November 2013

# TLOMA Today

A publication of The Law Office Management Association

TLOMA 45th Anniversary 1968 2013 The Law Office Management Association


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- **Coming Up Through the Ranks**
  Tuesday, November 26th
- **December 'Member Only' Networking Event**
  Friday, December 6th
- **2014 Conference, September 17 to 20, 2014**
  White Oaks Resort & Spa


## President's Message

How many times have we heard the word "opportunity" exchanged for the word "obstacle" when it comes to facing a difficult moment or a new situation which we might...READ MORE

## Conference Today's Vision:
### Tomorrow's Reality Wrap-Up

The TLOMA 25th Annual Conference was held September 25th-27th in Niagara Falls, Ontario. It was the largest attended event of the...READ MORE

## TLOMA From A Vendor's Point of View

Every autumn I look forward to the TLOMA conference and Trade Show. It's an event that I happily put into my calendar. It allows me to escape my day to day...READ MORE

## Video Interviewing Is Coming Of Age

Recruiting for your organization is often a lengthy and resource intensive process. The traditional recruitment model, up to this point, has required HR managers...READ MORE

## A Message From Your Website Committee . . .

Over the past year, your website committee has dedicated itself to create a site that is interactive, current, responsive and relevant. Ultimately we want a resource...READ MORE

## Bookkeeping Matters
### The Silver Lining Behind The Dark Side Of Cloud Computing

While I was at a practice management software conference in San Antonio, Texas, last month, the term "in the cloud" was noticeably interspersed throughout...READ MORE

## A New Day Has Come
### Legal Market Data Like You've Never Seen Before!

You may know it as the TLOMA survey, but have you seen it lately? Recently, the Compensation Committee embarked on a journey with its members...READ MORE

## Looking Ahead
### To Get the Best, You Have to Have the Best

In the modern world, technological innovations are occurring at a dizzying pace. Every industry and profession has seen dramatic improvement...READ MORE

## Exit Interviews:
### Why Exit Interviews Can Help Corporate Managers Do A Better Job

Working with an industry leader who have been in the reference business for nearly 20 years and having worked on more than 35,000 files,...READ MORE

**TLOMA Today**
**Editor:** Janet Baker
**Advertising:** Liz Barrington

## PRESIDENT'S MESSAGE

By: Janice Rooney

# TURNING LEMONS INTO LEMON MERINGUE PIE........

How many times have we heard the word "opportunity" exchanged for the word "obstacle" when it comes to facing a difficult moment or a new situation which we might find challenging or impossible at first glance. While I don't exactly support the theory that one can always turn lemons into lemonade, and perhaps that is only because of my valiant attempt to avoid "sugar" in my diet . . . I do take the opportunity to carefully assess each new situation and digest that "golden nugget" of learning whenever I am faced with the task of climbing a new mountain while discovering my "capability" as opposed to focusing on my limitations which keeps me in that corner of self-doubt. Yes, I discovered that making lemon meringue pie rather than lemonade better suits my capability when it comes to tackling lemons.

My self-confidence and ability to surface from my corner of self-doubt were tested very recently. I had the opportunity, or should I say "challenge" of actually signing up to do something I had never tried before and which required physical as well as mental strength. While it was thrilling to me conceptually, when the appointed hour came, my stomach turned to a feeling of nausea and my knees actually "weakened".

So what was it that made me so queasy and unsure of myself . . . my husband and I had signed up to "crew" on a state of the art 12 Meter Class Canadian icon racing sail boat, the "True North", to attempt to race the infamous and equally iconic "Stars and Stripes", the winner of the America's Cup sailing regatta for many years, while stopping in St. Maarten on our vacation. Having voluntarily signed up and paid for this new experience, in theory, and looking at the pictures, it seemed like a fabulous opportunity. However, my self-doubt started to creep up on me around 9 a.m. that morning. Although sailboats and the theory of sailing were not entirely new to me since I had an older brother who was a keen sailor, this was going to be very different from me joining him on his mini-sailboat many years ago which required a crew of "one and a half" people and really was no bigger than a dinghy with a sail attached. Yes, this was quite another story entirely! And I had knowingly and willingly put my husband and I potentially in the face of this new experience requiring strength, stamina and courage and facing the unknown. Yikes!!! Now came the test.

