



**GREG SISKIND**

"The Internet will help to make legal services and information on the law accessible to a much larger portion of the public. ... Thus, more people will be able to hire lawyers. And more and more people will handle simple legal matters themselves."

PHOTOGRAPHED BARRY MARKOWITZ

## Greg Siskind

### THE INTERNET PRACTICE

**He is:** The 31-year-old Managing Partner, in charge of business development and technology, for Siskind, Susser, Haas & Devine, a 15-lawyer firm with six offices exclusively practicing in immigration law; responsible for the firm's award-winning Web site; previously in solo practice, where he learned to use the Web for key marketing; author of the ABA *Lawyer's Guide to Marketing on the Internet*.

**He says:** "Lawyers who understand that technology should be transforming every aspect of the way they practice law will be the ones who succeed the most in coming years."

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**QUESTION:** How do you actively use the Internet in your day-to-day law practice? The Internet plays a vital role in just about every aspect of our practice. I myself do client consultations through the Internet, while firmwide we use it in a wide variety of ways. For example, we use it to manage documents over the Web and allow clients to access their files online. Currently we're mainly working on this on a pilot basis for a few key clients. We're intentionally going through this process slowly so that clients will become comfortable with it, not so much on the technical level but rather on a psychological level (it's such a new way of interacting with their lawyers). So far they seem to really like it, and other clients are now specifically asking for it.

We also use the Internet to maintain calendars and contact managers over the World Wide Web; to conduct legal and factual research; to provide long-distance clients with instant access to formatted government forms; to receive faxes and voice mails as e-mail attachments; to bill clients and accept online bill payments via

the Web; and to conference via voice and video tools. In addition, we use the Web for a variety of office and administrative tasks such as collecting client information, purchasing supplies, banking and paying bills, booking travel reservations and tracking express mail deliveries.

**QUESTION:** How do you use the Internet to market your firm? We want to be the online source for information on U.S. immigration law. We have worked for five years to develop a Web site that includes nearly 2,000 original articles on immigration law, 100-plus government forms in downloadable Adobe

Acrobat format, an extensive primary source document library, a high-traffic discussion board on immigration law, an advocacy center with information and links to dozens of immigration-related bills pending in Congress and detailed chronicles of key legislative battles, and a good deal more. We also distribute an e-mail newsletter that is typically 50-plus pages of the latest news and analysis in our field. The Web site and e-mail newsletter have a broad appeal to immigrants, lawyers, foreign student advisors, reporters, employers and government and court officials.

By developing strong content, we have been able to develop a regular

and substantial readership. The site has had more than 13 million hits to date and the newsletter is e-mailed to more than 21,000 subscribers every month. Both have helped the firm to build a national brand name quickly and given us the credibility to land top clients. It is the engine that has helped our firm grow from a solo practice to one of the nation's largest immigration law firms in just five years.

**QUESTION:** What advice do you have for other lawyers seeking to use the Internet in their marketing? Our strategy involves an incredible time commitment and will obviously not be right for

## THE BULLET TRAIN GET ON BOARD—OR STAND ASIDE

**TRENDSETTER: STUART LEVINE**

*Since coming to the conclusion that "fighting is an odd way to resolve problems," former lawyer Stewart Levine has specialized in dispute resolution consulting and facilitation. His firm, ResolutionWorks, in Alameda, California, focuses on increasing organizations' effectiveness and profitability by establishing and building cultures of agreement and resolution.*

**Dispute resolution models for the 21st century:** The fundamental change will be a shift back to lawyers honoring their primary role of resolvers. They will use the model that seems best suited for the situation, including a combination of techniques (e.g., mediating issues on which the parties can come to agreement, and arbitrating remaining issues on which they cannot). Effective lawyers will become process designers—they will design the process that gives their client what they want in the most efficient manner possible. On the commercial side, lawyers will see themselves as part of the client's business team. On the personal side, lawyers will realize that their fundamental job is ministering to the client's personal problem or facilitating a life transition.

**Effects of expanded ADR and minimized litigation for the court system:** First, courts will become more specialized and service oriented, with their own experts for taking care of certain substantive issues. Second, they will become direct providers of ADR-type services, and many of the community-based ADR services will become directly attached to the court system. Third, at a certain level of complexity, civil litigants with business disputes will have to pay for services. Lastly, criminal courts will start to offer a wider array of services aimed at more than punishment and housing. As the prison population swells and more civil disputes are resolved through public and private ADR, the courts will start to focus on rehabilitation issues and long-term solutions to criminal behaviors.

