IN THE Loop

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Association for Continuing Legal Education

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President's Column

By Donita Douglas

Donita Douglas is President of ACLEA and the Vice President of Professional Services for InReach, Austin, Texas.

Networking and Beyond: How ACLEA Relationships Help Us Refuel

The ACLEA Mid-year Meeting is in the books. It was a great meeting—fantastic sessions and networking events—but I'm already thinking about the ACLEA Annual Meeting in Boston. I am yearning for my next ACLEA fix. For me, the time at ACLEA meetings flies by—I attend educational sessions, special interest and committee meetings, and catch up with colleagues in the exhibit hall. All of these opportunities have value. However, if you were to ask me about the greatest value I derive from attending an ACLEA meeting, my answer would not be the sessions or meetings. My answer would be the networking, planned and spontaneous. And it isn't just me.

ACLEA surveys, time and again, have confirmed that the networking components of ACLEA meetings provide value, inspiration, and energy to those of us who work in

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ACLEA

President's Column

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the continuing legal education industry. While I don't think the networking value is unique to ACLEA, I do think the extent of the networking value is unique to ACLEA. Attendees show up hungry for the support they need and seek it out. They almost always get it, then return home ready to take on the CLE world until the next opportunity to refuel. This summer's Annual Meeting will accommodate members' interest in increased networking opportunities—there will be a bit more free time networking and morning wellness opportunities. We'll get a greater "fix" this summer.

However, networking through meetings just isn't enough. The same networking energy that is created in meetings should be available in between ACLEA meetings—24/7. Networking through a significant online community is vital to ACLEA being a relevant organization now and in the future. For that reason, creating and maintaining an online community for ACLEA members is a priority for ACLEA leadership. Work is being done and progress is being made.

In the meantime, set up your member biographical information—as fully as you can. Need log in information? Contact the ACLEA office at 651.366.6082 or aclea@aclea.org. Use the existing listservs to reach out to the ACLEA community. Email, telephone, Viber, Skype your ACLEA buddies—stay in touch or ask for help/advice. Join the already active group of ACLEA members on Facebook. You can find out what I'm having for dinner.

Networking shouldn't be limited to two times a year. The more we learn from each other and derive energy and inspiration from each other, the better off we all are in the long run. After all, personal relationships are a key to good business, including the CLE business.

Note from the Editors: If you have any stories of specific ways in which networking has helped you work out a problem in your job, we'd love to hear about it.

ACLEA website: www.aclea.org

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ACLEA welcomes comments, article ideas, and letters.

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Take Charge of Your Own Economy: Part Two

By Cynthia Sharp, The Sharper Lawyer

***Part One of this article appeared in the Winter 2014 issue of* In the Loop**

III. DEVELOP BUDGETARY DISCIPLINE

Some agree with Oscar Wilde that: "Anyone who lives within their means suffers from a lack of imagination." On the other hand, meeting your savings goals requires you to live below your means.

The budget process seems simple; yet, according to the 2012 Consumer Financial Literacy Survey more than half of the adults surveyed had not established a household budget. Information regarding the mechanics of setting up a budget along with basic budget worksheets are readily accessible through a number of Internet resources. The process involves recording all sources of income and listing all expenses (whether incurred monthly or otherwise). The expense side should include the amount needed to be set aside to meet long- and short-term financial goals (discussed in Part One). After subtracting expenses from income, there will either be a deficit or surplus. If you have a deficit, you need to either make more money (a topic beyond the scope of this article) or reduce expenses. Enhancing net worth by adjusting lifestyle can pose a huge challenge; however, it becomes more palatable when you maintain the perspective that the long-term financial goal is more important than short-term gratification. If you have a surplus, save it!

IV. DO NOT CARRY BALANCES ON CREDIT CARDS

Credit cards offer a convenient method by which to make and keep track of expenditures. Besides, it is fun to cash in on the accumulated points. However, their double-edged allure becomes apparent to those who use them to live an otherwise unaffordable lifestyle. Responsibility for monthly payments can continue for years after the items purchased are discarded or extravagant restaurant meals are enjoyed.