As I surveyed from my pier vantage point those who had embarked on an earlier time slot racing each other around the ocean course, the fear set it – big time. Gosh, those boats were heeled over to the point of tipping, or so I thought. It was a very windy day. The waves were very high!!! How would I even be able to get on to the sailboat with a bad knee and hip - what if I couldn't do the task as a crew member that they trained us for - what if I got sea sick as the waves were particularly high that day - what if - what if - what if!! And the more I conjured up my mental picture of the "obstacles" I faced, the more nauseous I felt. So much so, that as we boarded the tender to take us out to the sailboat I seriously thought I should tell my husband that I just couldn't go through with it. But I was not a quitter!!! It was then that I remembered the thrill of sailing with my brother in that small boat thirty years ago, and how he had told me the peacefulness he felt while out on the high seas doing something he loved. The azure blue ocean, the waves, the wind filling the sails . . .and sure enough, once I hiked my leg up and over onto the boat and the training began, the self-doubt fell away to a feeling of excitement and sheer delight and my husband and I grinned at each other like two small children at play as we bobbed up and down getting ready for the big race!!! Two hours of complete joy later, I was sad that the experience was at an end . . . and while we lost the race by a mere two feet, we were all winners and had bonded over this lifetime experience, which, as it turned out, was new to all of us on the crew.

As I return now to my daily tasks, doing a job that I love, whenever I am faced with an unknown or daunting task or difficult situation, I remind myself that I am doing what I love to do as a profession and I find my way out of my negative corner of self-doubt. I adopt my sailboat mentality. There is always a resolution if we look for it with an open mind and embrace it as a learning opportunity as we add each experience to our vast memory bank of accomplishments, stored away for future use.

As I reflect on my ten months as President of TLOMA, while the role was certainly a new and somewhat daunting challenge for me at the outset, and sometimes the waves seemed high, the "crew", my fellow Board members, have all helped me unwaveringly to find the right path and follow the wind to fill the sails. We can overcome our self-doubts when faced with new situations by remembering and calling upon what we know and sharing our experiences to help others. I hope you will all continue to openly share your experiences with each other as TLOMA members to help each of us tackle new things and to overcome our fears and self-doubt as we embrace new opportunities for growth and learning in our firms.

**Janice Rooney**
**TLOMA President**


*Chair - 2013*
*Conference Committee*

**By: Mary Lavis-Todd**

# CONFERENCE TODAY'S VISION: TOMORROW'S REALITY WRAP-UP

The TLOMA 25th Annual Conference was held September 25th-27th in Niagara Falls, Ontario. It was the largest attended event of the year.

To all who attended – thank you! The response was overwhelmingly positive and we had delegates from far and wide attend our Conference. Some of these places were Vancouver, Nashville, Chicago, Dominican Republic, Northern, South-Western and Eastern Ontario.

We kicked off the Conference with an awesome networking event where we had to work together as teams and create an "Icebreaker Martini". The pitch in the room was feverish, competitive behaviours demonstrated and creativity and innovation at work.

*"Ground Control to Col. Chris"* Our first keynote address was presented by Colonel Chris Hadfield a truly inspirational leader. In his passionate and illuminating talk, Chris Hadfield provided the audience with useful and practical lessons he's learned throughout his remarkable career in the fields of leadership, teamwork, collaboration, science and technology. He truly motivated us to achieve dreams higher than the clouds.

If you are being bombarded with information and your mind is overworked, then this session was for you. Nick Bontis an internationally recognized intellectual capital expert, taught us how to de-stress life and eliminate the information induced pressure. His riveting and interactive presentation was truly enlightening.

Our closing keynote presenter, Meg Soper, is recognized as one of the premier motivators in Canada. Meg provided us with a humorous side to our lives that we all seem to forget from time to time; laughter in ones life creates a healthy and positive response and we all left feeling light, happy and ready to conquer the world of herding cats.

The professional development sessions conducted by Mark Bowden, communications specialist, demonstrated to us how you can use persuasive communication skills to set you apart, win trust and generate profit; Elaine Charal a certified handwriting analyst – showed us how handwriting is a key element to hiring decisions; Kyle Couch a trend spotter, delivered real time current and emerging trends of the audience; Jesse Hirsh, researcher, consultant in new media and business models, provided the latest trends and perils of emerging technology.

The professional development sessions enabled us to learn and grow from the wealth of knowledge provided by the speakers as well as our shared experiences with one another.

Friday evening was truly a magical event with champagne, fireworks and dancing to great sounds from LMT Connection.

