previous foray into the professional world hadn't worked out, and I was deep in a millennial quarter-life crisis, so she suggested I apply. I wasn't initially the first choice for my current position; but when another spot opened up, they liked me enough to remember me!

**What are your main responsibilities?** My responsibilities include filing, drafting pleadings, scheduling, taking payments, covering the phones, mail, cleaning, and letting the attorneys talk at me whenever they need to work through a challenge out loud.

**How would your attorneys and staff describe you?** In the past week: "diplomatic," "detail-oriented," "incredible," and "talks back too much" (room to improve!)

**What is the best professional advice you ever received?** "When you're 20, you're consumed by what people think of you. When you're 40, you stop caring what they think. When you're 60, you realize they were all too worried about themselves to pay much attention to you anyway." This has helped me shake off the many times I've embarrassed myself and just keep doing my job.

**What is the most interesting job you ever had?** I spent one summer in the kitchen of a working ranch that also hosted week-long camps. No other job has had me drive golf carts full of slop buckets down to the pigpen or plan 100-person cookouts every week, which was super fun.

**What do you like best about being a legal administrator?** Hearing people say that talking to me has relieved their fears about their case and the accomplished feeling of having gotten a week's worth of paperwork in all the right places.

**If you weren't a legal administrator, what would you do?** Pity myself for not having a "grown-up job" yet, but also sleep better.

*(Continued on next page)*

# Member Spotlight: Anna Wakeling (cont.)

**What is the hardest situation you have had to deal with in your career?** We lost a guardianship case for a high-strung client who turned on us immediately. After he came by to yell at us in person, and threatened to report us to his credit card company for stealing his money, I spent several days ready to call the police every time a car like his entered the parking lot.

**What are your outside activities?** I enjoy crocheting, road trips with family, running, cooking, reading, nights out with friends, and tweeting.

**What do you enjoy most about your affiliation with ALA?** Learning about all the different kinds of responsibilities there are in different law offices and techniques to handle them. Also, I like listening to members who are moms share parenting stories and laughing inside.

**How has ALA benefitted you?** It's good to hear from people more experienced than myself that the challenges I face are normal.

**My friends describe me as...** snarky, proper/polite, perfectionist, a walking thesaurus, a nerd, and patient.

**Someone I really admire is...** Annie Oakley and Corrie ten Boom (two of many).

**My favorite quote is...** *"In quietness and in confidence shall be your strength."* Isaiah 30:15 and *"I attribute my success to this: I never gave or took any excuse."* Florence Nightingale

**My favorite book is...** The Lord of the Rings trilogy (which totally counts as a single book when it is bound in a three-in-one volume)

**My favorite musical artist is...** NEEDTOBREATHE

**What is your favorite word?** At the moment... "hornswoggle" *(editors note: the definition of hornswoggle (v.) is to get the better of (someone) by cheating or deception.)*

**What is a word you dislike?** Melon

**A sound or noise I love is...** the lightsaber sound effect from Star Wars.

**A sound or noise I hate is...** socks rubbing together.



*(Continued on next page)*

# Member Spotlight: Anna Wakeling (cont.)

**My favorite trivia fact is...** The square mileage of the state of Arkansas could contain the entire country of England and most of Wales.

**Outside of my family, my most treasured belonging is...** my iPod.

**My favorite daydream or fantasy is...** Having a private library already full of all the books on my to-read list.

**My favorite movies are...** Captain America: Civil War, 12 Angry Men (the old one), Hugo, The Devil Wears Prada, The Hunger Games, Star Wars, The Prince of Egypt, Bella, True Grit (the new one), and The Lord of the Rings.

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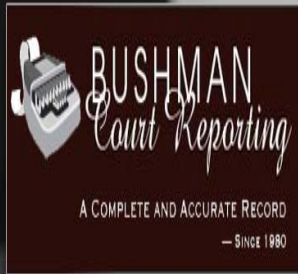
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# Credit Where Credit is Due: Letting Clients Pay with Plastic

By: June D. Bell



## Credit Where Credit Is Due: Letting Clients Pay with Plastic

Attorney Ben Luftman once spent hours on a case for a man charged with a felony. Then he discovered that the client's check had bounced.

"I did a ton of work on his case, and I ended up getting stiffed for it," the Columbus, Ohio, lawyer says. "I don't like checks."

He prefers to have clients pay by credit card, and they do. About 80 percent of the payments he takes are made with plastic.

"I don't know how we'd be able to do business if we didn't have credit cards as an option," says Luftman, of Luftman, Heck & Associates. "One of the first things we got was a credit card processing machine."

Less than two decades ago, many lawyers felt there was something distasteful, perhaps mercenary, about accepting payment by Visa, MasterCard, American Express or Discover. They considered checks or cash more genteel ways to pay for legal services. Today, however, an increasing number are eschewing cash and checks to pay for legal services the same way they pay for groceries, clothes and movies: with plastic.

In the past 15 years, law firms have become comfortable with accepting payments by credit card, says Tracy Griffin, an attorney who founded LawCharge, which provides card-processing services to several thousand solo practitioners and law firms across the country.

"Lawyers have grown from being hesitant [about taking credit card payments] to totally accepting," she says.

