

LinkedIn is Boring – But Lawyers Should Be There Anyway



LinkedIn is the least popular of all the big social media channels, but it's still considered a must for companies looking for business and individuals looking for jobs, writes Amy Boardman Hunt of [Muse Communications](#).

“In trying to unpack that contradiction, I discovered that there are valid, in fact glaringly obvious, reasons that LinkedIn lags in popularity. In fact, [according to this report](#), more than three-quarters of LinkedIn users log in to the site less than once a month,” she explains.

She offers some helpful tips for maximizing your LinkedIn presence in a low-maintenance way.

[Read the article.](#)

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The Biglaw Firms That General

Counsel Absolutely Adore

An [Above the Law](#) review of a BTI Power Rankings report reports that only 33 percent of general counsel find themselves in a state of “clientopia” with their go-to law firms.

The BTI Power Rankings report was based on 960 in-depth telephone interviews that took place between March 2015 and February 2017. Jones Day topped the list.

Law360 also reviewed the report: “The biggest area in which law firms are falling short from achieving client service bliss, according to BTI President Michael Rynowecer, is that many have a lack of understanding of their clients’ businesses, something he says is becoming ‘a bigger and bigger problem.’”

[Read the Above the Law article.](#)

The Lawyer, the Addict



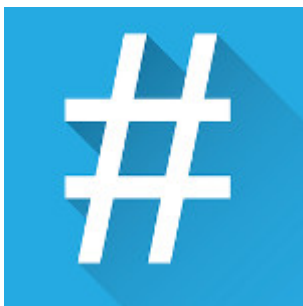
In a [New York Times](#) article, the ex-wife of a high-powered Silicon Valley lawyer looks back at the decline and eventual death of her ex-husband – a death caused by a drug addiction that no one else had seen slowly changing his life.

For two years, Eilene Zimmerman created a map of Peter’s descent.

“Human beings are physically and emotionally complex, so there is no simple answer as to why Peter began abusing drugs,” she writes. “But as a picture of his struggle took shape before my eyes, so did another one: The further I probed, the more apparent it became that drug abuse among America’s lawyers is on the rise and deeply hidden.”

[Read the NYT article.](#)

[The Marketing Appeal of #AppellateTwitter](#)



Although there’s no guaranteed recipe for creating viral online content, when a blog post, meme or hashtag captures a certain zeitgeist, there are proven ways for marketing professionals and business developers to capitalize on it, writes [Christina DePinto](#) of [Muse Communications](#).

To illustrate her point, [she examines](#) the #appellatetwitter hashtag, which Houston attorney Raffi Melkonian of Wright & Close LLP coined in June 2016. Although the hashtag was created as something of an inside joke between Melkonian and other appellate lawyers in his circle, it has become an excellent case study for legal marketing done right.

The qualities this hashtag exhibit include encompassing a

niche, establishing a community, it's organic and it has staying power.

[Read the article.](#)

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[Participation Requested: 2nd Annual Law Firm Benchmarking Report](#)



Image by [NY Photographic](#)

Exterro is conducting its 2nd Annual Law Firm [Benchmarking Survey](#) on law firms' legal processes, specifically relating to project management practices and e-discovery services.

Participants in the survey will get full and early access to all of the survey results. Non-participants will only be able to see the published and edited version of the report.

Answers will be completely anonymous and will be analyzed in combination with other participants' responses. This invitation will expire within seven business days.

Exterro will make a \$20 donation to one charity of your choice out of American Red Cross, Stand Up to Cancer, Make-a-Wish Foundation.

[Participate in the survey.](#)

[Spat Between Lawyers Over Mocking Ad Lands in Federal Court](#)

It's Gordon McKernan's "G Guarantee" versus fellow Baton Rouge personal injury lawyer E. Eric Guirard's "E Guarantee" in a lawsuit that involves a mocking "big rig" television ad and claims of trademark infringement, according to the [The Advocate](#) of Baton Rouge.