We celebrated 25 years of conferences as well as 45 years as an Association. Several of our Life Members were able to attend this event – Christine Bogle, Dee Nevett, Theresia Skoberne, Charles Bennett, Susan Bennett, and Lynn Joiner. Our Life Members have truly been instrumental in the development of TLOMA, and we were thrilled they were able to join us at this celebratory occasion.

Thank you to our delegates for making this event a truly spectacular one. We appreciate the time you take away from your everyday job to support our Association.

In conclusion volunteering does make a difference to those around you. Volunteers are paid in six figures - S.M.I.L.E.S. Reap the rewards and make a difference to your organization and be a part of the Conference Committee.

**Mary Lavis-Todd**
**2013 Conference Chair**

*AND the 2013 Conference Committee: Roz Chasler, Deborah Davids, Lonnie Wellman, Joanne Pinnellis, Roger Rosemin, Jenny Telesford, Bernard Quilty, Dianne Quinlan, Jennifer Norman, Jenny Tavares*

By: Evan Glazer

# TLOMA FROM A VENDOR'S POINT OF VIEW

Every autumn I look forward to the TLOMA conference and Trade Show. It's an event that I happily put into my calendar. It allows me to escape my day to day routine, meet my peers, our competitors, our customers, our friends. TLOMA allows me the opportunity to showcase my company while being myself. That is unusual in the world of sales. Usually Sales People put on a persona of who we feel our prospect wants us to be. I have stepped back from many Trade Shows and asked why we attended as a vendor. In some cases, there was no reason to attend again. In other cases, we've attended for a few years and then declined to return. That has never been the case at TLOMA.

This is my story of why TLOMA is special to me (and my company).

Nine years ago I was invited to attend my first TLOMA Trade Show at White Oaks. I was new to Imperial Coffee, new to the coffee industry and I had no clue what to expect. I had worked in sales roles and customer service roles for over 20 years but had never been involved in working at a Trade Show before. I was a complete newbie! I actually did some research ahead of time by attending several other shows. I went to a packaging show, a tool and die show, an office supplier show and even a hardware show. I saw how trade show booths were set up and how thousands (or so it seemed) of nameless people wandered the aisles aimlessly searching for the best giveaways. I attended a seminar (no kidding) on how to work and manage a booth at a trade show. I learned such valuable tips as; pay attention to who is in your booth, make eye contact with everyone, stay off of your phone, don't sit down and do not waste time with people who clearly are there only to waste time. The presenter reminded everyone that the ONLY reason to do tradeshows is to get new sales leads so whatever you do, get business cards or scan everyone's badges and follow up quickly.

I was ready. Our planning committee started discussions on what we should showcase and it was quickly evident that the other two people who were going knew something that I didn't know. I was asking questions about seating areas, whether we should plan enough drinks for 3 days or 4 and who would work which shift. Quickly I was unceremoniously relegated to the "just show up" guy. On the day of the trade show I showed up just in time for the start of the show. I was ready. I had a pocketful of business cards, a notepad and a plan. I, being the new guy, was going to impress everyone by earning the most leads and by sharing my knowledge. Boy was I wrong! It quickly became evident that the other two people who were with me already knew most of the attendees. This was more of a social setting than a sales show. We were having conversations (not pitches). We were hearing about changes at various law firms. I was meeting new people and it felt like I was honestly welcomed into a circle of old friends. Was that possible? Did everyone who attended this show get along? Even competitors?

Fast forward 9 years. As a company there is no question that we see the value in TLOMA. Every year we come to the show and are never disappointed. For us the Trade Show has become a time where we can showcase a few new things that we are either about to take to market, have just taken to market or just need some feedback on. We trust in what the TLOMA attendees think. We have discovered that many of your firms share similar challenges that we do. A common thread seems to be honouring our histories with an eye to the future. How do we modernize without forsaking what has worked so well for us? Simple answer - we discuss this with you. We've discovered that you are collaborators. It is obvious that you know what will work best in your offices and will share that with us. All that we have to do is bring it to you. Quickly, efficiently and with a smile.

As for me, I wouldn't miss TLOMA for just about anything. You've become my sounding board, my taste testers, and my peers. You are my greatest advocates and my harshest critics. You constantly challenge me to make myself and my company even better. I can loosen my tie with you. I can have conversations about world events, about things that are changing in your firms, about things that are changing at Imperial coffee. Mostly I can be who I am. A guy who really loves what I do and a guy who seemingly is on coffee break all of the time. I love that I can share this side of me with you.