> Example: CLE Program Director Joe and his family decide they deserve a vacation. Because he is barely making ends meet, he charges $5,000 on his Visa card knowing that he can squeeze $150 per month out of the budget to pay the debt. Presuming an 11% interest rate, he will make his final payment about three and one-half years after the vacation, and the actual cost of the trip will be $6,000 (the interest payments total $982.62).

As a general rule, if you can't pay the credit card bill at the end of the month, don't incur the charge. If you have already incurred significant credit card liability, commit now to a plan to satisfy the debt no matter how overwhelming it may seem.

A number of online calculators are available that will assist you in establishing realistic goals. Tempting as it may be, I do not recommend taking out a home equity loan to consolidate outstanding credit card debt.

> Example: Presume that Sally, an Administrative Assistant, has an outstanding balance of $35,000 in credit card debt at 15 percent interest. If her goal is to eliminate the debt in four years, she would need to pay $974.08 every month.

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Take Charge of Your Own Economy: Part Two

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V. MINIMIZE INVESTMENT MISTAKES

Having money to invest for the future presents its own set of challenges. The objective is to enjoy reasonable return on the asset (whether through appreciation or income) as opposed to losing your proverbial shirt.

Make sure that you get your information from an unbiased source. Many financial planners look out for the client's best interest and make recommendations accordingly. However, some present biased information to guide the client into a product from which the planner will receive a high commission. Along this same line, beware of doing business with people who suggest that you invest in deals that will generate a huge return on your funds in a relatively short period. Remember, "If it sounds too good to be true, it probably is." Living by this precept can save you some headaches.

I have personally witnessed several clients and friends who were persuaded to mortgage their homes to invest in ponzi operations, highly leveraged real estate deals (now underwater), and risky tax shelters. Many, if not most, of these "opportunities" went south. The investors were saddled with the sting and burden of expensive mistakes. If you do not understand how the investment works (including the purported tax benefits), keep your money for another opportunity—which will certainly come along.

VI. ESTABLISH OPEN FINANCIAL COMMUNICATION IN RELATIONSHIPS

It's difficult enough to accomplish financial success on your own without taking into account the values and expectations of a spouse or significant other. Ideally, you will be in harmony in all aspects of your relationship—including financial. However, the chance of finding a romantic partner with whom you are in complete agreement on money issues is highly unlikely, if not impossible. According to a recent survey conducted by Harris Interactive on behalf of the American Institute of Certified Professional Accountants, American couples argue about financial issues more than any other issues, including child rearing and division of household chores.

Although some couples opt to live separate financial lives, most are intertwined—at least to some extent. Establishing a strong communication process with respect to finances will go a long way toward preventing relationship discord from financial disagreements. Money discussions may not be not romantic, but money disagreements are even less so. The following tips should prove helpful:

1. Strong relationships are founded on full disclosure in all aspects of life. Before the marriage or other commitment, make sure that you exchange documentation regarding your respective incomes, assets, and liabilities. (Couples entering into prenuptial arrangements are required to exchange this information.) The thorough couple will compare credit reports and credit scores. It is better to reveal a poor credit history now rather than later, when you are trying to make a joint purchase.

2. Clearly allocate responsibility for the administrative aspect of money management and accumulation goals.

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Take Charge of Your Own Economy: Part Two

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3. Have a regularly scheduled "business meeting" (at least quarterly) to discuss short- and long-term goals, savings, cash flow, and spending issues.

4. Do not deceive your mate about finances. The Harris Interactive survey cited above revealed that three in ten adults who are married or living with a partner admit to potentially deceitful behavior about money.

VII. SO TAKE CHARGE

No matter your current circumstance, you can improve your economic status — over time. A bright financial future is attainable by those willing to form and consistently follow sound financial habits like those outlined above.