As credit card payments become the norm, law firm administrators, bookkeepers and accountants must pay special attention to how credit card companies process transaction fees. If they don't handle the payments properly, firms risk running afoul of bar regulations that govern the separation of clients' retainer fees in trust accounts and the firm's operating expenses accounts.

### **MAKING THE COMPLEX MORE SIMPLE**

Griffin — an attorney with a background in business and finance — realized that most businesses used card-processing services that created a massive accounting headache for attorneys. When a client paid by credit card, the firm's card-processing service skimmed its fee from the total. If that payment was earmarked for a client's trust account, where funds can be spent solely on legal fees, then the firm had to reimburse the client's account for the card-processing fee using funds from the firm's operating account.

*(Continued on next page)*

## Credit (Cont.)

Griffin's quest to find a solution led her to launch LawCharge in 2000. Based in Aiken, South Carolina, her business and others that cater to law firms allow them to set up systems that earmark payments for clients' trust accounts. Card-processing fees are debited monthly from the firm's operating account. Lawyers can track their processing fees easily and know they won't violate bar regulations governing how clients' retainers and funds may be spent.

Retainer payments, held in trust accounts on the clients' behalf, may not be comingled with accounts used for the firm's operating expenses. Those operating expenses include costs such as salaries, office supplies and fees related to credit card use, which firms cannot pass on to clients.

The convenience of accepting payments by credit card does come at a cost. Processing fees generally range from less than 2 percent to as much as 4 percent, and there's also usually a small fee for each transaction. When a credit card is swiped on-site, fees are typically lower than when the card's numbers are entered manually. Most clients make their credit card payments over the phone, online or by mail, resulting in higher processing fees for attorneys. Cards that offer rewards, such as airline miles or cash back, usually carry higher fees, as do American Express cards.

### **WHO USES CREDIT CARDS?**

Despite some potential disadvantages, the ease of paying with plastic makes it the preference for younger consumers, for whom cashless transactions are the norm. Christopher Adkins, who runs Adkins Law in a suburb of Charlotte, North Carolina, pegs the divide at around age 50.

"A 20-year-old kid with a traffic ticket, they don't have cash," says Adkins, 33, who handles mostly traffic and family law cases. "Sometimes they don't have checks. All they have is a debit card or credit card. This is how they grew up. Even me, I can't remember the last time I wrote a personal check for anything."

Indeed, the use of debit and credit cards has risen among U.S. consumers as check use has dropped, according to a 2013 Federal Reserve study. The number of credit card payments grew at an annual rate of 7.6 percent between 2009 and 2012, the most recent year for which data is available, to 26.2 billion in 2012, the Fed reported. Meanwhile, the number of checks written in 2012 was 18.3 billion — less than half the amount written in 2003.

Adkins estimates that fewer than 5 percent of his clients pay with anything other than a credit card. In part, that's because nearly all of his traffic and driving while intoxicated (DWI) clients hire him during a phone consultation. They pay over the phone with a credit card. Adkins represents them in court and then emails them a disposition letter.

Andrew Legrand of the Spera Law Group in New Orleans says 90 percent of his clients pay with plastic.

*(Continued on next page.)*



## Credit (Cont.)

“We bill ourselves as new and tech-savvy,” he says. “It’d be odd to say, ‘Send us a check.’” The 29-year-old lawyer, who provides legal services to small businesses, says he charges flat rates for much of his work and is paid in advance. His goal, he says, is to make it as easy as possible for his clients to give him money.

Patrick T. Sheehan, a Chicago-area attorney, began accepting credit cards about five years ago because he realized his clients lacked easy access to cash. His firm, Patrick T. Sheehan & Associates, represents people in tax cases involving the Internal Revenue Service, which can seize money from bank accounts for unpaid tax bills.

“When clients see me, it’s often in an emergency situation,” he says. “They’re broke.”

Sheehan has processed credit card payments of \$50 to \$7,000, sometimes breaking payments into installments so he doesn’t exceed the cardholders’ credit limits. His firm pays about 3 percent in processing fees, totaling roughly \$10,000 annually.

“It’s just the cost of doing business,” he says.

### **FEES AND FLAT RATES**

Sheehan switched last year to a new credit card processor that offered lower fees. He recommends that firms get quotes from several processing services and ask detailed questions about charges, including fees for transactions and credit card terminal rentals.

“There are a lot of associated fees that can sneak up on you and make it that much more unpleasant,” he says.

Adkins, who runs about 100 credit card payments each month, bought a \$99 card processor last year when he launched his practice. Purchasing it outright was a better deal than renting one for about \$30 a month from a bank, and he wasn’t locked into a contract. The banks he consulted insisted on a three-year contract and had higher per-transaction processing fees, he says.

### **HIP TO BE SQUARE**

San Diego Criminal Defense Lawyer Alex Ozols is happy to accept credit cards, which he processes with a Square reader. The tiny square device that plugs into his cell phone’s port allows him to swipe a credit card or use the Square app to enter credit card information manually. Ozols, 27, doesn’t swipe clients’ credit cards on-site; he prefers to have his clients sign a credit card authorization form and then processes their one-time or monthly payments.

A sole practitioner for two years, he charges flat rates for his criminal defense work. He doesn’t need or use retainers, so he doesn’t have to create trust accounts for clients’ funds.

