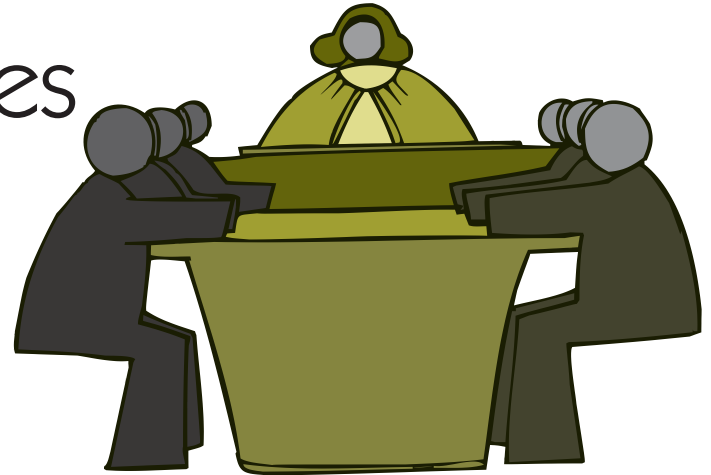


June 2006

# Addendum

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## Teen Court Provides Last Chance



She's just 13, but she could be headed for prison one day if she doesn't change her ways.

That was the message given to a Selma girl who seemed more interested in the condition of her nails a few minutes earlier as she was sentenced in Teen Court. She had pleaded guilty to a charge of "ungovernable behavior" and was the first to "face the music." Others on the docket committed more serious crimes and would receive their sentences later in the evening.

**Dallas County District Judge Bob Armstrong** borrowed Teen Court from Montgomery County because he liked what he saw. He said, "Dallas County has the highest incidence of juvenile crime in Alabama. It's out of hand."

Family displeasure apparently doesn't do any good for some teenagers, but peer pressure can produce a positive impact and that's what Armstrong hopes will happen.

Two hours after they got out of school, dozens of youngsters arrived at the courthouse to sit in judgment of fellow students who have been following the beat of a different drummer. Defendants had pleaded guilty to misdemeanor offenses ranging from theft of property to fighting. Monday night was when they learned their fates.

The trials were unusual because they didn't carry the same kind of legal weight involving felony cases. The teens have juvenile records as a result of their indiscretions, but if they adhere to the punishment meted out to them, the infractions will be expunged from court documents. It's a "last chance" opportunity for them to straighten out their lives.

As the 13-year-old focused on her nails while waiting for the jury verdict, her worried mother sat quietly.

"I don't know what to do," she said. "She won't listen to what I say. She leaves the house and stays away all night. She argues all the time."

Her daughter fought with another girl at an alternative school created to handle problem students. That means she messed up at a place for messed-up children. It landed the girl in a courtroom where she didn't get any sympathy.

Jones Law School students drove over to help with the cases and pick up some valuable experience. **Danny Crenshaw**, who once directed a program for troubled youngsters in Dallas County and had volunteered to serve as a judge in Teen Court, read the findings of the jurors.

She was ordered to write a letter of apology to her mother, remain at home for six weeks when she wasn't in school, perform community service and submit to other disciplinary action. The teen jurors also demanded that she attend anger management classes. It might help her avoid verbal and physical confrontations with those she dislikes.

**Juvenile Probation Officer Doretha Benton** offered advice as the girl got ready to leave the courthouse with her mother. "You can kill a person with kindness," Benton said, offering a smile to a girl who wasn't examining her fingernails at that point.

—Alvin Benn, Selma (This article originally appeared in the March 3, 2006 edition of the **Montgomery Advertiser**.)



# TECHNotes

## Why Can't I Kick the Computer?!

**C**omputer problems in the law office not only are aggravating, but can be very costly both in time and money. Here are some helpful tips and planning options to consider so that you are not a regular victim of the inevitable computer gremlins.

### *Regularly Back Up Systems*

Without backups your firm's data is vulnerable to loss. Often it is only after a disaster that you realize a backup could have saved the practice. Backups should be performed daily! Include backup information in your disaster recovery plan.

### *Verify Backups Are Complete*

Many firms have mistakenly believed that their data was being backed up but failed to adhere to on-screen information showing otherwise. You also have to make sure that data is being properly captured.

### *Take Computer Backups Offsite*

When backups remain in the office, you expose your firm's information to the possibility of loss. Fire, theft or other "acts of God" take away all of your hard work. Leaving a copy off-site or near your firm is also a good safeguard. Use reputable online or remote backup sources provided that you understand the risk of not being able to access your data in the event of nonpayment to the vendor or other eventualities that cause them to prohibit your access. Make sure you understand what types of backups are being performed. Is your entire system backed up? Are rolling backups performed or complete overwrites or just data that registers as changed or added?