As for the TLOMA conference, thank you for making us (and I assume all of the vendors) feel welcomed and appreciated.

*Evan Glazer is Sales Manager for Imperial Coffee. Prior to joining Imperial he worked in various positions within the filtered drinking water cooler and hotel industries. Evan's educational background includes Chef's training while working as a Manager at the Sutton Place Hotel and Human Resources at Ryerson. His background includes roles as Director of Human Resources and Training and various sales roles. Evan has received substantial coffee and tea training and has his Quality Coffee Certification, Certified Water Specialist training and has recently attended Tea School at George Brown College. He is an avid cyclist and runner and has raised tens of thousands of dollars for Children's Charities such as Tour for Kids. Evan's approach is extremely collaborative and customer centric (although he will give you a gentle nudge if needed) and prides himself on helping to put a smile on customers' faces. Evan can be reached at evan@imperialcoffee.com or visit our website www.imperialcoffee.com.*


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# VIDEO INTERVIEWING IS COMING OF AGE

**By: Sabrina Unger**

Recruiting for your organization is often a lengthy and resource intensive process. The traditional recruitment model, up to this point, has required HR managers to spend countless hours sourcing candidates and then scheduling phone interviews. Depending on commitments, scheduling and on-site interviewing, it can be difficult and time-consuming. With this in mind, recruiters have sought out new ways to improve their hiring model. By implementing the best available technology, the flow of communication between recruiters and candidates could greatly improve. An improvement such as this provides solid returns, both by reducing company investment and perhaps, assisting in identifying a superior candidate.

Video interviewing uses online video technology to virtually connect candidates and recruiters. There are two types of video interviews: one-way interviews and two-way interviews.

One-way interviews are prerecorded by candidates and are viewable by recruiters at their convenience. In this type of video interviewing, all applicants answer the same set of questions created by recruiters. Two-way interviews are live, virtual interviews between candidates and recruiters who can be thousands of kilometers apart. Each counterpart sits in front of a computer with a webcam and the interview is conducted in a similar fashion to a traditional in-person interview, with less scheduling woes and minus the travel expenses. Just like one-way interviews, two-way interviews are recordable and shareable, giving recruiters the luxury of being able to reevaluate their potential hires and getting the opinion of their colleagues.

Video interviewing is not new in the world of recruiting. Large, technology-based organizations such as Google and Microsoft have been using this interviewing process for years and today, companies of varying sizes within different industries have begun to utilize this time and money saving technology. According to a survey conducted by GreenJobInterview, almost half of companies with less than 100 employees have used video interviewing to find new talent. Since 2011, the use of video interviewing has increased by 49% and is projected to continue on an upward trend.

The popularity of video interviewing has increased in the last few years, and for good reason. We all know the saying “Time is Money,” and with video interviewing, companies can save both. This recruiting method can greatly reduce the average hiring period. It takes 90 seconds for a recruiter to determine whether or not a candidate will be a good fit for a position, while most phone screens last an average of 30 minutes. Video interviews save both the recruiter and candidate time that will have typically been spent filling an unsuccessful interview. One-way interviews can increase the productivity of recruiters, allowing them to source more talent in less time. In one 30-minute phone interview, recruiters can view up to 10 prerecorded video interviews. Another appealing characteristic of video interviewing is the fact that it is economical. Two-way interviews can be arranged with candidates that live far away from the company and are much more revealing than regular phone interviews. Recruiters will be able to see the candidate’s facial expressions, as well as his or

**VIDEO INTERVIEWING IS COMING OF AGE** CONTINUED...

her overall body language, both of which are very telling of a person's interest level. The ability to connect with candidates from anywhere in the world is driving more and more companies to use this technology. It allows recruiters to expand their candidate talent pool and truly find the right person for the job without geographic limitations or expensive travel costs.