*(Continued on next page.)*

## Credit (Cont.)

Ozols knows the 3 percent processing fee — less if the card is swiped on the spot — is on the higher end but he feels loyal to Square. When a client disputed a \$1,000 credit card charge for legal fees that was authorized on a joint account, Square defended Ozols, and the matter was quickly resolved. He says he's used Square for thousands of transactions and has never had a complaint.

He also appreciates that Square lets him track every payment he receives. Its software generates monthly and year-end reports so he can better analyze his income and cash flow.

"I have to be a business owner," he says. "I want to be just a lawyer, but part of my job is to run my business. Tech is changing. You can do everything yourself. I can run a credit card on my phone, which is really cool."

### **PAYPAL, QUICKBOOKS AND LAWPAY**

At the request of his clients, Sheehan has accepted a handful of payments through PayPal. The service lets users send or receive money through email addresses linked to bank accounts or PayPal accounts. It's a popular way to pay for merchandise on eBay, which owns PayPal but has announced plans to sell it.

Sheehan says he's not an enthusiastic user because it takes two or three days to move funds from his PayPal account into his bank account, and he must remember to initiate the move.

Shawn Potter of the two-attorney Wasatch Law Group in Utah briefly processed payments through QuickBooks, but some clients were unhappy that his version of the bookkeeping software didn't accept American Express cards. He then moved to PayPal. Setting up the service took about five minutes online — much quicker and easier than dealing with his bank, which insisted he visit a local branch.

He used Wells Fargo Bank's card-processing services for several years and then, about two years ago, switched to LawPay, an Austin, Texas-based business that, like LawCharge, processes payments for lawyers and firms.

"I'm kind of a geek and like to try new methods," he says.

Potter, who handles commercial and real estate work as well as small business litigation, says about 70 percent of clients pay with company checks, though his younger clients prefer plastic.

Attorneys have tried other, less familiar forms of payment, but they didn't stick. Sheehan participated—"for a very, very short time," he notes with a chuckle — in a system in the late '90s that allowed users to pay each other for services with virtual dollars. He didn't lose any money, but he didn't make any, either.

"It was a novel and interesting idea," he says, "but it failed for a reason."

*(Continued on next page.)*

## Credit (Cont.)

### SAYING YES TO BITCOIN

Bend Law Group advises entrepreneurs and startups as they launch and grow. The three-lawyer firm considers itself to be as innovative as its pioneering clients. So a year ago, when the San Francisco law practice was asked if it would accept a retainer payment in Bitcoin, the reaction was: Why not?

Bitcoin is a digital currency traded on an open network and not controlled by any bank or government. It was launched in 2009 as an international exchange that would simplify transactions, allow anonymous purchases and let buyers make digital payments. Bitcoin's price can fluctuate wildly; it peaked in late 2013 at about \$1,240, but early last month (eds: Feb. 2015), a Bitcoin was worth about \$222.

C. Tucker Cottingham, an attorney at Bend Law Group, says the firm didn't initially know much about Bitcoin. But after a little tutelage from San Francisco neighbor Coinbase — a third-party exchange service that lets users buy, spend and store Bitcoin — the lawyers felt confident accepting it for a payment.

"It sounds a little cooler and sexier than it is," Cottingham says. The firm registered with Coinbase, which exchanged the client's Bitcoin payment for equivalent dollars and then sent the funds electronically to the firm. The client paid any transaction fees. "It was no issue at all," Cottingham says. "They paid and we got cash."

Interest in Bitcoin payments has flagged in the past year or so as its value has dipped, he says. But it remains an option for those who want to use it to pay their legal bills.

### ABOUT THE AUTHOR

June D. Bell is a San Francisco-based journalist who covers legal issues, law firm management, HR matters and popular culture for such publications as The National Law Journal, The San Francisco Chronicle and the Society for Human Resource Management (SHRM).

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## Q&A with Robert Half Company: How to Get a Raise

### **Question:**

I've been in the same position at my law firm for three years, during which time I've taken on additional responsibilities, pursued advanced training and gained specialized expertise in several new practice areas. I'd like to approach my manager for a salary increase. Any advice?

### **Answer:**

Pat yourself on the back for taking control of your legal career. It sounds like you've become a more valuable member of your law firm, which means you're in a good position to ask for a raise. Here are four strategies to consider as you prepare your pitch.

1. **Build your case.** You've gone above and beyond your original job description. Now you need to document it and demonstrate that your request has merit. List all the legal education courses you've taken and the areas in which you have gained expertise. Then highlight the new responsibilities you've taken on since you were hired. Note your specialized skills and provide specific examples of the roles you've played in cases.
2. **Do your homework.** When asking for a raise, don't go by feel. You need to have some basis for the number, or else you risk overshooting or, worse, leaving money on the table. Determine what your skills and abilities are worth by using resources such as the Robert Half Legal Salary Guide. A little preparation can net a bigger payday.
3. **Be mindful of timing.** When you ask for a raise can be just as important as how you ask. For example, it's not ideal to approach your boss when a major case is stressing everyone out. Also, avoid asking when your manager is getting ready to travel. A good time to make your request would be after a big win in which you played a part or when the firm is having a profitable quarter.
4. **Have a backup plan.** Even when you make an excellent case, it's possible you'll get turned down. In this scenario, you could lobby your boss for non-wage perks like more vacation days or the option to telecommute a few days a week. Alternatively, if it seems like the firm isn't willing to fairly compensate you for your skills and expertise, it could be time to search for a new legal job that will net you a larger paycheck and more opportunities.

