



## FROM THE PRESIDENT

*Skill is fine, and genius is splendid, but the right contacts are more valuable than either.*

- Sir Archibald McIndoe

**Contacts.** I think Sir Archibald got it right. One of the most valuable assets of a SCALA membership is the opportunity to develop contacts in the legal profession in South Carolina. I encourage all of you to attend as many meetings as possible, to get to know your colleagues through personal conversations, and to make intentional efforts to speak to someone whom you may not know at a meeting.

Following are some SCALA ways to increase professional contacts :

**Membership Gathering.** Plans this year include Officer and Board Member visits to various regions in South Carolina to provide members a chance to interact in a smaller, less-formal group setting. Go have some fun with your colleagues!

**Membership Mentoring.** SCALA's Past Presidents will be serving as Mentors by making personal contact throughout the year with new members.

**Membership Meeting.** Plan now to attend SCALA's June 21 meeting, ALA's Annual Education Conference and Exposition in Review, at Nelson Mullins, Columbia, 2:30 p.m. Registration, 3:00 p.m. program. Highlights from the Annual Conference will be given by SCALA's conference attendees. Also on the program will be David Constantine, ALA Past President 2005-2006 and now a SCALA member. At the end of the program, **5 \$1000 scholarships to the Region 2 Conference** in Charlotte, NC, November 3-5, 2011, will be awarded. A reception follows.

**Vendor Fair and Education Session.** Save the date, August 18, 2011, at the Columbia Convention Center, 2:00 p.m. Registration, 2:30 p.m. Education Session, 4:00 p.m.-6:30 p.m. Vendor Fair. **Five \$1000 scholarships to the Region 2 Conference** in Charlotte will be awarded.

**Community Challenge.** New this year for our Chapter is a year-long Community Challenge. Beginning with the June 21 Membership Meeting and meetings following, please plan to bring food items to be donated to Harvest Hope in Columbia, Harvest Hope in the Upstate, and Lowcountry Food Bank in Charleston. ALA's Community Challenge Weekend officially is October 7-9, 2011.

Thank you for the opportunity and privilege to serve SCALA as President this year. The multi-talented Board you have elected is made up of a cross-section of our membership, some who have been "in the business" for 25+ years, others who have 5+ years under their belts, and a "first year". In the "contact" spirit, I encourage you to connect with any Board member if you have

questions or concerns and program suggestions. One of the best ways to connect is to offer your time in service to our organization. 2011-2012 Board Members are: Clara Godshall, President; Jane Todd, Immediate Past President; Margaret Glassman, President-Elect; Heather Niemi, Treasurer; Mimi Love, Secretary; Rhonda Amick, Director-at-Large; Brenda Stewart, Director-at-Large; and Kim Maddux, Director-at-Large.

Please join me in thanking Teresa Powers and Larry Mack for their selfless, enormous contributions to the Board and to SCALA! We wish them the very best in their new endeavors.

I'm excited about the coming SCALA year, which holds many possibilities for education enrichment, networking opportunities, and professional/personal development. Stay in contact!

*Clara Godshall*  
President, 2011 - 2012

## **LEGAL STAFF PROFESSIONALS OF GREENVILLE FEATURES FORMER INT'L PRESIDENT OF ALA**



**Greenville, SC** – Legal Staff Professionals of Greenville will welcome David Constantine, former International President of the Association of Legal Adminis-

trators (ALA) and current COO of Gallivan, White & Boyd, PA as its speaker on June 15.

Mr. Constantine will offer insights on "The Lasting Legal Professional – How Does the World Say Our Future as Legal Professionals Must Change." Mr. Constantine's presentation will be of special interest and relevance to those currently employed in the legal field, as well as to those who wish to explore this profession.

The meeting will be held at 12:30 p.m. at the Poinsett Club on E. Washington

Street. Reservations may be made by contacting Myra Culbertson at 239-5959 or [mculbertson@wcsr.com](mailto:mculbertson@wcsr.com).

LSPG recently updated its website and debuted a new logo for the Association. To view these updates and for additional information, please visit [www.lspg.org](http://www.lspg.org).