### *Do Regular Test Restores*

Ensure your backups are actually working by restoring information from the backups. Be sure you can retrieve and use the data you restore.

### *Don't Assume Software is the Problem*

Technology issues can be very difficult to diagnose. There are so many factors that go into the equation. Is everything compatible? Was a new driver needed? The sound card could be the culprit. Work with a good "techie" to get a reasonable answer. Sometimes it really is the hardware and not the software.

### *Regularly Re-Index Database Programs and Perform Maintenance Services*

Like changing the oil in your car, you service your software programs with these steps. Don't forget to back up your data before you run any maintenance programs!

### *Record Computer Hardware and Software Problems*

Note dates, other applications that were running and the exact thing that you were doing at the time of the problem. Capture error messages by using ALT + PrtScrn (Print Screen) and pasting in your word processor. Keeping a log is helpful to you and any support personnel. Also, share problems and solutions with your entire office.

### *Force Vendors to Deal With Support Issues*

Don't get caught in the finger-pointing game that keeps  
*(continued on page 4)*

# What's In *Your* Wallet? The Dollars and Sense of Utilizing Your Paralegals

Through education, experience and training, paralegals can boost revenues and reduce time spent for the firm

In today's world, everyone is looking for a way to make more money and spend less. Adding paralegals to a firm can accomplish both objectives, for the attorney and for the client. Surveys of lawyers show that one paralegal can relieve an attorney of at least one-fourth of his/her daily workload, freeing up attorney time to handle more complex issues and cases as well as serve more clients. Imagine what could be done with an additional quarter of a day, which, when calculated, equals 1.25 days a week and amounts to more than two months a year. Not only does the paralegal add additional time, but properly utilizing paralegals also allows the attorney to accept and manage a larger volume of cases, thereby increasing revenue.

Since paralegals are qualified through education, experience and training to accomplish substantive legal work, appropriately utilizing their skills also allows attorneys to market the firm's legal services as being progressive and efficient.

When hiring a paralegal, an attorney should consider the cost/wages of a paralegal, his/her time management skills, experience level, educational background, and overall professionalism. According to Arthur G. Greene, in *Leveraging with Legal Assistants*, in successful firms, you will find four critical ingredients present within the attorney/paralegal relationship: (1) the lawyer and the client have confidence in the paralegal; (2) the lawyer assigns appropriate work to the paralegal (i.e. substantive, non-clerical); (3) the paralegal has full involvement in the

file, namely inclusion on e-mails, meetings, etc.; and (4) the lawyer properly prices the paralegal work. If any of these elements are not present, the performance of the paralegal will not meet the desired expectation, resulting in the need to re-evaluate the attorney's use of the paralegal.

Want to learn more? The Alabama Association of Paralegals, Inc. and the Alabama State Bar will present "What's In Your Wallet? The Dollars and Sense of Utilizing Your Paralegals" during the July 14 afternoon session at the ASB 2006 Annual Meeting. See you there!

—Cathy L. Davis, CP, Wilkerson & Bryan, Montgomery



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(continued from page 2)

you running from vendor to vendor for support. Have them identify concerns they have from their respective ends. Seek help from a third party if you can't come to some reasonable choice about who to believe.

#### *Purchase Support Agreements if Necessary*

Agreements can safeguard you in the event of emergencies routinely handled by tech support. Otherwise, you may have to pay astronomical minute charges for assistance. Write down any solutions and share them with your firm.

#### *Regularly Update Virus Protection and Security Software*

Routinely check for the latest fixes and utility applications. Hackers work every day. Remain vigilant about keeping up with them. Turn on any available automatic updates and have the software prompt you before installing them. Layered protection is the best defense against outside forces.

#### *Refer to Online Sources and General Support Vendors*

Some technology solutions are easily located online. Typing in error messages to your favorite search engine could lead to valuable information or a solution to your problem.

Visit your vendors' sites and look for discussion forums and knowledge bases.

#### *Hire Consultants With Experience With Law Firms*

Your computer staff should be able to assist you in your time of need—even if that means every day.

#### *Only Do It Yourself If It's In Your Job Description*

Do not get yourself and your firm into a computer bind if you do not have expertise but simply like to play around with computers. Your firm information is much too valuable. Insist on using experts.

#### *Don't Kick the Computer*

You might actually have a greater problem on your hands if you do! Technology is a wonderful tool, but you may have to tweak or work with them in unexpected ways for them to behave properly. Understanding that computer problems are inevitable can help after you have done everything to ensure they are working smoothly otherwise.