**The shift in legal education:** Lawyers will realize that a major part of what they do is manage people through major life transitions. Communication and interpersonal skills will become a very important part of legal education, as will advocacy skills in the context of ADR. Many law schools will realize that although they are academic institutions, the fundamental role they play is training helping

professionals. The third year may well become all clinical and used to staff legal assistance for those who can't afford to pay.

**Cyberlaw and tomorrow's lawyers:** The power of technology is becoming so affordable that lawyers will be able to use expert systems, video and voice recognition so that in a cost-effective manner they will be able to efficiently serve greater numbers of people without leaving their office. Lawyers will have more time to truly serve people as technology takes over the support role. We will have more smart systems to delegate to and many clients will be able to serve themselves in many areas. Creativity and strategic thinking will become the marks of effective lawyering.

**"Calling All Passengers":** Put on your roller skates, and be prepared to stay on them for a while. What it means to be a lawyer will change dramatically in the first quarter of the next century. Rather than look to the past and bemoan the loss, look to the future and the joy of opportunity. The bullet train is departing—get on board or stand aside. If you stand still and resist new ways, you'll get run over!

# CLIENT CONTROLLED MARKET

TRENDSETTER: SALLY KING

**Position:** A professional legal administrator and senior corporate executive, who serves as Vice President, Legal Department, Bell Atlantic, a Fortune 25 company (second largest in the telecommunications sector) that is merging with GTE.

**Background:** 41; a transplanted Brit and MBA; former Executive Vice President and Chief Operating Officer of Counsel Connect; the first non-lawyer business manager for General Electric Company's legal organization (perhaps the largest corporate legal department); recently gave birth to daughter number two.

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**Range of your duties as a legal administrator?** The responsibilities encompass the Legal Department's strategic and operational management, extending from such traditional administrative areas as developing and managing capital and operating expense budgets to implementing our business plan and all administrative policies—including the department's information technology, facilities security and human resources. It is my task to promote a work environment that encourages excellence, productivity, high morale, diversity, loyalty and respect. I also manage the outside counsel process—an unusual position for a non-lawyer. This includes negotiating fees, building and redefining critical counsel relationships, and developing creative cost-saving measures.

**Ways managing a large corporate department differs from managing a large law firm?** In a law department the emphasis is on expense control rather than revenue genera-

tion. Legal results and successes are rewarded both financially and with recognition throughout the corporation. Many of the challenges, though, are the same as at a law firm. Lawyers still have egos, are still perfectionists, still require maximum support and are still providing a service. Managing outside counsel and ensuring that they understand the corporate objectives is not always easy.

**Advantages to having a non-lawyer manage outside counsel?** First and foremost is better management. It is a simple value proposition: Lawyers add the most value to the corporation doing what they do best—lawyering. Similarly, a business manager adds most value by managing the business. A non-lawyer manager has the responsibility to seek a prospective budget and assess the resources deployed. This is always done in conjunction with the in-house counsel responsible for the matter but permits in-house counsel to maintain the "partner" relationship of camaraderie and collegiality so important to good teamwork (and therefore the best possible outcome). For example, the non-lawyer manager is often sufficiently removed from the details of the case to question why six associates have been deployed to the case; to insist that the associates assigned continue with the matter through a reasonable time frame; to suggest that in-house paralegals or lawyers can complete certain tasks and that alternative corporate resources be deployed rather than expensive law firm resources utilized at tremendous cost. In addition, from matter to matter, an outside firm is often brought in at a time of crisis. Speed and creative legal

thinking are the highest priority. Lawyers must correctly focus on the matter at hand, not on the budgetary constraints or the resources available.

**Developing criteria for hiring counsel in coming years?** First, outside counsel must be "expert" in their given field and provide creative solutions. Second, lawyers need to be "available" from wherever they happen to be, and they must be fully attuned with the way in which the law department operates, i.e., they need to be able to work as part of the in-house team. Third, those who have demonstrated an ability to provide true value will be preferred.

**Your technology for managing outside lawyers?** We use the case-matter management system LawPac by ComInfo. We also have an internal intranet site, The LegalWeb, which provides our internal lawyers with resources at their fingertips from wherever they happen to be so that they don't need to go to outside counsel. We like to have e-mail connectivity with all outside counsel and expect documents to be transmitted electronically.

Going forward, information technology will be ever more critical. I anticipate more virtual spaces through which inside and outside lawyers will collaborate. We will also make even more use of Web tools. At Counsel Connect I learned that lawyers indeed have the vision to use the Web as an effective tool, and I believe that they are innovating to make use of "virtual space" ahead of most other professions.

goals in advance in a detailed Internet marketing plan.