As reporter Joe Gyan Jr. tells it: "McKernan, whose popular television commercials show him atop an 18-wheeler with arms folded, isn't laughing about Guirard's latest TV ad that mocks McKernan by depicting a man bearing McKernan's likeness falling off a big rig while filming a commercial spot."

McKernan's federal lawsuit accuses Guirard of trademark infringement and misappropriation of identity. The suit seeks monetary damages.

[Read the *Advocate* article.](#)

[Merger With Norton Rose Means No More Chadbourne & Parke](#)

[Above the Law](#) reports that a 115-year-old Biglaw firm is no more, after Chadbourne & Parke announced that its anticipated merger with Norton Rose Fulbright is official.

Reporter [Kathryn Rubino](#) writes that the combined firm, which will operate under the Norton Rose Fulbright name, has about 1,000 lawyers in the U.S. , with roughly 300 of them in New York City alone.

She writes that there were concerns that client conflicts could delay the firms tying the knot, but the announcement of the merger puts those concerns firmly in the past.

[Read the Above the Law article.](#)

[Class Action Accuses Steptoe & Johnson of Gender Bias](#)

A former associate filed a national class action against Steptoe & Johnson, claiming the giant law firm pays only lip service to gender equality, but has a male-dominated leadership that discriminates against women in pay and promotions, according to a [Courthouse News Service](#) report.

Ji-In Houck, of Los Angeles, says her starting pay at the firm as a contract attorney was barely half the \$165,000 that inexperienced male lawyers made – though she had come to Steptoe with two years of experience in civil litigation.

“During her three years in Steptoe’s Century City office, her salary typically was 30 percent to 40 percent less than male lawyers with comparable experience, she says in her June 22 complaint,” writes [Don Debenedictis](#). “When she left in March 2016, she was earning \$200,000 a year, compared to the \$230,000 paid to men at her level.”

[Read the Courthouse News article.](#)

[Vault Releases List: Top 100 Law Firms for Prestige for](#)

2018

[Vault's Law 100 Rankings](#) for 2018 are topped by a returning champion.

Cravath, Swaine & Moore is once again the most prestigious firm. It widened its lead over Wachtell, Lipton, Rosen & Katz, which had previously enjoyed a 13-year reign at the top, reports Vault's [Matt Moody](#).

"Survey respondents called Cravath the 'leader of the pack' and the 'great American law firm against which all others should be judged.' Cravath increased its score from 8.961 to 9.056, while Wachtell, described as the 'M&A legends,' saw its prestige score drop slightly from 8.904 to 8.788," according to Moody.

Vault based its ranking on scores from nearly 18,000 law firm associates surveyed earlier this year, who were asked to rate law firms on a scale of 1 to 10 based on prestige.

[Read the Vault report.](#)

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[International Association of
Defense Counsel Publishes](#)

Defense Counsel Journal Spring 2017 Edition

The International Association of Defense Counsel (IADC) has announced publication of the spring 2017 edition of its Defense Counsel Journal (DCJ), which is available for free and without a subscription to IADC members and non-members via the IADC's website, www.iadclaw.org.

The spring 2017 edition is available at www.iadclaw.org/publications-news/defense-counsel-training-manual/.

Published in its first edition in 1934 as the Insurance Counsel Journal, the DCJ is a forum for topical and scholarly writings on the law, including its development and reform, as well as on the practice of law in general. The DCJ is published quarterly and is frequently and favorably cited by courts and other legal scholarship.

"This year, for the first time, we are making the IADC's acclaimed Defense Counsel Journal free and accessible to anyone via our website to meet demand for the publication and to more easily share our members' insights on timely legal practice issues with the broader legal community," said John T. Lay, Jr., IADC President and a shareholder at Gallivan, White & Boyd, P.A.