When paired with your accomplishments, these strategies can help make your salary goals a reality. Good luck!



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Embracing Opportunities,  
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[alanet.org/conf18](http://alanet.org/conf18)

# May 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3 Annual Conference <i>National Harbor, MD</i>	4 Annual Conference <i>National Harbor, MD</i>	5 Annual Conference <i>National Harbor, MD</i>
6 Annual Conference <i>National Harbor, MD</i>	7	8	9 Business Meeting	10 <i>Webinar: A Transgender Experience</i>	11	12
13 Gina Rankin's Birthday	14	15 <i>Webinar: Payroll Mistakes</i>	16 <i>Webinar: How Applied Improv Helps</i>	17	18	19 Carolyn Owen's Birthday
20	21	22	23	24	25	26
27	28	29	30	31		



# June 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7 <i>Webinar: Time to Go Back to School</i>	8	9
10	11	12	13 <b>Business Meeting</b>	14 <i>Webinar: What's Not Being Said Needs to be Understood</i>	15	16
17	18	19 <b>Cathy Dille's Birthday</b>	20 <i>Webinar: What Makes an Effective Team</i>	21	22	23 <b>Staci Coleman's Birthday</b>
24	25	26	27	28	29	30

# July 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4 Anna Wakeling's Birthday  Fourth of July	5 <i>Webinar: Operational Excellence</i>	6	7
8	9	10	11 Business Meeting	12 <i>Webinar: eMod DOCX Filing</i>	13	14
15	16	17 Barbara Bennett's Birthday	18 <i>Webinar: New Money</i>	19 Chapter Leadership Institute  <i>Denver, CO</i>	20 Chapter Lead- ership Insti- tute  <i>Denver, CO</i>	21 Chapter Leadership Institute  <i>Denver, CO</i>
22	23	24	25	26	27	28
29	30	31				



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## **PRESIDENTS' AWARD OF EXCELLENCE** **"Roadmap to Success"**

*Recognizing chapter activities from January 1, 2018-February 28, 2019*

***The Presidents' Award of Excellence, named in honor of ALA Past Presidents, recognizes chapters for their efforts in effective chapter leadership and establishes both mandatory and recommended annual chapter performance standards.***

ALA is the undisputed leader for the business of law, focused on the delivery of cutting-edge management and leadership products and services to the global legal community. We identify and provide solutions to the most strategic and operational challenges our members and customers face today, while we prepare them for the opportunities and challenges of tomorrow.

The Presidents' Award of Excellence is a chapter performance guideline to encourage chapters to take effective and collaborative action in support of ALA's mission to promote and enhance the competence and professionalism of legal administrators and all members of the legal management team; improve the quality of management in law firms and other legal service organizations; and represent professional legal management and managers to the legal community and to the community at large.

A member of the Regional Leadership Team (usually the focus chapter liaison) will meet with the incoming or new Chapter President (and potentially other chapter leaders) to review these performance objectives and to help the chapter set goals for the year. This will be accomplished either in person or over the phone. Throughout the year, the Regional Leadership Team and ALA's professional staff are available to assist chapters in achieving these objectives.

It is hoped that ALA chapters will meet and exceed these performance objectives. As an incentive to recognize chapter success and continued innovative growth, we ask each chapter to strive to achieve the Presidents' Award of Excellence. The guidelines that follow include items that are mandatory, while others are recommended and strongly encouraged.

Use the following checklist to chart your progress and highlight your chapter successes! Initiatives should be completed within a 14-month period prior to the Award submission date. Members of your Regional Leadership Team and ALA Headquarters Staff are available to help at any time.