LSPG is dedicated to the training and development of legal staff and meets the third Wednesday of every month, 12:30 p.m., at the Poinsett Club. Anyone involved in the legal community is welcome to attend.



# SC Chapter News



*Above: Clark Reifsnider swears in the incoming SCALA Board at the April Meeting.*

*Below: April Meeting Speaker Ross Kodner provides 60 Technology Tips in 60 Minutes!*



*Left: President Clara Godshall presents Immediate Past President Jane Todd with a plaque in recognition of her service to the Chapter.*



*Right: Clara Godshall and Valorie Songer show off 2nd place award in Bar Relations and Silver-Level Presidents' Award of Excellence received at the ALA Annual Conference in Orlando, FL.*



# SC Chapter News

**Register Now For Our Upcoming Program!!!**



## ALA's Annual Education Conference and Exposition in Review



### PROGRAM Details

Date: June 21, 2011  
Registration: \$25  
Registration: 2:30 pm  
Program: 3:00-4:30 pm  
Reception: 5:00-7:00 pm  
Place: Nelson, Mullins, Riley  
& Scarborough  
1320 Main Street  
Meridian, 17<sup>th</sup> Floor  
Columbia, SC 29201

**Community Challenge Project:**  
Bring Canned Food Items to each Meeting

Drawing for 5 \$1000 Scholarships  
ALA Region 2 Conference, Nov. 3-5

Send registration form and Check to:

SCALA, Attn: Angie Black  
Bowman and Brooke LLP  
1441 Main Street, Suite 1200  
Columbia, SC 29201

Questions? Contact Angie Black at (803) 726-7481  
or [angela.black@bowmanandbrooke.com](mailto:angela.black@bowmanandbrooke.com)

### PROGRAM Speakers & Topics

"Behavioral Interviewing: Hire and Retain the Right People for Your Firm",  
Clara Godshall

"It's Ok to Be the Boss", Angie Black

"Critical Issues Facing Law Firms: Trends and Progressive Solutions to Your Challenges", Rhonda Amick

"R Wii Fit?", Teresa Brookshire

"Creating and Maintaining an Extraordinary Managing Partner/Administrator Team",  
David Constantine

"75 Financial Tips in 75 Minutes",  
Amanda Koehler

"Corporatization of Law Firms: Modern Management Practices",  
Carol Cummings

"Dealer's Choice: QuietSpacing Your Email to Zero",  
Shawn Payment

*Imagine the Possibilities*

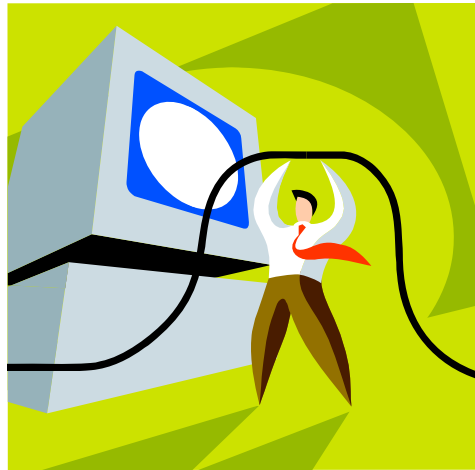
See our Chapter Website:  
[WWW.SCALANET.ORG](http://WWW.SCALANET.ORG)  
For registration materials!

*Imagine the Possibilities*

# The Do's and Don'ts of Making Tech Hardware Purchases at Law Firms

By Rob Mattern

Over the years, a law firm will spend millions of dollars of technical hardware for the benefit of its employees and physical plant. These technical items can range from multi-functional devices to cost recovery systems to vertical lifts for 34-story office buildings – quite a diversity of purchasing decisions to contend with. Given the complexity, importance and variety of these purchases, we propose the following suggestions to insure your law firm benefits most from what you buy.



piece of hardware may encounter during its lifecycle.

Make sure the end-users verify that the piece of hardware on trial was exposed to this process and was able to handle it effectively. A few years ago we were placing a very high-end color unit at one of our clients' offices. We followed the above process but there was certain cover stock they ran for projects with a cutout window. You guessed it, it wasn't on the checklist and when they did run it after the unit was procured, and the machine wasn't able to handle it.