A 2,500-member, invitation-only organization, the IADC serves its members and their clients, as well as the civil justice system and the legal profession. The organization maintains a leadership role in many areas of legal reform and professional development, the association said in a news release.

"We are very excited about the new distribution model for our Defense Counsel Journal," said Michael Franklin Smith, IADC member and current editor of the DCJ, as well as a shareholder

at McAfee & Taft. “The new spring issue offers scholarly, in-depth review and analysis for engaging attorneys and enhancing their understanding of current legal trends and timely issues that they may face in diverse practice areas.”

The spring issue of the DCJ includes analysis of the following topics:

- Why the majority of jurisdictions in the United States have rejected the product line theory of liability, along with a 50-state review of the case law addressing the theory;
- The rapidly evolving defense of lack of personal jurisdiction since the U.S. Supreme Court’s 2014 opinion in *Daimler AG v. Bauman*;
- Case law discussing insurance coverage for malicious prosecution under comprehensive general liability policies and the policy exclusions that can affect that coverage; and
The development and evolution of judicial notice, a tool that can greatly increase the efficiency of certain kinds of proof if used properly.

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[**Bored by \\$1,000-an-Hour Pay,
a Lawyer Hunts Wall Street**](#)

Scores

Bloomberg Law [profiles](#) lawyer Dan Brockett, who ditched a job representing the world's biggest banks for \$1,000 an hour, and started earning his keep by suing the very companies that used to pay his bills – working on a contingency.

“On a recent weekday at his firm, Quinn, Emanuel Urquart & Sullivan LLP, Brockett said he couldn't be happier that he made the switch to what he calls 'success-based' billing,” writes reporter Matt Robinson. “The 61- year-old senior litigation partner, wearing jeans and a sweater, pointed to a framed photo of a \$250 million legal fee award that hung like a trophy over the desk of his office on Manhattan's Madison Avenue.”

The profile shows how Brockett worked with the Commodity Futures Trading Commission, developing a network of sources across Wall Street who send disgruntled bankers his way. If the cases are successful, some of those whistleblowers can see pay days of as much as \$30 million.

[Read the Bloomberg article.](#)

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GC Requires Outside Law Firms

to Encrypt Communications



The general counsel of Marsh & McLennan Companies has started requiring the company's biggest outside law firms to use an anti-hacking electronic communication technology known as Transport Layer Security, according to a report from [Bloomberg Law](#).

The report quotes Peter Beshar: "What we have done here is gone out to 12 or so of the biggest law firms on the most sensitive matters and insisted, 'You can't communicate with us other than through TLS,' and everyone has signed up by it."

Beshar identified three of the firms are Cravath, Swaine & Moore, Davis Polk & Wardwell and Gibson Dunn & Crutcher.

TLS prevents any unauthorized senders or recipients from entering and intercepting communication – protecting "data in transit" from being hacked, explains reporter [Casey Sullivan](#).

[Read the Bloomberg article.](#)

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Hogan Lovells Combines with

Collora, Adding Boston Office

Global law firm Hogan Lovells announced that it will combine with Collora, a Boston-based litigation/investigations firm with a strong focus in life sciences and healthcare, as well as financial services and technology. The combination is expected to become effective Sept. 1, at which time all partners, lawyers, and business services members of Collora will join Hogan Lovells, the firm said in a news release.

“The addition of Collora enhances Hogan Lovells’ capabilities to serve clients in one of the most dynamic and growing markets in the US. Boston is home to global leaders in technology, life sciences, healthcare, and financial services,” according to the release. “The area boasts elite academic and research institutions and world-class medical facilities. Economic development in the Boston metropolitan area is fuelled by an active financial services and investment community. The new office will be focused on litigation and investigations with a particular emphasis on the life sciences and healthcare sectors; over time, Hogan Lovells expects to add regulatory, corporate transactions, and IP capabilities.”