Despite these savings, there are still some disadvantages of video interviewing that must be considered. Problems with the technology itself impede the interview process, specifically in two-way interviews. There is no guarantee that technical difficulties won't arise and, when they do, the loss of Internet connection or webcam issues for example, can disrupt the entire process. This is particularly disadvantageous for candidates because technological issues can negatively impact their overall interview. The most commonly mentioned drawback of this recruiting method, however, is the absence of interpersonal connection. The social and personal aspect of face-to-face interviews are extremely helpful in determining whether or not the potential hire will be a good fit for the position. Candidates also have their own reservations about video interviewing. According to a research conducted by McMaster University's DeGroote School of Business, candidates find recruiters less personable and trustworthy in video interviews. At the end of the day, candidates also have to decide whether or not the company or position is right for them, making it important for recruiters to ensure candidates get the best experience. This is especially important for recruiters who are searching for a potential hire in an already small talent pool.

Keeping these benefits and drawbacks of video interviewing in mind, should your company start using this method of recruiting? If you want your hiring process to be more productive, convenient, and economical, then yes, you should! Recruiters must remember that video interviewing should not be used to completely replace the traditional recruiting process, but rather in combination with it. Preliminary sourcing and interviews should be conducted using this technology because it is more informative than a simple resume and makes better use of time. Video interviewing will give recruiters and hiring managers a better sense of which candidates are qualified to invite back for an in-depth interview in order to save time and money.

*Sabrina Ungar is the Manager of Legal Support, Cartel Inc. Sabrina was employed early in her career as a legal assistant where she gained practical working knowledge of the legal industry and an academic perspective through a leading educational institution. Her 15 years experience as a recruiter facilitates her insights and substantiates her interest in this growing and specialized field. She looks forward to speaking with you. Contact Information: 416-359-9000 ext 207, Sabrina@Cartelinc.com. Cartel provides efficient, time-saving and long term staffing solutions for leading law firms across the GTA.*

# A MESSAGE FROM YOUR WEBSITE COMMITTEE . . .

*Vice-Chair*
*2013 Website Committee*

**By: Karen Hervias**

Over the past year, your website committee has dedicated itself to create a site that is interactive, current, responsive and relevant. Ultimately we want a resource that empowers and connects its members. One such feature can be found on the career page where members can now create and post their own job postings. In the coming months, we invite you to fully explore the website. We even ask that you invite non-members to take a look. If you feel a non-member can benefit from its use, we want to know about it. We appreciate any comments/ideas that will help improve our work. Please feel free to contact anyone in the committee.

2013 Website Committee

Chair - Mary DaRosa, Vice-Chair - Karen Hervias, Edward Asmar, Janet Baker, Dean McCarthy, Josephine Schembri, Natercia McLellan

2013 TLOMA Conference

# Today's Vision: Tomorrow's Reality

Celebrating 25 years

September 25 - 28, 2013 Sheraton on the Falls, Hotel & Conference Centre

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# 2013 TLOMA Conference
## Today's Vision: Tomorrow's Reality

Celebrating 25 years

September 25 - 28, 2013, Sheraton on the Falls, Hotel & Conference Centre

By: Keith Hill, Jr.

# BOOKKEEPING MATTERS -

## THE SILVER LINING BEHIND THE DARK SIDE OF CLOUD COMPUTING

While I was at a practice management software conference in San Antonio, Texas, last month, the term "in the cloud" was noticeably interspersed throughout several key panels. Cloud computing is on a growth spurt, they said, companies large and small are adopting this new way of doing business. According to one presenter, Larry Foote, a Microsoft Territory Manager, even large corporations such as Home Depot and McDonald's have integrated Microsoft's cloud-based solutions in to their businesses – its use in the corporate environment is on a steady rise. Industry experts believe this trend will continue to grow over the next few years as averseness to working in the cloud continues to decline and the technology in this area continues to advance. But when it comes to the business of law firms' bookkeeping and matter management, does the same trajectory apply?

### What is Cloud Computing?

Most people don't realize, but whether or not you understand the term "in the cloud", chances are you've already experienced it some way. For instance, if you've used the well-known email platforms Gmail or Hotmail, then you've experienced a form of cloud computing. Simply put, "in the cloud" means the software and data you are operating is not on your computer – it's on a network of servers located in another location where they are monitored and maintained. As a user, you merely access the software and the data via the Internet.

### Firm Management in the Cloud

Cloud computing for legal practice management was popularized with the introduction of the Clio and Rocket Matter brands five years ago. In February 2008, Rocket Matter went beta and less than two weeks later, Clio followed with its own beta launch. Though Rocket Matter was first with a beta release, Clio led with its full version on October 1, 2008. Rocket Matter followed suit nearly one year later on January 6, 2009 with Rocket Matter 1.0. These two Software as a Service (SaaS) products continue to hold the lion's share in this niche area, however, there are several other competitors who are also in the marketplace.