If you wish to learn more about these principles (and many more), see Cindy's upcoming book *The Lawyers' Guide to Attaining Financial Security* scheduled to be published by the Solo, Small Firm and General Practice Division of the ABA. She is also a contributor to the division's upcoming publication *The Lawyer's Guide to Buying, Selling, Merging, and Closing a Law Practice*, writing on the topic "Selling a Niche Practice."

**A version of this article was first published in the January/February 2013 issue of GP SOLO, a publication of the American Bar Association.*

Cynthia Sharp (cindy@thesharperlawyer.com) is Director of Attorney Development at The Sharper Lawyer located in Philadelphia, Pennsylvania. As a professional CLE instructor, Cindy has established a national presence as an author and speaker on topics of ethics in the context of practice management, social media, and technology — lecturing extensively to law firms, bar associations, and other legal organizations.

Get to Know Your ACLEA Executive!

Jeanne Heaton, *Illinois State Bar Association*

We continue examining the life and times of the fearless volunteers who serve on ACLEA's Executive Committee. Today we talk to Jeanne Heaton, Director at Large, who serves as the Director of Continuing Legal Education for the Illinois State Bar Association.

1. What did you do in your pre-CLE life and what brought you to the CLE world?

I was practicing administrative and environmental law both in the public sector as well as for a private firm. I saw a posting for the Director of Continuing Legal Education for the Illinois State Bar Association and it intrigued me. At the time, CLE was very new to Illinois and the opportunity to build a CLE program from the ground up was just too exciting to pass up.

2. How long have you been a member of ACLEA?

Since 2006. In fact, on my very first day on the job at the ISBA, I went to an ACLEA Boot Camp program in Chicago and I have been a part of ACLEA ever since!

3. What do you remember from your first ACLEA conference?

It was in Nashville, Tennessee and I remember almost everything! I was so eager to absorb all this new information. Everyone at the conference was incredibly helpful. I asked so many questions! And yet, everyone was patient and so willing to share their expertise. The people and the materials really helped me start in my new role on the right foot. The new attendee dinner was the best; I still stay in touch with some of the people I met that night.

4. You are also co-chair of the ACLEA Mandatory CLE Committee. What motivated you to get involved in that particular committee?

Other states have had mandatory CLE for far longer than Illinois. It is so helpful to learn what others are doing and how they are growing their professional development programs.

5. What do you think is the most important issue facing CLE organizations today?

There is so much rapid change. For example, we have changed from producing teacher-focused programs to learner-focused trainings. The legal profession itself is undergoing a profound change in so many respects — the structure of the practice, its priorities, billing structures, everything. Then, of course, technology is a constant vehicle of change. And, although it sounds cliché, it's true — change is hard!

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Get to Know Your ACLEA Executive!

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6. What change has been the hardest for you in your role as CLE Director?

When I first came aboard as Director of CLE at the ISBA, we offered only a handful of live programs to our members. Now we continue to diversify not only the format of our programs — live, online, blended — but also the topics and structure. Although some topics are perennial favorites (updates to statutes, changes in case law), others are a result of changing times (opening your own practices, using social media). And I continue to champion interactivity! So many of our members learn most when they actually have to do something during training rather than passively listen to information. Yet, it is difficult to convince our speakers to do something other than traditional lecture. Law schools still, for the most part, put students in large lecture halls and ask them to absorb information. Small group work, quizzes, reflective writing, and the like is still a bit foreign to both our speakers and our audiences.

7. If you weren't involved in CLE, what do you think you would be doing instead?

I honestly don't know. This is such a great fit for me. I love the evolving landscape of legal education, educational theory, and technology.

8. Tell us one thing that the ACLEA membership should definitely know about you.

I grew up on a farm and learned early on that I'm not in control. Farmers can't control the weather or always expect a good crop yield. And as much as I try, I can't control every program we offer. I can only do my best to organize great trainings and keep learning!