—Natalie R. Thornwell, director, State Bar of Georgia's Law Practice Management Program; reprinted with permission from the **Georgia Bar Journal**, volume 10, number 7

# Stevenson Presented With Herbert Harley Award

"Death Row Attorney" recognized for contributing to the administration of justice

Last February, the American Judicature Society convened its 2006 midyear meeting at Cumberland Law School. The Society is an independent, national non-partisan organization of judges, lawyers and other members of the public who seek to improve the justice system. The theme for the meeting was "Rethinking Strategies for Judicial Selection Reform." For two days, panelists, along with attendees, discussed the developments in judicial election campaigns, the challenges of judicial selection reform, an assessment of the current issues in judicial selection and practical strategies for judicial selection reform.

A highlight of the meeting was the Herbert Harley Award presented to ASB member and Montgomery attorney Bryan A. Stevenson. The Harley Award, named after the founder of the American Judicature Society, is awarded to individuals or entities who make outstanding efforts and contributions that substantially improve the administration of justice in their state. Stevenson, founder and executive director of the

Equal Justice Initiative of Alabama, has devoted his career to provid-

ing legal representation to indigent defendants, death row prisoners and juveniles who have been denied fair treatment in the legal system. Stevenson, a graduate of Harvard Law School, has received national acclaim for his work and is often referred to as the "Death Row Attorney." Judge John Carroll, Cumberland Law School dean, says, "Bryan's tireless efforts on behalf of poor persons who find themselves sucked into the vortex of the criminal justice system have resulted in a heightened awareness in the Alabama judiciary and the public in general of the problems which poor people face. I cannot imagine anyone more deserving of this award than Bryan."



Stevenson

*Find EVERYTHING that you need—names, addresses, phone and fax numbers, e-mail—at one place: [www.alabar.org/BarDirectory](http://www.alabar.org/BarDirectory). (Please note: There was no 2006 bar directory printed—go to the ASB Web site for the most up-to-date member and court information available.)*





# How Can I Be More Successful, Efficient And Content in My Legal Career, Part 3

## How to Be More Content In My Legal Career

*(This is the third part of a three-part series. Previous issues concentrated on "How to Be More Successful in My Legal Career" and "How to Better Manage My Time." The author is one of five lawyers in Alabama in private practice who were recently appointed to the Chief Justice's Commission on Professionalism.)*

In searching for answers to the questions posed above, I recently sought the counsel of ten of Alabama's best lawyers, asking them:

*Describe one activity that has helped you be more successful in your legal career, one that helps you manage time better and one that helps you be more content in your legal career.*

Each lawyer answered each question. The lawyers surveyed were **Karon Bowdre** (former law professor, federal district judge); **Ken Simon** (former circuit judge, civil practitioner); **Jere Beasley** (civil practitioner); **Robert Cunningham** (civil practitioner); **Gorman Houston** (former Alabama Supreme Court justice, appellate practitioner); **Ken Randall** (former civil practitioner, University of Alabama School of Law dean); **Bobby Segall** (civil practitioner, ASB president); **Sonja Bivens** (former civil practitioner, federal magistrate judge); **Patrick Tuten** (criminal lawyer); and **Susan Conlon** (family practice lawyer).

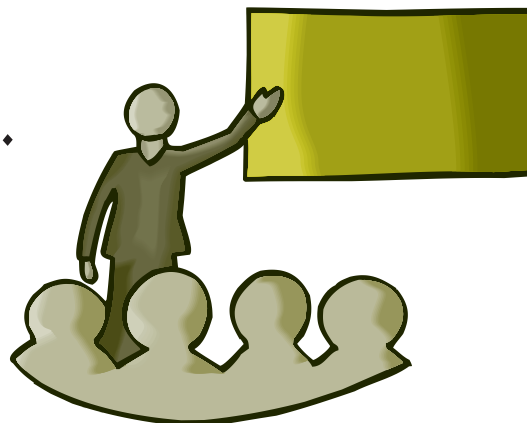
Here are the answers I received:

1. Seeking to honor God and making time to enjoy other aspects of life, such as family, nature and outdoor activities.
2. Prayer and my firm belief that my first responsibility is to my family and that my legal career is simply the means by which I am able to provide for them.
3. Knowing that I am helping folks with their problems makes what I do most satisfying and emotionally rewarding.
4. Put your family first, your legal career second and your social life last.
5. Camaraderie with lawyers and judges.
6. A job well done is its own reward. I am most content when I am doing a good job for my clients, working well with my fellow lawyers and learning that I don't have to kill all the snakes—just the big ones. I also seek balance in my life. I make sure to find time to exercise, to tend to my responsibilities at home, to take vacations and to maintain friendships. When I am overwhelmed and obsessive about work, I am least content and least effective.
7. One needs a passion for his or her work to be content. It's important in my life to help others, so when I'm in a position to help because of my job, there is contentment.
8. I find contentment in developing friendships with other lawyers in non-adversarial environments.
9. Service to others and using my legal skills to help my community has made my career very fulfilling. Our profession can have a positive influence in our communities, and we each help to shape the public's image of our profession.
10. Proper exercise, rest and time with my family and, most importantly, quality time developing my spiritual life shape my attitude, give me a vision, energize me and enable me to do what I am called to do.