“The Boston region is a key strategic market in the United States. Although we have worked closely with clients in the area for years, it more recently became clear to us that there was a need for an office that had strong roots in the community,” says Hogan Lovells CEO Steve Immelt. “Collora is a firm that shares our values, our culture and our approach. We have worked with them for many clients over the years. It has highly regarded practices in litigation and investigations, with a particular focus in life sciences, which fits very well with our own practices. We also intend to focus on the financial services, technology industries and education sectors, where we already have strong practices in other markets. We are delighted to welcome the Collora team and look forward to working with them for the benefit of our clients.”

The release continues:

The combination provides Collora and its clients with access to a network of services and practitioners that seamlessly work to provide a cohesive client experience globally. Hogan Lovells is recognized as a global leader in life sciences and healthcare, with specialists in areas such as regulatory, intellectual property, transactions, and disputes. Together, the two firms have more than 500 lawyers practicing in the life sciences and healthcare industry.

Collora has several well-known trial advocates who represent both companies and individuals in government investigations, complex civil litigation, professional licensing and discipline matters and other litigation matters, with a particular focus on financial services, technology and the life sciences industry. The firm includes former federal and state prosecutors, judicial law clerks, law professors and a former chief justice of the Massachusetts Appeals Court.

“Hogan Lovells has a strong global reputation and offers us depth and reach that brings a new and exciting dimension to what we are able to offer our clients,” said Bill Lovett, who is currently the Managing Partner of Collora, and will serve as the Office Managing Partner of the Hogan Lovells Boston office. “We looked very hard at making sure that the business and cultural fit would be right for us – for nearly thirty years our firm has been committed to serving our clients and contributing to our community. Based on many years of working together for some of the same clients, we know Hogan Lovells brings those qualities to the table across the entire firm. No other Boston firm has Hogan Lovells’ global reach. We look forward to making these skills available to our clients and to new Boston-area clients as well.”

[How to Make the Case for a Smaller Law Firm to Your Board](#)

By [Norm Finkel](#)
[Schoenberg, Finkel, Newman and Rosenberg, LLC](#)

The list of reasons why small law firms offer big advantages is well known—this is especially true for businesses that are mid-sized or emerging. But here’s a quick review. With a smaller law firm, seasoned attorneys are the norm, rather than the associates who typically handle day-to-day business for the big law firms. A smaller firm is a bit like the classic Avis commercial; they work harder. The attention given to the client is second to none. So, relationships between law firm and general inside counsel tend to be closer. Then, of course, there is the matter of fees; they tend to be a lot more reasonable.

With all these advantages, why would a client opt for big law? Let’s say a small law firm has established its credibility with a long track record of great work. The relationship between inside counsel and the partners is solid. But one day, the client says, “Sorry, we have to go with the big guys on this one.” What does that mean? Is it a rejection of all the hard work and success? Does it erase all the great progress you’ve shared over the past few years? Not really. There are a number of reasons why a client might go big. For instance,

there is the matter of self-protection when a major audit is in order. If something goes wrong, no one can say it was due to the fact that a small law firm was chosen for this arduous task. Or, perhaps a case may be the subject of intense national scrutiny. For public relations alone, the choice of a larger law firm to handle it may be most prudent, especially when internal counsel has a board of directors that must support the rationale. When such contingent factors come into play, it is no reflection on the smaller firm or general counsel and, for the most part, no threat to the established relationship. In fact, small firms have a vital role to play in cases such as a large merger or an audit, because they can bring the big law firm up to speed on day-to-day information that the larger won't have access to.

When it's best to bet on David rather than Goliath.

There are cases where trust in the relationship outweighs all other factors. Here is an example. I represented a former chairman of a bank. The bank sued my client for losses it suffered on SBA loans after the 2008 meltdown. The bank had a board and an SBA loan committee—both of which approved the loans. The bank, rather than looking at its own culpability, sued the former chairman and president. Two of Chicago's large law firms were recruited to represent the bank and its board members and loan committee members. Our attorneys walked into the courtroom every day and faced an army of lawyers from multiple firms; even the judge commented on the cost of all those lawyers.