Once such entrant, Firm Manager from LexisNexis (the developers of PCLaw), is currently in beta but seeks to present a more promising option to the legal community when it's fully launched in January 2014. Because of the LexisNexis industry recognition and with several key differential advantages that Firm Manager promises, they stand a good chance at becoming a formidable competitor to both Rocket Matter and Clio. But even with these current and future platforms in place, many lawyers are still concerned with managing their practice offsite, online, in the cloud.

### The Dark Side of the Cloud

Since working in the cloud is dependent on the Internet, a reliable online connection is always required. But even the best Internet service provider can go down at the most inopportune time – and when it goes down, you go down - out of the cloud. Likewise, cloud service providers can also have unforeseen failure. Either of these scenarios could prove to be very problematical if working on an important file at the time.

As lawyers, there is also the professional and ethical responsibility of safeguarding clients' confidential data to be considered. Managing your data in the cloud means you will be surrendering protection to a third-party with online portals for safekeeping. In an era of hacking, identity theft, malwares, spywares and the like, it's no wonder why concern exists - nothing on the Internet is entirely secure, so your company can be exposed to online threats.

### The Silver Lining

But not all things are bad in the cloud. Two of the most evident pros of utilizing practice management software in the cloud are what I call "geo-convenience" and the "big network benefit".

Geo-convenience is the sexy part of maintaining your books in the cloud. The luxury of having access to all your files from any geographic location at any given time – to not be tied down to a desk or to your computer, is an unparalleled freedom for most lawyers. This benefit is generally the initial draw when contemplating going to the cloud.

The big network benefit refers to your files being hosted on mega-computers that are monitored by tech geniuses 24/7. This benefit commonly comes with an abundance of storage and infinite potential for growth. Also, the big network advantage includes the ability to back-up and restore much easier than doing so on a traditional drive. Cloud service technicians keep a high standard of maintenance and are usually extremely competent, more than the average IT consultant, particularly in handling recovery issues. And they can typically offer levels of security for protecting their servers that an average small firm cannot afford to protect their own.



### Up in the Air

Having said all that, cloud-based computing for practice management, at present, is not a robust and comprehensive solution suitable for growing and large firms. As it stands, it can mostly satisfy the selective needs of the micro firm. But even in this capacity it must be kept in mind that any cloud-based firm and matter management software will also require the use of an accounting program such as QuickBooks (which Firm Manager is designed to use) or Xero, Clio's affiliated SaaS accounting based program; no viable stand-alone option currently exists and accounting based software is essential for satisfying Law Society of Upper Canada compliance mandates.

As for the full potential of this technology in the bookkeeping and management of small and large sized firms, only time will tell; for now, its prospective benefit along with its likely functional usability in the future is still "up in the air".

*Keith Hill, Jr. is an associate at Accounting for Law. For 13 years Accounting for Law has been satisfying bookkeeping needs for lawyers throughout the GTA – specializing and certified in the PCLaw practice management software. Keith can be contacted at: keith.hill@forlaw.ca / 647-459-4LAW / www.forLAW.ca*

*Chair - 2013 Compensation Committee*

By: Cheryl Brass

# A NEW DAY HAS COME

## LEGAL MARKET DATA LIKE YOU'VE NEVER SEEN BEFORE!

You may know it as the TLOMA survey, but have you seen it lately? Recently, the Compensation Committee embarked on a journey with its members to introduce a new survey methodology that would address issues that previously challenged past editions. How do we provide good market data to a membership that is varied not only in size but in its job requirements? Enter, broadband . . . this survey methodology implements best practice and standardized survey methodology. It uses job families, sub families and career levels descriptions with compensable factors - there are no descriptions per job.

While not all career levels may apply in all firms, the methodology typifies traditional career progressions within an organization. Another bonus, Firms with no current grading/evaluation system can use this methodology to assist them in managing the internal equity of their pay. So what does this really mean? Well, quite simply, this methodology provides the ability to match jobs that were previously unavailable. It naturally resolves requests related to job levels and general industry jobs, which allows us to easily incorporate the feedback received from the membership every year. How do we know it works? The proof is in the results! On September 17th, 2013 the survey results were presented and the Committee, together with AON were pleased to report that over 900 more incumbents matched to the survey

**A NEW DAY HAS COME CONTINUED...**

and over 70 more roles were reported this year. This is fantastic news for TLOMA as it demonstrates that we are on the right track to providing market data that reflects our membership. This survey is clearly designed for ALL TLOMA members regardless of firm size. If you did not participate, but would still like to purchase a copy of this survey, please contact TLOMA.