ACLEA

BACK TO THE FUTURE: CELEBRATING 50 YEARS OF CLE

ACLEA 50th Annual Meeting
August 2 – 5, 2014
Westin Copley Place
Boston, MA

Come to ACLEA in historic Boston in August because we're celebrating 50 years of CLE and ACLEA! The Planning Committee is hard at work finalizing the agenda! Here is a taste of what is being planned:

Great Plenary Sessions

- Volunteer Management: The Life Blood of CLE (how do big organizations, like the Red Cross, manage their volunteers?) – a moderated discussion with some "how to" solutions in dealing with your volunteers.

- Another visit with the Future of Legal Education and How it Applies to us in the CLE world. – Hear from members of the ABA Task Force discuss their draft report and recommendations just released in September and what it may mean for us in CLE.

We'll also have a special presentation from the 50th Anniversary Celebration Committee AND…as always, about 27 workshops addressing topics in technology, marketing, leadership, management, publications and programming. Ahhhh, the decisions, the decisions.

NEW THIS YEAR!

In response to your requests for more "networking time" – we have worked in a few extra breaks so you can meet up with others and not miss any of the great programming.

We are also planning an advanced workshop AND a workshop for In-house folks for Saturday.

MARK YOUR CALENDARS TODAY!

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Internet for Lawyers
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Since 1999, Carole Levitt, Esq. and Mark Rosch, principals of Internet For Lawyers (IFL), have partnered with bar associations to conduct all-day seminars (and shorter seminars at the bars' Annual Meetings and Solo & Small Firm conferences) to teach lawyers how to become Cybersleuths by using free and low-cost investigative Internet resources (from Google and Facebook to public records and more). Every attendee receives a copy of their book, "The Cybersleuth's Guide to the Internet." IFL's turn-key CLE seminars are always evaluated by lawyers as the most useful and entertaining seminar they've ever attended. Carole and Mark have co-authored six best-selling books for the ABA: "The Lawyer's Guide to Fact Finding on the Internet" (2 editions); "Find Info Like a Pro: Mining the Internet's Publicly Available Resources for Investigative Research, V. 1"; "Find Info Like a Pro: Mining the Internet's Public Records for Investigative Research, V. 2"; "Google For Lawyers"; and "Google Gmail and Calendar in One Hour for Lawyers".

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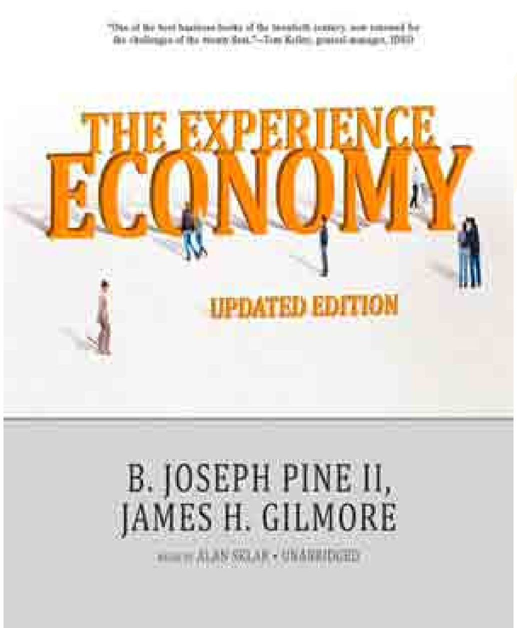
The Experience Economy: A Book Review

By Megan K. Moore, JD, Director of Programming for Illinois Institute for CLE



Let's face it — in the CLE industry, we are selling experiences. We come together at ACLEA meetings to talk about how to do great programs with great attendance in an increasingly competitive environment. We all yearn to hear from each other about how we've experienced success under these circumstances. And, if you listen carefully to the success stories, I think you'll find that the common thread is that the successes featured a transformational experience.