—Samuel N. Crosby, Stone, Granade & Crosby, Daphne

# To Be or Not to Be...

## A Lawyer, That Is!



Shortly after taking the bar examination, I was offered an opportunity to teach as an adjunct instructor in Faulkner University's paralegal program. After completing my first class, I remember rushing home to tell my husband all about it and to show him my ink-stained fingers caused by the excessive use of the dry-erase markers on the board. The experience was an absolute thrill for me.

Eight years following my initial experience in the classroom, I am still teaching law to future paralegals. I have experienced many successes and pitfalls in the classroom. Overall, I have learned that for a lawyer entering the teaching realm, it is important to remember when to be and when not to be a lawyer. Amazing results follow when you present material not as a lawyer spilling information to students who have to listen, but as a teacher sharing knowledge with students who want to listen. Additionally, I have found that it is important to implement the following principles:

*Thoughtful Analysis of the Pedagogical Framework:* An effective teacher must evaluate the specific needs of the students in the class and develop a plan for meeting the goals and objectives of the course. This requires a thorough development of lesson plans and clear assignments that will apply the law we are teaching. In my experience, practical application of the law is crucial to learning. Mark Twain once said, "If you hold a cat by the tail you learn things you cannot learn any other way." This is entirely true in the classroom.

*Education of the Whole Person:* Teaching law is not only a unique opportunity to share legal knowledge, but is also an awesome chance to shape and create character by the inclusion and demonstration of strong ethical principles in the examples and discussions facilitated in the classroom.

*Entertainment in the Classroom:* Particularly when teaching working adult students into the late hours of the evening, entertainment is part of the job. It is important to utilize computers and other technical equipment and software in the classroom. PowerPoint is a great tool to add some excitement to lectures.

*Time Management:* Accepting an adjunct teaching position

when your schedule is already overloaded is a violation of the ethics of teaching.

Students deserve a teacher who has thoughtfully prepared every aspect of the class. Time constraints can quickly turn an exciting opportunity into a burden. When this happens, the quality of teaching diminishes and it is time to hang up the dry-erase marker!

Teaching is quite a responsibility that should not be taken lightly. With this responsibility comes a unique opportunity to equip those entering the legal profession not only with the knowledge they need to succeed, but also the professional and ethical principles that will advance our legal community. Who knows... interaction with a few eager students might even refresh your love of the law and teach you a thing or two about life!

—Marci S. Johns, Legal Studies director, Faulkner University, Montgomery

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# Book Review

## Information Security for Lawyers and Law Firms



Edited by Sharon D. Nelson, David K. Isom and John W. Simek

Not sure if you're being paranoid or just extra cautious? Learn when to worry about a client's information and how best to protect it

As technology has become ubiquitous in the law office, the ethical requirement to protect a client's confidential information has expanded from a simple charge to keep secrets to an all encompassing responsibility to protect large amounts of electronic data from intrusion and theft as well as loss or destruction.

Fortunately, for those of us who are truly techno-phobic or who just don't have a clue how to evaluate the risks and plan a protection strategy for this type of confidential information, *Information Security for Lawyers and Law Firms* is just what we need.

Published by the American Bar Association's Law Practice Management Section and Section of Science & Technology Law, *Information Security for Lawyers and Law Firms* is composed of short chapters which outline the potential prob-

lems lawyers face in protecting electronic information and then provide simple solutions to those problems.

In addition to providing you with the legal and ethical standards you must meet, this book gives practical and easy-to-implement steps to physically secure your computers and the electronic information they store from theft, employee tampering, Internet hackers, virus writers, and more. It also covers e-mail security and management, encryption and digital signatures, how to protect in the event you are the object of an electronic discovery request, and where to go online for additional resources.

Contact Sandra Clements of the ASB Practice Management Assistance Program at [sandra.clements@alabar.org](mailto:sandra.clements@alabar.org) to check out a copy of this book.

—Laura A. Calloway, director, ASB Practice Management Assistance

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