## DO'S:

### 1. Examine Total Cost of Ownership

When procuring equipment, the bottom-line purchase or lease price is normally the number everyone is scrutinizing. Yes, this number is important, but equally as important are the supply and maintenance pricing requirements that support the procurement itself. Know what each component of the Total Cost of Ownership costs at the projected volume (if applicable). For a very simple example, an inkjet printer costs initially much less to purchase than a laser printer, but not when you add supply costs at certain volume levels.

### 2. Try Before You Buy

Everything looks great in the showroom. Insist on an on-site trial as part of any procurement process with no strings attached. If the vendor won't allow it or wants to charge you for it, then you have the wrong vendor. As a component of the on-site trial, develop a checklist containing every possible situation or process this



### 3. Determine and Check your Specs

Based on your initial specifications, make sure you have outlined detailed performance criteria detailed in the contract (and the associated Request for Proposal). Having this detail incorporated into the contract, and having both parties agree on it, will only make it easier to address the situation if and when something doesn't work.

### 4. Build Flexibility into Every Deal

Make sure you build flexibility into any type of maintenance pricing based upon volume. Before you commit to any type of monthly or annual volume, make sure you are going to reach it, and that there are credits in case you don't. Some ways to approach this is a zero-based plan where you only pay for the volume completed, or negotiation for an underage credit for under use.

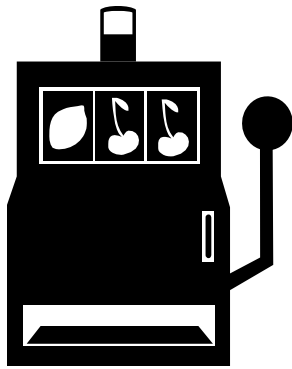
On the procurement side, if it is a multi-unit deal, make sure you build some type of flexibility to upgrade, downgrade or "walk away" from a certain percentage of the units. Obviously if you purchase the units, this term

# The Do's and Don'ts of Making Tech Hardware Purchases at Law Firms

## (Continued...)

does not apply which is one of the reasons we do not advocate purchasing of hardware. To illustrate, if a law firm merges with another firm, there will be redundant machines. If you have negotiated 100% flexibility on equipment under your outsourcing contract, you can return all of your equipment with no penalties or early termination charges. This flexibility does exist, but you have to negotiate for it. Vendors are reluctant to give it, since it impacts the way they can "book" the business. It may increase your price slightly, but the convenience and "peace of mind" is well worth it.

### 5. The Lemon Out-Clause



Have language in the contract that addresses what happens if the unit or units do not work to the specifications as detailed in the contract. Hopefully this will not happen, but if it does, make sure you can walk away from the obligation if the equipment does not perform as promised or specified in the contract.

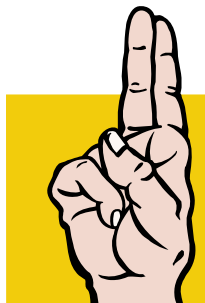
### 6. Specify the After Plan

Be very specific on what happens at the end of the deal. Do you own the equipment? Is there a buyout? If so, how much is it? Who is going to support it after this point and what will it cost you?

Some of the Don'ts of Tech Hardware purchases are:

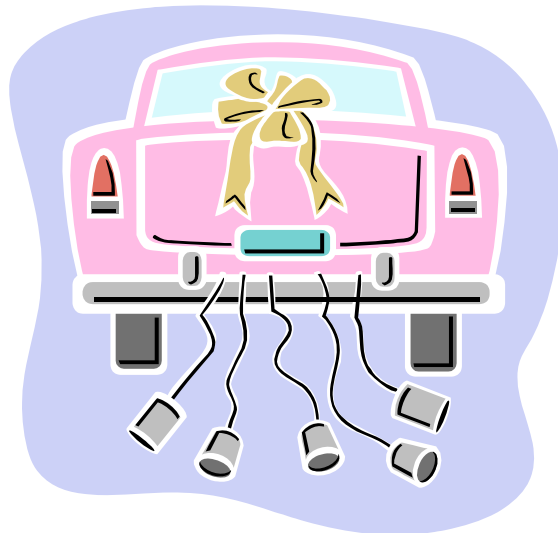
#### 1. Don't forget to get it in writing!