In their book, *The Experience Economy*, B. Joseph Pine II and James H. Gilmore propose a new way of looking at how companies can succeed in the context of an emerging economic model. In this model, Pine and Gilmore posit that companies must understand the concept of "The Progression of Economic Value."

Extract economies → Make goods → Deliver services → Stage experiences

The progression demonstrates that a company that extracts commodities must sell at market prices in an undifferentiated marketplace. As the scale progresses forward, so does the company's competitive position and, therefore, its ability to charge a premium for what it is offering. The ultimate goal is to be in the business of "staging experiences" successfully because this affords the company the ability to differentiate itself in the marketplace and take advantage of the ability to charge a premium price.

The good news for CLE is that we are, by our very nature, already in the business of staging experiences. Pine and Gilmore suggest the successful economies in the new "experience economy" are shifting to a model in which companies are charging not for goods but for the experience of interacting with the goods. Even though in the CLE business we are not selling goods *per se*, how many of us run our businesses like we are selling widgets versus selling the opportunity to transform the practice of law one lawyer at a time? One question that Pine and Gilmore implore businesses to ask themselves is "what would we do differently if we charged admission?" In the CLE business we are already charging admission but perhaps we should ask ourselves "what *should* we do differently *because* we charge admission?"

This question requires us to consider the nature of the experience we are providing. Pine and Gilmore encourage businesses to consider both "customer participation" and "connection" when designing the experiences we provide. This is a natural fit for CLE providers. We naturally must consider how the customer interacts with the content we present—whether it is by passive participation in a lecture or by deeply interactive participation like a drafting workshop. And we pay close attention to connecting the customer to the material by providing the best environment in which to learn.

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The Experience Economy: A Book Review

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Pine and Gilmore further propose that we consider that there are four realms of experiences (entertainment, esthetic, escapist, and educational) and that the most meaningful experiences engage all four realms. In CLE we have the educational realm covered, but what are we doing to pull the customer into the other three realms? Think about your best annual program. Chances are it is successful because it does more than just educate. It makes your customers feel welcome and comfortable (esthetic), immerses them in a topic (escapist), and includes an element of fun or enjoyment (entertainment).
Pine and Gilmore also propose a five-part model for designing a memorable experience. Here's how you might apply it to your CLE events.

1. Theme — What is the consistent thread throughout the experience you're designing? *Are you thinking beyond the educational concepts that the course presents? Are you incorporating a theme into the experience itself?*

2. Impressions — What are the takeaways of the experience? What will be on your customer's minds when they leave? *How are you ending the program? What can you do to reinforce the theme in a meaningful way?*

3. Elimination of Negative Cues — What is detracting from the experience you want customers to have? *Are the demands of a webcast and its audience affecting the quality of the program you are delivering on site? Is the location you are using simply uncomfortable for your attendees?*

4. Memorabilia — Is there something concrete that customers take with them as a memento? *This might seem difficult to translate to CLE but consider the impact of course materials. In our case, the "IICLE pen" comes to mind — we have them at every program and they have a pen on one end and a highlighter on the other — these are used on site to take notes and then taken back to the office.*

5. Engaging the Five Senses — How can you effectively engage the five senses? *The smell of fresh cookies at the break? The ability to handle and try a Breathalyzer device at a DUI program? Listening to and watching a deposition video?*

This is just the beginning. Pine and Gilmore also share in greater detail the keys to providing a truly transformational experience. As you read through the book, you may become somewhat tired of reading examples of large for-profit businesses — such as Rainforest Café and Kellogg's — because they do not face the same challenges we face as CLE providers. However, I encourage you to give this book and its concepts a try and to start thinking creatively about how you can transform the experiences of your attendees.