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# LOOKING AHEAD -

## TO GET THE BEST, YOU HAVE TO HAVE THE BEST

**By: Josh Silver on behalf of Korbitec Inc.**

In the modern world, technological innovations are occurring at a dizzying pace. Every industry and profession has seen dramatic improvement and vast changes to the way in which they had historically operated, as a result of these impressive advancements. With each passing year, more and more innovation occurs, and the ability to incorporate these improvements and apply them to your professional life becomes a glaring necessity. Furthermore, younger generations who are now or soon to be entering into the workforce will come from an upbringing and a perspective where they have known no life without the advent and pervasiveness of technological aides and intelligently designed products.

It is important to consider the perspective of the young, eager employee. At present, professional and employment opportunities are controlled or determined by a generation of employers, managers, and supervisors who are likely to have come of age and matured as employees in an environment that did not necessarily embrace automation, let alone modern practices immediately as they became available. To be sure, technology is now widely used, and many companies could not function without using modern conveniences and technologies. But what does the young potential employee look for in an employer?

Companies and firms that are best poised to succeed in the future are those who are quick to adopt and embrace modern developments. By being at the forefront of any advancements, these organizations will be better prepared to move forward and recruit the best potential employees. After all, those potential employees are going be young people who have grown up in the digital age. They may not be accustomed to a work environment – or any environment – that is bereft of technology. The best and the brightest among new employees, and specifically young lawyers, will almost always have the opportunity or luxury of choice in selecting their employer. If it is those upper echelon lawyers that a particular employer wants to hire, those fortunate enough to have options are likely to select someone who embraces the digital age.

This is critical because recently graduated young lawyers are among a unique demographic. The technologically savvy employee will look to secure work in an environment that utilizes every practical innovation. This demographic is old enough to remember making repeated trips to the library to perform elementary and high school research projects in encyclopedias and other resources without any computer aids – three cheers for the Dewey Decimal System! – yet young enough that many of them consider themselves technologically savvy and socially engaged. Furthermore, it will not be long before there is a group of law school graduates who have never known a world without pervasive technology accessible at their fingertips. It is this demographic that is the next wave of lawyers, paralegals, and law clerks.

An employer that wants to stay on top of the industry by attracting the best employees will have to make themselves as appealing as possible for the potential employee. The firms that will best succeed in this endeavour going forward are those firms which readily and rapidly embrace time and cost-saving technology.

Much like any other industry, lawyers talk amongst themselves, sharing information about best practices and firm cultures. Reflecting on similar conversations held with other articling students and young associates at their various law firms, there was a stark contrast in the way some firms readily utilized what was available, and others that eschewed such products and innovations. It was an interesting reminder of the dichotomy between various law school professors, and their approach to educating future lawyers.

Having been fortunate enough to work at a firm with a good grasp of the importance of technology, I find it tremendously unlikely I would go to work in the future at a firm that does not embrace it in the same way. Modernity equals efficiency, and efficiency equals cost-savings. As we now live in an age of instantaneous access to information, the professionals that we seek out to act on our behalf should be making use of every relevant convenience and innovation. To not do so means being left behind in the ongoing struggle for attracting both bright legal talent, and the lifeblood of the legal industry everywhere, clients.

*Josh Silver is a graduate of the dual-J.D. program at the University of Windsor and the University of Detroit-Mercy. Josh completed his articles with a boutique litigation firm in downtown Toronto acting for both plaintiffs and defendants. He is currently practicing in the areas of Litigation and Estates law.*



Please consider the environment before printing this publication.

By: Myles Harding

# EXIT INTERVIEWS:

## WHY EXIT INTERVIEWS CAN HELP CORPORATE MANAGERS DO A BETTER JOB

Working with an industry leader who have been in the reference business for nearly 20 years and having worked on more than 35,000 files, I have a great opportunity to peek "under the hood" of a variety of companies. Many corporate shuffles, numerous employees coming and going.

One way I have learned to see the human resource process is in a "cyclical" analogy. The involvement of a reference check firm in the HR world usually comes at the beginning of the hiring cycle. Somewhere in conjunction with a job offer.