Do not count on the same person who sold you the products to be there next year in other words – have everything in writing! Chances are the person who sold the product will not be there next year. Memories tend to fade when the going gets tough, so make sure all guarantees and promises are in writing.



#### 2. Don't fall in love until you are walking down the aisle.

My Mother used to say this about any type of purchase or commitment until everything was signed and complete. In other words, do not be afraid to walk away from a deal or a purchase until everything is signed and the deal is done to your satisfaction. Too many people fall in love with a tech purchase and stay in love with it even though the deal is turning out not to be in their best interest, or the product has not been proven through the trial to do everything they need it to do based upon the specifications.



In these economic times, the power is in the hands of the buyer. By following the Do's and Don'ts as laid out above, your chances of success for any tech hardware purchase will improve dramatically.

*Robert C. Mattern is President of Mattern & Associates LLC, support services and cost recovery advisors that service mid-size and large law firms. Mattern & Associates is a supporter of the ALA - involvements include exhibiting at the ALA Annual Conference & Exposition, presenting educational sessions for Chapter events, and publishing in ALA's Legal Management Magazine. E-mail Rob at [rmattern@matternassoc.com](mailto:rmattern@matternassoc.com) or visit Mattern & Associates website at: [www.matternassoc.com](http://www.matternassoc.com).*

# Performance at a Glance

By Benjamin C. Shames

In these challenging economic times, the financial operations of a law firm are under constant review by both the partners and the professional support staff. In an effort to maintain profitability, most law firms have cut staff, curtailed perks and been very vigilant in trying to find areas to reduce costs.

In addition to keeping their eyes on the firm's finances, partners are expected to bring in new work and continue to serve their current clients. A law firm's professional staff can help the attorneys review the firm's operations by providing data that is both concise and meaningful. While some attorneys enjoy re-viewing the monthly financial statements in detail and discussing them with the CFO/Controller, others do not have the time or interest.

As every partner needs to understand the general financial condition of the firm, a one-page financial statement – a "Performance at a Glance" – can be generated each month. This statement provides the basic results for the firm for the current month and year-to-date, and compares those results to the budget. In addition to the income and expense numbers, the sample report below shows billable hours, work in process, billings and accounts receivable.