A New Approach to Seminar Websites

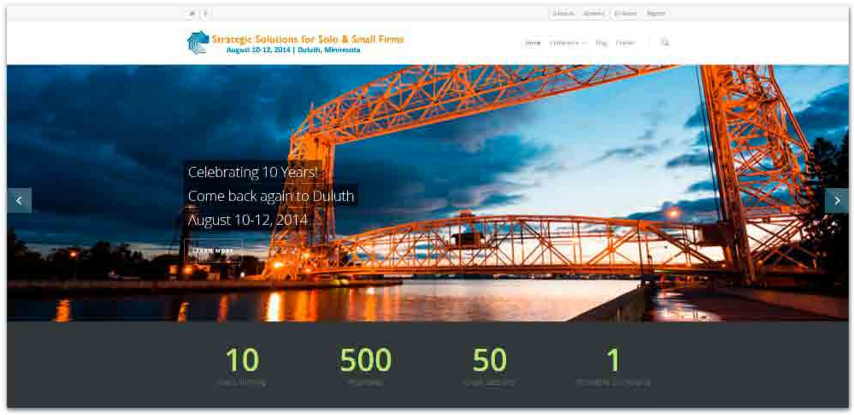
By Aaron Street, Program Attorney at Minnesota CLE, and co-founder of Lawyerist.com

2014 marks Minnesota CLE's 10th Annual Strategic Solutions for Solo & Small Firms Conference (solo/small conference). In an effort to draw our largest registration ever for this event, we decided to experiment with a new approach to website marketing.

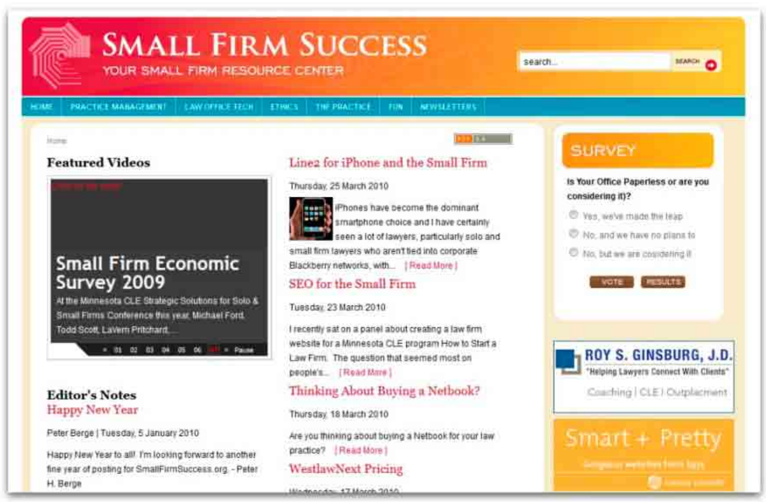
Rather than trying to draw potential registrants and past attendees directly to the registration page on Minnesota CLE's main website, we built a separate, stand-alone site dedicated to the conference. The goal of the site is to improve the branding, interactivity, and year-round community for our annual solo/small conference.

Repurposing Old Technology

There's a great line from the TV show *30 Rock* in which the last pager salesman in New York says, "the beeper is going to make a comeback. *Technology is cyclical*." While it's generally absurd to think that old technology will make a comeback, we decided to bring a dead website back to life.



From 2008—2011, as part of a previous experiment, Minnesota CLE published a small firm tips and resources blog at SmallFirmSuccess.org. By 2014, the site had not only been dormant for years, but was not even accessible, as we had let our hosting account expire.



Because we already owned a great, relevant domain name and wanted to carry forward some of the existing brand and link authority from the previous site, we decided to launch our new website on the abandoned site's domain, but with a completely new design.

Limitations of Minnesota CLE's Primary Website

Minnesota CLE already has a nicely-designed and robust website. However, because that website is simultaneously promoting all of our hundreds of live seminars, webcasts, and publications, it is difficult to focus on promoting any particular product.

Also, because the main Minnesota CLE website needs to accommodate a variety of registration, payment, and reporting protocols, it is a necessarily-robust software platform, but not very flexible.

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A New Approach to Seminar Websites

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To develop a clearly-branded, permanent, and interactive web home for our solo/small conference, we decided to build the new website on a separate domain, using different website software developed by an outside vendor.