RESPONSIBILITIES TO CHAPTER MEMBERS

	Required or Recommended	Description	Individual Responsible
<input checked="" type="checkbox"/>	Required	Provide chapter members with a calendar of major chapter and Association events. This can be achieved by sending a regular newsletter or email blast or by publishing dates on chapter website.	
<input type="checkbox"/>	Required	Create educational programs in at least three of the five educational areas of knowledge as identified by the ALA Knowledge, Skills and Abilities (KSA) Survey. These include: (1) Communication and Organizational Management, (2) Financial Management, (3) Human Resources Management, (4) Legal Industry/Business Management, and (5) Operations Management.	
<input type="checkbox"/>	Required	Create awareness among members and the legal community at large of <a href="#">ALA's Mission Statement</a> , <a href="#">Code of Professional Responsibility</a> , and <a href="#">Strategic Plan</a> . Develop and maintain communication methods to announce and promote all levels of ALA activities and events. Such methods may include announcements at chapter meetings, newsletters, websites, event calendars and/or other communications provided to members on a regular basis. See <a href="#">ALA's Downloadable Web and Print Ads</a> for ready to use ads.	
<input type="checkbox"/>	Required	Take specific action to advance and support diversity and inclusion in the Association, in the legal management community and in all legal service organizations through educational opportunities, activities, and initiatives.	
<input type="checkbox"/>	Highly recommended	Enhance the visibility of members, the legal management profession, and ALA through activities such as community service projects and/or alliances with bar associations and other law-related professional associations. Participate in <a href="#">ALA's Community Connection Initiative</a> .	
<input type="checkbox"/>	Highly recommended	The chapter makes full use of <a href="#">ALA's Diversity &amp; Inclusion Scorecard – A Roadmap to Change for Chapter Leaders</a> and encourages chapter members to utilize the <a href="#">Scorecard for Law Office Administrators</a> .	
<input type="checkbox"/>	Highly recommended	Reinforce ALA's position as the thought-leader within the legal management industry by promoting readership of <a href="#">Legal Management digital magazine</a> , including monthly distribution of current articles or relevant features.	
<input type="checkbox"/>	Highly recommended	Regularly recognize achievements and/or contributions by members, volunteers, business partners and the like. Such recognition could be made part of the chapter's website or newsletter, a chapter meeting, social media postings or business partner events.	
<input type="checkbox"/>	Highly recommended	Actively promote and educate members about <a href="#">ALA's Certified Legal Management (CLM)™</a> program. This could be achieved by recognizing CLMs at chapter events, advertising the benefits of the program with the local bar association and/or including a CLM focused presentation as part of the chapter's annual educational programming.	
<input type="checkbox"/>	Highly recommended	Maintain the chapter's website with current news and upcoming events. If the chapter does not currently have a website, create a plan to launch one.	
<input type="checkbox"/>	Recommended	Promote and/or create awareness of the articles and resources available in <a href="#">ALA's Career Center</a> .	
<input type="checkbox"/>	Recommended	Maintain the chapter's social media accounts with current news and upcoming events. If the chapter does not have a social media presence, create a plan to establish one.	
<input type="checkbox"/>	Recommended	Develop a written plan with measurable goals and objectives to increase membership and attendance at meetings and events.	
<input type="checkbox"/>	Recommended	Promote and/or create awareness of the ALA online communities.	
<input type="checkbox"/>	Recommended	Educate members on the importance of sustainability ("green initiatives"). This could be achieved by hosting an educational session, publishing an article in the chapter's newsletter, or posting information on the chapter's website.	
<input type="checkbox"/>	Recommended	Reinforce ALA's position as the thought-leader within the legal management industry. Make presentations on law firm management at law schools and/or bar associations or by authoring original articles for inclusion in a law school or bar association publication.	

Responsibilities to Chapter Members:  Required (4)  Highly Recommended (6)  Recommended (6)

RESPONSIBILITIES TO CHAPTER MANAGEMENT

	Required or Recommended	Description	Individual Responsible
<input type="checkbox"/>	Required	Meet with your assigned Regional Leadership Team focus chapter liaison (or someone else from ALA leadership) to go over the Presidents' Award of Excellence checklist. These meetings are encouraged as part of a chapter visit or other in person meeting, such as at Chapter Leadership Institute or ALA's Annual Conference; however, they can be done by phone.	
<input type="checkbox"/>	Required	Adhere to and abide by the chapter's own bylaws. In addition, the chapter shall seek and obtain approval by ALA headquarters of proposed amendments to chapter bylaws prior to any vote by members on proposed amendments.	
<input type="checkbox"/>	Required	Create a workable structure to maximize chapter efficiency by taking into consideration leadership succession, chapter strategic planning, and the interests and expertise of members. Install officers annually (April preferred) to facilitate effective leadership training opportunities offered by ALA.	
<input type="checkbox"/>	Required	Ensure the chapter's incorporated. Obtain tax exempt status and annually file tax returns, where appropriate and as indicated by pertinent regulatory bodies. Maintain procedures for ensuring that annual filings and renewals are made with appropriate agencies. (International chapters should take comparable measures in accordance with local requirements.)	
<input type="checkbox"/>	Required	Protect personal assets of members by taking appropriate safeguards, which may include securing and maintaining insurance coverage, fiduciary bonds and chapter incorporation.	
<input type="checkbox"/>	Required	Ensure that the chapter's treasury is not commingled with employer or personal funds and that the chapter maintains appropriate internal controls to ensure financial security. Maintain procedures for annual audit or detailed review of books, accounts and records by chapter officers (other than by the chapter treasurer or other officer with primary financial responsibilities) and/or by outside, independent auditors.	
<input type="checkbox"/>	Required	Create and maintain awareness of antitrust/competition issues, such as those published in <a href="#">ALA's Antitrust Guide</a> .	
<input type="checkbox"/>	Required	Promote participation in ALA's Compensation and Benefits Survey. Or, if the chapter produces its own survey, obtain approval by ALA headquarters prior to dissemination of any compensation/economics survey questionnaires.	
<input type="checkbox"/>	Highly recommended	Maintain a continuous retention and recruitment effort to create a diverse chapter membership from all cross-sections of the legal management community, with the following goals in mind: a. retention rate goal exceeding 80% (industry average for individual associations). b. total membership equal to or greater than its membership total on December 31 of the previous year.	
<input type="checkbox"/>	Highly recommended	Headquarters will develop and share the 2018 recruitment and retention chart in early January 2019.	
<input type="checkbox"/>	Highly recommended	On annual basis, survey members to determine what issues they are facing in their jobs as well as their satisfaction with chapter benefits and activities.	
<input type="checkbox"/>	Highly recommended	On regular basis (at least annually), conduct a "benefits of membership" session for new and prospective members and invite existing members who may want a "refresher." Highlight benefits for all levels of the Association (chapter/regional/international) and the value of our business partner relationships. This can be part of Regional Leadership Team chapter visit.	
<input type="checkbox"/>	Highly recommended	Create and/or maintain a mentor or "buddy" program for new members.	
<input type="checkbox"/>	Highly recommended	Maintain regular communication with the chapter's assigned Regional Leadership Team focus chapter liaison.	
<input type="checkbox"/>	Highly recommended	Create measurable plans and opportunities to promote aspects of membership to appeal to current and prospective members across all generations, focused on developing long-term leadership and involvement.	
<input type="checkbox"/>	Recommended	Create and/or maintain a program to keep seasoned administrators, including Past Presidents, actively involved in chapter activities.	
<input type="checkbox"/>	Recommended	Provide educational enrichment within the community through activities such as internship programs, advisory panels, curriculum development efforts or teaching.	
<input type="checkbox"/>	Recommended	Conduct a joint event or initiative with another professional organization (see ALA's listing of <a href="#">Strategic Alliance Partners</a> ). Submit <a href="#">Strategic Alliance Profile Form</a> .	
<input type="checkbox"/>	Recommended	Assist ALA headquarters with recruitment efforts by regularly providing them with names and contact information for prospective members.	
<input type="checkbox"/>	Recommended	Provide <a href="#">IDEA Award</a> information to chapter members and business partners. Encourage chapter, firm, group and/or individuals to apply.	