Lawyers R US Through 12/31/2010								
INCOME STATEMENT	MONTH TO DATE				YEAR TO DATE			
	Actual	Budgeted	Difference	Change From Budget	Actual	Budget	Difference	Change From Budget
<b>FEES</b>	2,000,000	2,500,000	(500,000)	-20%	27,500,000	30,000,000	(2,500,000)	-8%
<b>EXPENSES:</b>								
Operating Expenses								
Compensation and benefits	800,000	850,000	50,000	6%	9,600,000	9,750,000	150,000	2%
Office expense	350,000	375,000	25,000	7%	4,200,000	4,250,000	50,000	1%
Business & Professional development	150,000	135,000	(15,000)	-11%	1,800,000	2,000,000	200,000	10%
General and administrative expenses	20,000	25,000	5,000	20%	240,000	250,000	10,000	4%
<b>Total Operating Expenses</b>	<b>1,320,000</b>	<b>1,385,000</b>	<b>65,000</b>	<b>5%</b>	<b>15,840,000</b>	<b>16,250,000</b>	<b>410,000</b>	<b>3%</b>
Interest and Other Expenses (Income)	30,000	37,500	7,500	20%	180,000	225,000	45,000	20%
<b>TOTAL EXPENSES</b>	<b>1,350,000</b>	<b>1,422,500</b>	<b>72,500</b>	<b>5%</b>	<b>16,020,000</b>	<b>16,475,000</b>	<b>455,000</b>	<b>3%</b>
<b>NET INCOME</b>	<b>650,000</b>	<b>1,077,500</b>	<b>(427,500)</b>	<b>-40%</b>	<b>11,480,000</b>	<b>13,525,000</b>	<b>(2,045,000)</b>	<b>-15%</b>
Less: Partner Draws	500,000	500,000	0	0%	6,000,000	6,000,000	-	0%
Income Available for Distributions	150,000	577,500	(427,500)	-74%	5,480,000	7,525,000	(2,045,000)	-27%
Total Points	500	500	500		500	500	500	
<b>NET DISTRIBUTABLE INCOME PER POINT</b>	<b>300</b>	<b>1,155</b>	<b>(855)</b>		<b>10,960</b>	<b>15,050</b>	<b>(4,090)</b>	
<b>OTHER SELECTED DATA</b>								
	Actual	Budgeted	Change From Budget		Actual	Budgeted	Change From Budget	
Total Billable hours	6,250.00	6,666.67	-6%		75,000.00	80,000.00	-6%	
Average Hours Per Full Time Partner	120.83	125.00	-3%		1,450.00	1,500.00	-3%	
Corporate	116.67	125.00	-7%		1,400.00	1,500.00	-7%	
Finance	133.33	125.00	7%		1,600.00	1,500.00	7%	
Intellectual Property	141.67	125.00	13%		1,700.00	1,500.00	13%	
Litigation	120.83	125.00	-3%		1,450.00	1,500.00	-3%	
Real Estate	83.33	125.00	-33%		1,000.00	1,500.00	-33%	
Average Hours Per Full Time Associate	133.33	141.67	-6%		1,600.00	1,700.00	-6%	
Corporate	116.67	141.67	-18%		1,400.00	1,700.00	-18%	
Finance	133.33	141.67	-6%		1,600.00	1,700.00	-6%	
Intellectual Property	141.67	141.67	0%		1,700.00	1,700.00	0%	
Litigation	120.83	141.67	-15%		1,450.00	1,700.00	-15%	
Real Estate	83.33	141.67	-41%		1,000.00	1,700.00	-41%	
	Sept	Oct	Nov	Dec				
Work In Process	2,700,000	2,600,000	2,400,000	2,200,000				
Billings	2,500,000	2,700,000	2,600,000	2,400,000				
Accounts Receivable	3,400,000	4,150,000	4,300,000	4,600,000				

# Performance at a Glance

(Continued...)

As you develop this data, it is important to get feedback. Many attorneys have specific data they have found to be helpful to the management of their practice. Developing data and graphs that are colorful but do not provide meaningful information is a waste of time for both the attorney and the staff member who creates them. In many instances you can put together data that will satisfy many requests at the same time.

A "Daily Flash Report" is another report that is very useful to the partners. This report can be sent by email at the end of each day. This report shows:

- 1) The total value of time entered by timekeepers for the day and the month.
- 2) Total billings for the day and the month.
- 3) Total collections for the day and the month.

This data provides the attorneys with an overview of the flow of the business. The report also allows the partners responsible for the financial management of the firm to view the status of WIP and billings. While law firms do not control what new matters their clients will give them or when their clients will pay, they can make sure that time is entered currently and bills are sent out on a timely basis.

	WIP		Billing		Collections	
	For the Month December, 2010		For the Month December, 2010		For the Month December, 2010	
	(Net of Contingent Time*)					
Date	Daily	M-T-D	Daily	M-T-D	Daily	M-T-D
1	52,000.00	52,000.00	83,000.00	83,000.00	100,000.00	100,000.00
2	40,000.00	92,000.00	36,000.00	119,000.00	70,000.00	170,000.00
3	11,572.50	103,572.50	50,000.00	169,000.00	-	170,000.00
4	37,000.00	140,572.50	56,000.00	225,000.00	15,000.00	185,000.00
5	48,000.00	188,572.50	5,000.00	230,000.00	50,000.00	235,000.00

*Benjamin C. Shames is the Controller of the Valorem Law Group and currently serves as the Chapter's Survey Director. Ben may be contacted via email at [Benjamin.shames@valoremllaw.com](mailto:Benjamin.shames@valoremllaw.com)*

**Reprinted with permission from "The Administrator's Advantage," the newsletter published by the Greater Chicago Chapter of the Association of Legal Administrators, January / February 2011**



## The SCALA Scoop

The "SCALA Scoop" is the newsletter of the Association of Legal Administrators, South Carolina Chapter, and is published 4-6 times per year and distributed to over 50 legal administrators, vendors and other legal professionals throughout South Carolina.