Flexible Technology

Minnesota CLE's main website is built on an expensive, sophisticated .Net software platform, developed for all of the complex registration, compliance, and payment needs of the organization.
Because our new SmallFirmSuccess.org site does not need to accomplish any of these functions (we link to the Minnesota CLE site for actual registration), we were able to build our new site on the much more up-to-date and flexible Wordpress software platform. Using Wordpress for our new site allows us to make both design and functionality changes quickly and easily. It also allows us to take advantage of the large open-source Wordpress development community, which means we can add in new features (forums, social media integration, submission forms, etc.) for little to no cost and without needing to engage expensive software developers.

Branded Home

Our launch of SmallFirmSuccess.org as the new home for Strategic Solutions for Solo and Small Firms offers both prospective and regular attendees of the conference the ability to browse a site developed explicitly for their event. The site's domain name, images, navigation, and content are all focused exclusively on the conference and on the needs of solo and small firm attorneys. This differentiates the site from our previous system of building conference-related pages within our broader Minnesota CLE website.

Year-Round Interest

In previous years, Minnesota CLE built a new conference information and registration page on its main website each year for each annual conference. This meant that as soon as the 2013 solo/small conference was finished, there was no information regarding the 2014 conference until a new page was created.
Our new SmallFirmSuccess.org site gives conference attendees a dedicated web home available all year-round, regardless of the timing in our conference-planning cycle. It also allows us to develop additional tools for year-round, post-conference, and pre-conference interactions, separate from just trying to promote registration to the next year's conference. While we have not yet added robust "community building" tools to the website, the fact that we have a flexible, year-round website gives us that ability.

Inbound Marketing

Having a stand-alone, branded website for our solo/small conference also gives us the ability to focus on some online marketing strategies that might be difficult on our main website. Because our new SmallFirmSuccess.org site has a clearly-branded domain and targeted design and content, it is more likely that we can successfully pursue search engine optimization (SEO), online advertising, and blog and social media outreach dedicated specifically toward Minnesota's solo/small firm attorney audience.

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A New Approach to Seminar Websites

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Resources, Interaction, and Community

Since SmallFirmSuccess.org is still in early development and our conference is many months away, we have not fully developed the potential for additional features on our new site. As we move forward with the experiment, we will be able to add in a variety of features that would be expensive, confusing, or impossible to integrate on our main Minnesota CLE website.

Some of the additional features we are considering — which will be cheap and easy to add, when we are ready — include interactive conference maps, activity guides, attendee lists, and social media integrations.

The Future

SmallFirmSuccess.org was launched in January explicitly as an experiment for the 10th year of our solo/small conference this August. If the website proves to be successful at driving new registrations and building an attorney community, we will assess whether the dedicated-website model is worth adapting for our other annual institutes or for other CLE projects. (We are already "squatting" on some other fun domain names, just in case).

Member Moment

Dean Land, *Oregon State Bar*

PROFESSIONALLY

Current Job: Attorney Editor, Legal Publications Department

A Recent Professional Victory: Updating 386 jury instructions (as a result of one appellate court decision!) in time for our annual supplement

Your Latest Challenge: Extracting a response from an overcommitted author (not anticipating that this will turn into a professional victory)

In My Pre-CLE Life, I Was: A judicial clerk, and before that, a ski bum

What Brought Me to CLE: The quest to avoid tracking my time in six-minute increments

TECHNOLOGICALLY SPEAKING

I Never Leave Home Without: Dog hair on my clothes

My Favorite Software: Google Earth

On My Wish List: Ski boots that fit my strangely shaped feet

Must-See Website(s): zoomquilt.org

PERSONALLY

Recent Good Read: *Choke*, by Chuck Palahniuk

Favorite Pastime: Anything involving snow

Date(s) I Never Miss: July 29, National Chicken Wing Day

My Dream Vacation: Trekking in Patagonia

Words I Live By: "No mayonnaise"