Even if you come up with a tremendous site, however, failure to adequately market the site will diminish its impact. Take the time to make sure the site is marketed after it goes online. Develop a marketing strategy for the site both online and offline. A quick rule of thumb: everywhere you mention your phone number in your

every firm. Most firms, however, should be able to find a useful way to incorporate the Internet into their marketing plans. The Web is a highly affordable place to market. Our Web site, for example, costs just \$60 per month and our newsletter goes out via listserv for a \$10 per-month fee.

Firms should carefully consider who their Internet target market will be. Readers of your site could be exist-

ing and potential clients, other lawyers who may have cases to refer, reporters, law students and potential lateral hires as well as lawyers in your own firm.

Your content strategy should be designed around the market you are targeting. For example, a firm primarily using its site as a recruiting tool may view matters very differently from a firm trying to attract attention from reporters. It is important to set

print marketing materials, mention your Web address.

**QUESTION:** How do you see the growth of the Internet and other technologies altering traditional law practice? The Internet will transform the legal profession in ways that many lawyers may not see coming.

Barriers to interstate practices will continue to fall as the public demands the ability to shop for legal services nationwide. Small firms can look as big as large firms on the Web, so size will matter less and less. Boutique firms will thrive because the Internet makes it easier for them to deliver a clear message about what they do well. Larger firms, on the other hand, will be able to use their bigger budgets to focus on using technology to deliver the most convenient and highest quality service. Private client Web sites and firm intranets will become the norm, with the big firms leading the way.

Further, the Internet will make legal services look more like a commodity. Expect to see more consumer demand for fee information on Web sites and to see less satisfaction with the concept of hourly billing.

Most importantly, the Internet will help to make legal services and information on the law accessible to a much larger portion of the public. It will create a more efficient marketplace and Internet technologies will help to drive down the cost of practicing law. Thus, more people will be able to hire lawyers. And more and more people will handle simple legal matters themselves because the tools to do it will be available at the click of a mouse. ■

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# WANTWORK?

THINK VALUE, DIVERSITY, INNOVATION

*As Bell Atlantic's Legal Department Vice President, Sally Fiona King is in charge of hiring outside counsel for the telecommunications giant. A professional legal administrator and MBA, she has the following advice for lawyers in private practice. (See her profile on page 54.)*

**1. Be computer proficient and use every efficiency tool available.** Do not be an "e-dinosaur." Pass along all efficiencies and cost savings to your clients.

**2. Know your client's business, culture, goals and objectives.** Attend industry seminars. Do not believe that all you need in your toolkit are good lawyering skills. Sound business judgment is imperative. So, too, is a broad-based knowledge of your client. Spend time at the client's office on your own dime. Have lunch with clients in their cafeteria. (Do not bill the time!) You will learn more informally than you ever will in a business meeting.

**3. Do not try to be smarter than in-house counsel.** They are very smart and will be your best ally in communicating with the business leaders. In-house counsel usually understand the politics, business, and goals and objectives of the business leaders very well. Ultimately it is in-house counsel who decides which outside counsel is hired. It is smart to make in-house counsel look good whenever you can.

**4. Manage within the budget you have provided—even if you write down many hours.** Do not send a bill via express mail of any kind. Avoid surprises at all costs. If something is going to cost more than estimated, say so as soon as you can, and always explain why. Do not assign associates without approval or without introducing them to in-house counsel. Send bills regularly (monthly is best), and in whatever format the client has requested. Do not let any paralegal bill 12- to 14-hour days "reviewing documents."

**5. Think value.** Review every bill from the client's perspective before sending it. If a bill makes you blush, think again before mailing it. If it would make more business sense to settle a case, or not do a deal, say so. Do not recommend a course of action that you would not take if it were your business.

**6. Innovate and be creative.** That is why you were hired. Be proactive in suggesting solutions; do not be constrained by tradition. Think about radical change over incremental improvement and constantly reevaluate the manner in which you provide service. Evolve to meet the ever changing needs of the clients—but be prepared to change quickly in response to market dynamics. Be available. Voice mail is annoying, so always have a human alternative. E-mail often creates the appearance of complete availability. Be sure to read and respond to both e-mail and voice mail.

**7. Try to look like the client—and the client's customers.** Think diversity! Increasingly, legal departments and corporations have a commitment to diversity, to hire and retain more minority and women candidates. This commitment extends to hiring minority law firms and firms with minority partners and associates. Similarly (but certainly less important), if it is casual day at the client's, dress casually to attend meetings there.