Direct questions or submissions to:  
 Association of Legal Administrators  
 South Carolina Chapter  
 Shawn Payment, Editor  
 T: 843-534-4251

[shawn.payment@nelsonmullins.com](mailto:shawn.payment@nelsonmullins.com)

## Advertising Opportunities

Advertising space is limited and advertisers are urged to submit ads as early as possible.

### Advertising Rates: (Per issue)

Full Page: \$150  
 Half Page: \$100  
 Quarter Page: \$50

Checks should be made payable to: "SCALA".  
 Payment must accompany ad copy.

# Business Partner Spotlight Document Technologies, Inc.

Document Technologies, Inc. (DTI) is the nation's largest independent provider of facilities management services and comprehensive discovery solutions, servicing clients both on and off site in more than 47 markets across the U.S. In just 13 short years DTI has grown to over 1,800 employees and revenues of over one hundred fifty million dollars per year. Although headquartered in Atlanta, GA DTI has strong ties to South Carolina with its founders spending much of their lives in Beaufort. In addition to providing Traditional FM services DTI delivers end-to-end solutions for electronic discovery, including forensics, data acquisition, processing, and an array of hosting platforms to meet a variety of litigation support needs. In September 2010, DTI acquired e-discovery industry pioneer Daticon EED to further strengthen its position as a leading discovery services provider. Also During 2010 DTI was selected to provide litigation support services to the US Department of Justice at their Litigation Technology Support Center in Columbia that serves DOJ offices across the country.

DTI's FM division has pioneered many unique legal support services best practices and technologies that are available to their clients that can trim costs and increase client billable revenue as well as allowing the firms staff to focus more time on the practice of law and less on support services.



*Amanda Koehler, Clark Reifsnider, Clara Godshall, Darryl Lanier and Rhonda Amick enjoy the DTI luau during the recent ALA conference in Orlando!*

Among the services DTI provides on-site at law firms are:

- Document Imaging
- Litigation Services
- Internal Sweeps
- Mail Services
- Package Processing
- Key Operator Duties
- Reception Services
- Office Supply Services
- Copier, Fax and Laser Printer Management
- Conference Rooms & Hospitality services
- Courier Services
- Records services
- Flex Services
- Copy/Fax Services

Many firms find it more cost effective and efficient to allow DTI to manage their support services and you can find out if it could make sense for you by contacting Darryl Lanier ([dlanier@dtiglobal.com](mailto:dlanier@dtiglobal.com)) the local Managed Services Consultant for DTI for an initial meeting or a no cost analysis of your needs.

DTI also provides excellent off-site services in South Carolina to include:

- High Volume and Litigation Document Scanning and copying
- Project Management and Consulting
- Web Hosting
- Electronic Document Production Services
- ESI Processing ( Digital Discovery)
- Digital Forensics Consulting
- Litigation Support Training
  - Litigation Support Professional
  - Litigation Support Manager
  - ESI Project Management

To get more details about the off-site services that DTI can provide contact Stephen Carter, ([scarter@dtiglobal.com](mailto:scarter@dtiglobal.com)) the DTI South Carolina Market Place Director.



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## Sincere Thanks to our 2011 Business Partners!

### Gold

**Document Technologies, Inc.**  
**Huseby, Inc.**  
**Sharp Business Systems**  
**of South Carolina**  
**Thaxton Barclay Group, Inc**

### Silver

**F3 Concepts, LLC**  
**Royal Cup Coffee**  
**South Carolina Bar - CLE Division**  
**Square Boxx**  
**William Ives Consulting**

### Bronze

**ALPS-Attorneys Liability Protection Society**  
**Blumberg Excelsior, Inc.**  
**Carolina Records & Information Management**  
**Cash Management Solutions**  
**Equitrac**  
**Lorick Office Products, Inc.**  
**UPS - United Parcel Service**