**When an employee departs.**

Another part of the process that is less visible, in my opinion is no less important. It involves everything that has to happen when an employee departs. It's also part of the HR cycle - and like our changing seasons, it's all interdependent in business, in a very bottom line way.

Employee departures merit serious management concern. In our opinion, they are something that managers should pay a lot more attention to.
Replacing staff is costly. Managers should reduce turnover incidents.

When companies lose staff, managers have largely told us the same story with different colors. Employees leave an organization for a variety of reasons. Sometimes it's so obvious that we often don't think about it.

**EXIT INTERVIEWS** CONTINUED...

Staff has typically been recruited, extensively trained and paid. They developed hands on experience. They learned to fit into the corporate culture. They added value for some period of time, long or short.

The company paid to develop that value. Often, quite a lot as outlined below. And they will have to do it again. Repeatedly.
The Costs Add Up In Dollars, Hours, Team Effort.

By the time a background reference check is required, there has been a recruitment process which may or may not be expensive - but it is seldom cheap. And then a new staff member must be specifically trained by the department itself. Time and effort is required.

And often not discussed is the collegial nature of workforce. Fellow employees tend to help the new staff, in fact becoming less efficient themselves and obviously not producing. There are only so many hours in a day. I have heard about many management line items to consider in terms of cost. Some of them are as follows from covering a vacation to filling a vacant position.

- Paperwork for the departing employee
- Vacation, severance and sick pay
- Unemployment compensation
- Recruitment activities including advertising, job fairs and search firms
- Interviews, reference checks and background checks
- Hiring or referral bonuses
- Training: formal classroom and on the job training
- Productivity gap between previous employee and new employee
- Inexperience errors
- Lower moral and lower productivity of other employees
- Financial consequences of slower service
- Employee cost salary & benefits
- HR/Hiring manager's annual salary and time
- Cost of advertising (online and/or print)
- Resume screening
- Interviews telephone screening
- Behavioral and skills assessments
- Cost of travel/moving expenses if applicable
- Onboarding & orientation
- Cost of productivity ramp-up

When you think about employee turnover over of a year or more, and do the math, it can be a staggering number.

**Limiting employee turnover - one key to success.**

The purpose of a background check is to help companies and their advisors make better decisions regarding the Workplace Environment through the provision of timely and actionable information.

**Data gained through exit interviews can change HR strategy.**

To limit future employee turnover we have found that exit interviews are a great tool. Managers have told us that a scheduled exit interview is an excellent way to find out what happened and why. Those exiting a company can often provide valuable insight of an organization's shortcomings.
Management is generally hesitant to implement exit interviews. Most are nervous about what will be written about them; backlash from the departing team member.

But to put it bluntly - too bad for them. Decision makers need this information to help build a strong, healthy team. Information like:

**EXIT INTERVIEWS** CONTINUED...

Are there managers who are in conflict with their team? Is staff unprepared?

Are they incapable of performing? Are they unhappy regarding salary, holidays or benefits? Are they aware of unethical practices they see occurring?

Employees that are exiting sometimes have insights into the company that they are more than happy to provide. Sometimes this is their last chance to put forward their ideas and may actually be an indication of why they left.
Finding out what caused valued employees to look elsewhere can help managers can get to the real reasons employees are unhappy. Hearing about bosses or company dis-organization, the things that staff don't discuss, can be brought forward during a professional, nonjudgmental exit interview. By an independent third party.
One excellent reason to use an outsourced provider of exit interviews is to encourage truthful insight. The assurance to departing employees that their answers are confidential can help management make positive changes needed to improve retention.

**Save your organization from the costs of employee turnover.**

Meaningful insight can be provided through outsourced, in depth exit interviews and discover the real reasons employees are leaving. Interviews can be conducted personally and confidentially to provide comprehensive, customized reports.
Managers can use exit interview data to point to areas for improvement and take steps toward positive change.

Our experience has proven that exit interviews can and do lead to better management.

*Myles Harding is the President of Inline Reference Check. With over 35,000 files completed, Inline is Canada's most experienced background checking firm. Inline's veteran staff perform in depth, professional, reference, retention and exit interviews at the highest level of service. Inline helps managers improve workplace environments, lower employee turnover, retraining costs and improve HR hiring practices. Myles (at) InlineReference.com - @inlinerefcheck – www.inlinereference.com.*

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