My firm litigated the case in state court and won, but we were denied legal fees. The bank appealed its loss, while we appealed the denial of fees. My client ran out of money long before the case went to trial, but we did not quit. He died tragically at the age of 65, shortly after the trial court's judgment but before the appellate court rendered its decision. We were owed seven figures by that time.

The appellate court affirmed the exoneration of my client and

reversed the decision denying our legal fees and sent the case back to the trial court for a determination of our entitlement to, and amount of, legal fees. After the court determined we were entitled to fees, the bank agreed to settle the matter. This occurred shortly before the court determined the amount of legal fees to be awarded. The family and widow were gratified by the outcome. Although we went up against two large law firms who had a client with immense resources, after a 5½-year ordeal, we won.

The future is starting to favor the Davids, but don't write off the Goliaths just yet.

Trends are emerging that seem to favor the mid to smaller law firms. The 2009 "Bloody Thursday" that kicked off major layoffs at some of the biggest law firms brought with it a demand for lower fees. Of course, this opened a white space opportunity for smaller, entrepreneurial firms who could deliver more for less. Not only that, but because of technology some of the advantages that once favored bigger firms have evaporated. The giants once owned the biggest libraries and best information. But now, thanks to the digital revolution, small and big alike have access to the same data. Keep in mind, smaller firms tend to be more invested in their clients. The partners are responsible for the success or failure of their business; this goes further than just filling out a time sheet for hours. A concern with cost efficiency is part of their DNA. But as for the Goliaths, as Basha Rubin put it in an article for Forbes, "I'm not arguing that all big law firms will disappear entirely. Why should they? Many provide unparalleled service; they will continue to make sense for the biggest deals. The next time I merge my multibillion dollar corporation with another multinational multibillion dollar corporation, I certainly intend to hire one." <<https://www.forbes.com/sites/basharubin/2014/07/07/big-law-big-problems-2/#210f8e75db42>>The general counsel of a Fortune 500, national health club chain that I've represented for over 35 years has repeatedly told me how much he appreciates my

attention to his business and that the results he has experienced from using a smaller firm are “second to none.”

What are the takeaways for inside counsel?

I started my career in a firm of 15 to 20 lawyers. Six months into the job, I tried my first case and won. I would never have gotten that experience at a large law firm. Recently I hired an attorney from such a firm who was working 100 hours a week and couldn't get any traction on his career. For what it's worth, my advice to internal counsel is this:

- Keep the outstanding small firm that has worked so hard to win your business
- Remind them when an audit comes up or a case with national media buzz, that leaning on the big firm is simply a matter of self protection – not a dismissal but a fact of life in business
- Promote the great work of your smaller partner law firms to your board so that they can see the value
- Remember that business, technology and culture are in a state of evolution and the best partners are the ones who keep pace

Norm Finkel, senior partner and head of the the litigation practice at Chicago based Schoenberg, Finkel, Newman and Rosenberg, LLC.

ConnectLive 2017 London

Scheduled in London

The iManage user conference [ConnectLive 2017](#) will be in London at the InterContinental London – The O2 hotel on June 27-28, 2017.

The conference is all about creating connections, iManage says on its website. “Between customers and partners. Between those that are working with advanced technology – using it every day in the service of their clients – and others that are still searching for solutions to important issues in their businesses.

“Across four days and two continents, iManage will bring together CIOs and IT professionals, attorneys, legal administrators and more.”

[Get more information.](#)

Making the Most of Your Legal Blog



Advertising and public relations are great ways to get your name out, but not every law firm has that kind of budget, writes [Amy Boardman Hunt](#) on the website of [Muse Communications](#). And with newsrooms shrinking, it's become increasingly hard for lawyers – especially those with niche, non-media-

friendly practice areas – to successfully pitch their expertise to the media.