Responsibilities to Chapter Management: \_\_\_\_\_ Required (8) \_\_\_\_\_ Highly Recommended (6) \_\_\_\_\_ Recommended (5)



RESPONSIBILITIES TO BUSINESS PARTNERS

	Required or Recommended	Description	Individual Responsible
✓	Required or Recommended	Develop and implement procedures and policies that facilitate business partner involvement in chapter-selected activities. Examples include: business partner appreciation events; public acknowledgement for financial or "in-kind" support; business partners permitted to attend an entire meeting they sponsor; business partners encouraged to participate in special projects (e.g., Community Connections) or social events; business partners invited to serve on a business partner advisory panel.	
	Required	Actively promote and educate members of benefits delivered directly with ALA membership, specifically promoting two times a year the exclusive ALA member savings found within the <a href="#">VIP Program</a> .	
	Required	Support the engagement and growth of the international membership by not scheduling any chapter conference, event, or expo thirty (30) days prior to or following the ALA Annual Conference & Expo and the Regional Legal Management Conferences. (NOTE: <a href="#">This policy</a> was reinstated as a formal policy beginning 1/1/2017).	
	Highly recommended	Publish at least one article per year in the chapter newsletter or on the chapter website to educate members about the importance and value of business partners. The article should contain at least two testimonials — one from the member perspective and one from the business partner perspective — about the value or success in working together.	
	Highly recommended	Subscribe to and participate in <a href="#">ALA's Business Partner Listserv</a> .	
	Highly recommended	Encourage members to use the <a href="#">Legal Marketplace</a> program.	
	Recommended	Inform business partners about regional and ALA opportunities by providing them with a link to <a href="#">ALA's Business Partner Center</a> .	
	Recommended	On annual basis, submit an updated <a href="#">Chapter Business Partner Program profile</a> .	
	Recommended	Assist ALA headquarters with growing business partner relationships by regularly providing names and contact information for relevant business partner prospects. Send details to <a href="mailto:marketing@alanel.org">marketing@alanel.org</a>	

Responsibilities to Business Partners: \_\_\_\_\_ Required (3) \_\_\_\_\_ Highly Recommended (3) \_\_\_\_\_ Recommended (3)

RESPONSIBILITIES TO THE ASSOCIATION

	Required or Recommended	Description	Individual Responsible
✓	Required or Recommended	Provide ALA headquarters with a <a href="#">list of individuals</a> who will assume chapter office as soon after election as practicable and before installation occurs. Provide ALA with current digital photo of Chapter President.	
☐	Required	The chapter president shall update and return the Chapter Profile Form on an annual basis. Semiannually, chapters will review, reconcile and return chapter membership rosters to ALA headquarters.	
☐	Required	Ensure that all chapter members are also members of ALA at all times. On an annual basis, the chapter president will submit a timely statement certifying compliance with this ALA bylaw provision.	
☐	Required	Provide copies of board and chapter meeting minutes to chapter members.	
☐	Required	Use the ALA logo and other Association symbols pursuant to the <a href="#">Brand Identity Guidelines</a> provided by ALA headquarters.	
☐	Required	For those chapters that maintain a chapter website, ensure a link to <a href="http://www.alanet.org">www.alanet.org</a> is included on the home page of the chapter site.	
☐	Required	Ensure all chapter board members are subscribed to and participate in <a href="#">ALA's Chapter Leaders Community</a> .	
☐	Highly recommended	Ensure that one or more chapter board members (or other designated individuals) attend the Chapter Leadership Institute annually. The President-Elect is encouraged to attend. Limited financial assistance is available for those chapters that demonstrate need. Contact <a href="mailto:chapters@alanet.org">chapters@alanet.org</a> for further information related to financial assistance.	
☐	Highly recommended	Actively promote and educate members about ALA's Annual Conference & Expo, Regional Legal Management Conferences, and specialized conferences and other educational opportunities, such as <a href="#">webinars</a> .	
☐	Highly recommended	Ensure that a Regional Council Representative (or other designated individual) attends Regional Council Meetings held in conjunction with ALA's Annual Conference and Regional Conference. The Regional Council Representative (or other designated member) shall provide reports of each meeting to chapter members.	
☐	Highly recommended	Regularly provide chapter activity reports and photos to ALA headquarters, for inclusion in various ALA publications. Submit details to <a href="mailto:chapters@alanet.org">chapters@alanet.org</a> .	
☐	Highly Recommended	Enter at least one educational program summary and evaluation into <a href="#">ALA's Chapter Education Database</a> . Preference is to provide submissions for all quality education programs, especially when an outside speaker is used. Use <a href="#">evaluation forms</a> and <a href="#">summary forms</a> to compile data.	
☐	Highly recommended	Upload chapter newsletters, news blasts, and chapter meeting minutes to the <a href="#">chapter's online community</a> regularly (bi-monthly preferred).	
☐	Highly recommended	Actively promote the social media postings of the International Association by liking, sharing, retweeting and/or reposting from chapter accounts.	
☐	Recommended	Make a monetary donation to the <a href="#">Foundation</a> or donate an item to the Silent Auction for the Annual Conference.	

Responsibilities to the Association: \_\_\_\_\_ Required (7) \_\_\_\_\_ Highly Recommended (7) \_\_\_\_\_ Recommended (1)

**SUMMARY**

Responsibilities to Chapter Members: \_\_\_\_\_ Required (4) \_\_\_\_\_ Highly Recommended (6) \_\_\_\_\_ Recommended (6)  
Responsibilities to Chapter Mgmt: \_\_\_\_\_ Required (8) \_\_\_\_\_ Highly Recommended (6) \_\_\_\_\_ Recommended (5)  
Responsibilities to Business Partners: \_\_\_\_\_ Required (3) \_\_\_\_\_ Highly Recommended (3) \_\_\_\_\_ Recommended (3)  
Responsibilities to the Association: \_\_\_\_\_ Required (7) \_\_\_\_\_ Highly Recommended (7) \_\_\_\_\_ Recommended (1)  
TOTAL: \_\_\_\_\_ Required (22) \_\_\_\_\_ Highly Recommended (22) \_\_\_\_\_ Recommended (15)

**REQUIREMENTS FOR PRESIDENTS' AWARD OF EXCELLENCE:**

Required categories*	22 out of 22
Highly Recommended categories	16 out of 22
Recommended categories	7 out of 15

\*These items are required for attaining the Presidents' Award of Excellence recognition

**AFFIRMATION STATEMENT – PRESIDENTS' AWARD OF EXCELLENCE**

As the Chapter President, I affirm the information above is true and accurate to the best of my knowledge. I understand ALA reserves the right to verify the accuracy of the information submitted.

\_\_\_\_\_  
Chapter Name

\_\_\_\_\_  
Chapter President's Name (please print)

\_\_\_\_\_  
Chapter President's Signature

\_\_\_\_\_  
Email Address

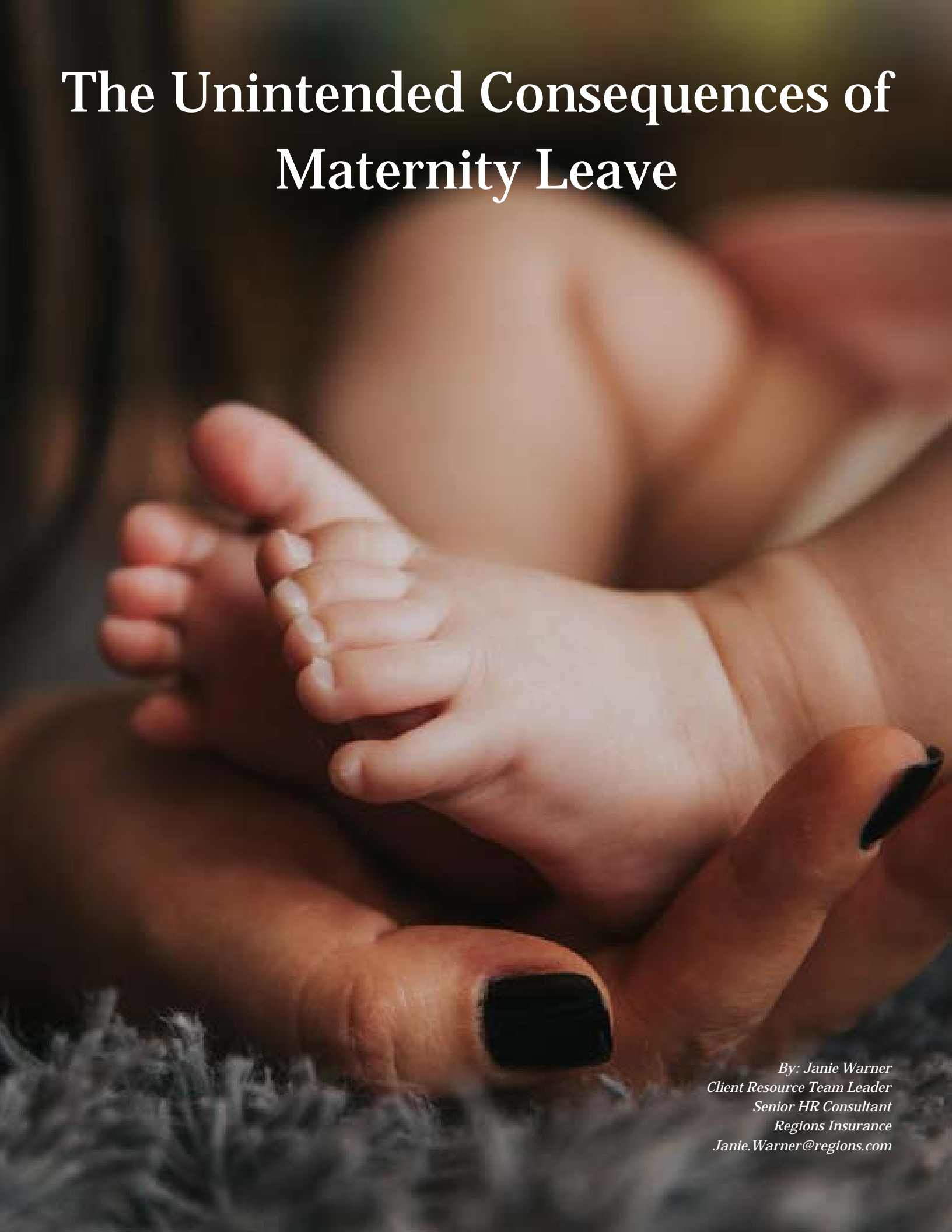
\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Date