That dynamic has helped create the rise of the legal blog.

She writes about blog post subjects, imposing deadlines and accountability, writing your legal blog, formatting and search engine optimization, and playing the long game.

[Read the article.](#)

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[Preparing for Your Professional Headshot](#)



Law firms are moving away from traditional “head shot” photos for websites and promotional materials, reports [Verdell Christophersen](#) for [Androvett Legal Media and Marketing](#).

“Instead, they’re relying on a series of ‘environmental’ photo backgrounds, full body-length images, candid poses and other techniques that can add distinction and a degree of personality,” according to [the article](#). “With some careful planning, you can still come away from a single photo shoot

with both a traditional pose and a selection of photos that reflect a little more style.”

The article discusses clothing to avoid, clothing to favor, the proper amount of jewelry to wear, bringing alternate clothing and accessories, makeup and hairstyling.

[Read the article.](#)

Dechert Lets Multiple Associates Go After Performance Reviews



Dechert’s announcement this week that it has laid off several associates after a round of performance reviews may signal a boldness and lack of concern for public criticism that could spell trouble across the industry, writes [Joe Patrice](#) for [Above the Law](#).

“Firing first-years ... that’s a firewall firms tend not to breach,” Patrice observes.

He reports that some sources believe the firings were more about hours billed than competence.

“But if first-years were really hit by these layoffs, that’s a good sign this is about hours. Because how can you fire a first-year for being incompetent? You wouldn’t have any first-

years left!" he writes.

[Read the Above the Law article.](#)

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[Download: In-House Counsel's Legaltech Buyer's Guide](#)



LawGeex, a provider of an AI contract review platform for businesses, has launched [*The In-House Counsel's LegalTech Buyer's Guide*](#) – a free, downloadable guide that showcases more than 100 must-know technology solutions which solve the daily challenges faced by in-house lawyers.

The book includes practical advice based on dozens of interviews, real life experiences and personal recommendations from in-house lawyers and legal experts who have used technology to cut costs and reduce legal inefficiency. Lawyers came from companies including Pearson, AIG, TabTale, Travelocity, Vodafone, NetApp, Del Monte, Axalta Coating Systems, Tongal and Novartis.

The book includes:

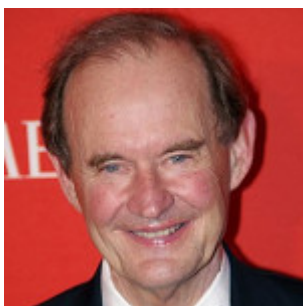
- **60+ page practical and jargon-free** reference guide
- **100+ top technology solutions** for legal departments
- **Personal recommendations** and stories from dozens of in-

house lawyers and legal experts

- Explanations of an **in-house legaltech buying journey**, including barriers to adoption, establishing and monitoring KPIs, and more

[Download the guide.](#)

[At Lunch With David Boies, 20 Years After His Departure From Cravath](#)



[Above the Law](#) talks with David Boies, the man author [David Lat](#) calls “the most famous practicing lawyer,” who tells the tale of how he left Cravath, Swaine & Moore to launch his own firm.

Lat writes that Boies has been involved in major litigation for the past 50 years, “from the IBM and Microsoft antitrust cases, to *Bush v. Gore*, to *Hollingsworth v. Perry* and the battle for marriage equality.”

Boies is a founder of Boies Schiller Flexner. “The spectacularly successful firm, with more than 300 lawyers across 14 offices, enjoys a reputation as a ‘national litigation powerhouse.’ And it has the financial rewards to prove it: profits per partner of \$3.15 million in 2016, according to the latest Am Law 100 rankings, and associate

bonuses as high as \$350,000.”

The article follows Boies’ path from Yale Law School to his 30 years with Cravath, through the early days with his newly founded firm, to the present.

[Read the article.](#)