Completed entry forms must be submitted to [awards@alanel.org](mailto:awards@alanel.org) on or before February 28, 2019.



# The Unintended Consequences of Maternity Leave



*By: Janie Warner  
Client Resource Team Leader  
Senior HR Consultant  
Regions Insurance  
Janie.Warner@regions.com*

## The Unintended Consequences of Maternity Leave

We are hearing more and more about a push for companies to provide paid family medical leave. In fact, the Tax Cuts & Jobs Act passed in the fall of 2017 provides companies a tax credit for providing paid leave to employees below a certain salary threshold.

One particular area of leave has prompted several states to institute a requirement of employers to provide paid pregnancy leave. Hailed as a great step forward in providing economic protections for women, we now see there may be an unintended consequence – inadvertent discrimination.

The Pregnancy Discrimination Act (PDA) was passed in 1978 as an amendment to the Civil Rights Act of 1964. The PDA not only added protections to women while they were pregnant and following childbirth, but also to women seeking medical treatment in order to become pregnant. These protections prohibit employers from using any aspect of pregnancy as a reason to discriminate in regards to hiring, paying, retaining or promoting an employee.

But is a company policy allowing paid or unpaid maternity leave actually discriminatory on its face against certain employees?

1. A Maternity Leave policy only protects women. Therefore, it is presumed that men are excluded. Technically, transgendered women could be excluded as well, depending on how the policy is worded. Discrimination based on gender is presumed.
2. A Maternity Leave policy protects women of child-bearing age. All women beyond child bearing age are excluded. No additional time to take care of any other reproductive organ issues. So, discrimination based on age is implied.
3. A Maternity Leave policy protects women of child-bearing age who can actually become pregnant. A woman who, for whatever reason, is unable to become pregnant does not have the same protection. Therefore, discrimination based on a disability is evident.
4. A Maternity Leave policy often provides paid leave (sometimes because of state or local laws) during periods of incapacity for any pregnancy-related issue. It is as if to say that because an employee was able to get pregnant, they deserve pay that other employees with illnesses or injuries do not.

While most employers want to provide some additional benefits to mothers, they also want to treat all other employees equitably. How can that be done?

First of all, remember that employers are always allowed to provide better treatment to employees than federal or state laws require. Therefore, if a state has a paid maternity leave law, an employer may choose to extend that to other employees at their discretion. While the employer may have concerns over the cost of such a program, because it would be a discretionary benefit, parameters could be set for what types of medical leaves would be eligible for the paid time.

Secondly, an employer can change a Maternity Leave to a Paternal Leave – or even better, just a Leave of Absence (other than Family Medical Leave). This policy can provide the protections needed for women who are trying to conceive or become pregnant as well as any other employee who presents with an issue that affects his/her work/life balance.

Figuring out how to balance the needs of a diverse workforce with the needs of the business is paramount in the current economy. When unemployment is low, the demand for quality employees increases. It becomes even more imperative to find ways to show that every individual is valued – not just those who become pregnant.

Insurance products available to cover short- and longterm disabilities are a good way for companies to shift the risk of the costs for any medically necessitated leaves. Exploring those with a qualified insurance broker is the best way to determine which products best meet the needs of the company.

Lastly, the best companies to work for are those that constantly challenge themselves to be better. Looking at their employees as their characteristics (age, race, ethnicity, gender, pregnant, etc.) essentially labels them.

When organizations recognize the PERSON first, discrimination is far less likely to be the outcome. Treating everyone equitably and with respect, dignity and fairness goes a long way in making a company an “employer of choice”. Let’s start there.

*This article originally appeared in HR Professionals Magazine in April 2018.*

*For your free digital subscription, visit [www.hrprofessionalsmagazine.com](http://www.hrprofessionalsmagazine.com).*

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## EDITORIAL POLICY

Editor & Photographer

Michelle Tyree

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