20 THINGS
LAWYERS NEED TO KNOW

















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INSIDE

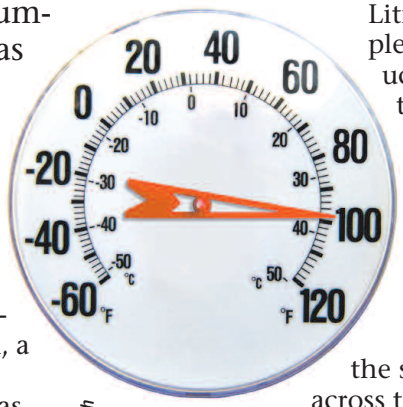
What are the hot practice areas (and what's not)?

By RENI GERTNER

Despite the wave of lawyer layoffs over the past year, a number of practice areas are booming – awaiting lawyers who are looking to expand or make a change.

"No matter what the economy does, there are certain practice areas that continue to be in demand," said Charles Volkert, Executive Director at Robert Half Legal, a national legal staffing agency.

Here's a look at the practice areas legal consultants and recruiting experts predict will be the hottest in the year to come:



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• Bankruptcy

It's no surprise that in the midst of a recession, consumer and business bankruptcy filings are on the rise.

As a result, "any firm that has the capability" is expanding its bankruptcy practice, said Robert Denney, a strategic and marketing consultant for lawyers. Denney, based in Wayne, Pa., publishes a report entitled "What's Hot and What's Not in the Legal Profession" twice a year.

• Litigation

Firms are continuing to hire experienced litigators in a wide range of fields, said Volkert, who is based in Miami.

"When business is bad, people tend to sue more," said Denney. "We've seen a jump in professional malpractice cases."

Litigation is also plentiful in product liability, antitrust, securities and commercial cases, noted Volkert.

• Employment

As a result of the surge in layoffs across the country, employment law is thriving.

Employers, including non-profits, are "are trying to avoid legal problems" that can result from layoffs, furloughs and other wage-and-hour issues, said Denney.

• Foreclosure defense

With the rise in foreclosures has come an uptick in foreclosure defense work, said Margaret Grisdela, president of Legal Expert Connections, Inc. in Delray Beach, Fla.

"Attorneys are working with homeowners when foreclosure actions are imminent to get more time for the homeowner to become current or renegotiate [his or her] mortgage," she said.

• Health care

"As health care becomes an increasingly big portion of our economy, it will continue to have great legal requirements, whether for hospitals, clinics, doctors or patients," said Grisdela.

• Elder law

People are living longer, and many of them have taken big hits on 401(k) plans, pension plans and/or investments. As a result, elder law attorneys should expect a steady stream of work in "counseling clients on managing and shifting assets," said Denney.

• Intellectual property

Volkert said that there is "continual demand for attorneys with patent prosecution experience."

Grisdela agreed. "Intellectual property is evergreen," she said.

• White collar crime

Denney said that an increase in corporate investigations means a rise in the amount of white collar criminal defense work available.

What's not so hot?

• Immigration

"Visa applications are declining," which means less work, said Denney. As far as illegal immigration, it's a matter of "waiting for further movement by Congress" on reform proposals.

• Real estate

"Real estate has crashed and burned," observed Denney.

• Corporate transactions

General corporate transactional work continues to be slow, said Volkert.

Questions or comments can be directed to the writer at: reni.gertner@lawyersusaonline.com

By KIMBERLY ATKINS

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The biggest Supreme Court case of the year

Justices to revisit lab report ruling

This term the Supreme Court will take another look at an issue that led to one of last term's most significant rulings: when criminal lab reports may be admitted if the lab preparer is not present to testify.

Less than a year after ruling 5-4 in *Melendez-Diaz v. Massachusetts* that the Confrontation Clause requires analysts who prepare crime lab reports submitted as evidence be available to testify at trial, the Court will test a potential limit on that ruling in *Briscoe v. Virginia*.

That case questions whether prosecutors may introduce forensic laboratory reports into evidence without the testimony of the analyst if the defendant has a right to call the analyst as a witness.

One of the defendants in *Briscoe*, a consolidated group of cases being appealed to the nation's highest Court, was convicted of a drug charge and appealed, claiming that the admission of a lab report violated his Confrontation Clause rights by shifting the burden to him to come up with evidence in the form of a live witness.

But the Virginia Supreme Court upheld his conviction, finding that the defendant was protected by a law allowing him to call the analyst as a witness, and that he was informed of the necessary steps to procure that witness.

"Once the forensic analyst appears at trial for cross-examination, any Confrontation Clause problem disappears," the state court held. "Based on the [state statutory procedures], no criminal defendant can seriously contend that he is not on notice that a certificate of analysis will be admitted into evidence without testimony from the person who performed the analysis unless he utilizes the procedure provided … Failure to use the statutory procedure obviously waives the opportunity to confront the forensic analyst."

The case could give state legislators and prosecutors, many of whom have been scrambling to amend state laws to conform with *Melendez-Diaz*, a new vehicle by which to allow lab reports in drug and other criminal cases to be admitted.

After the Court's ruling in *Melendez-Diaz*, state lawmakers in Massachusetts, Virginia and other states called special summer sessions in an effort to amend evidentiary laws in order to comply with the ruling's requirements.

But if the Court rules in favor Virginia in the new case, lawmakers in other states can choose instead to pass laws expressly granting defendants the right to call lab preparers as witnesses, thereby avoiding constitutional problems with laws that allow lab reports to be admitted with only a certificate of authenticity.

Criminal attorneys will be paying particularly close attention to the Court's newest jurist, Justice Sonia Sotomayor. Now retired Justice David Souter was part of the five-justice majority in *Melendez-Diaz* holding that the Confrontation Clause requires that lab analysts be available to testify. Sotomayor, a former prosecutor in New York City, could prove a crucial vote for carving out exceptions to the constitutional requirement.

The Court granted certiorari in the case on June 29, 2009. It will be heard and decided later this term.

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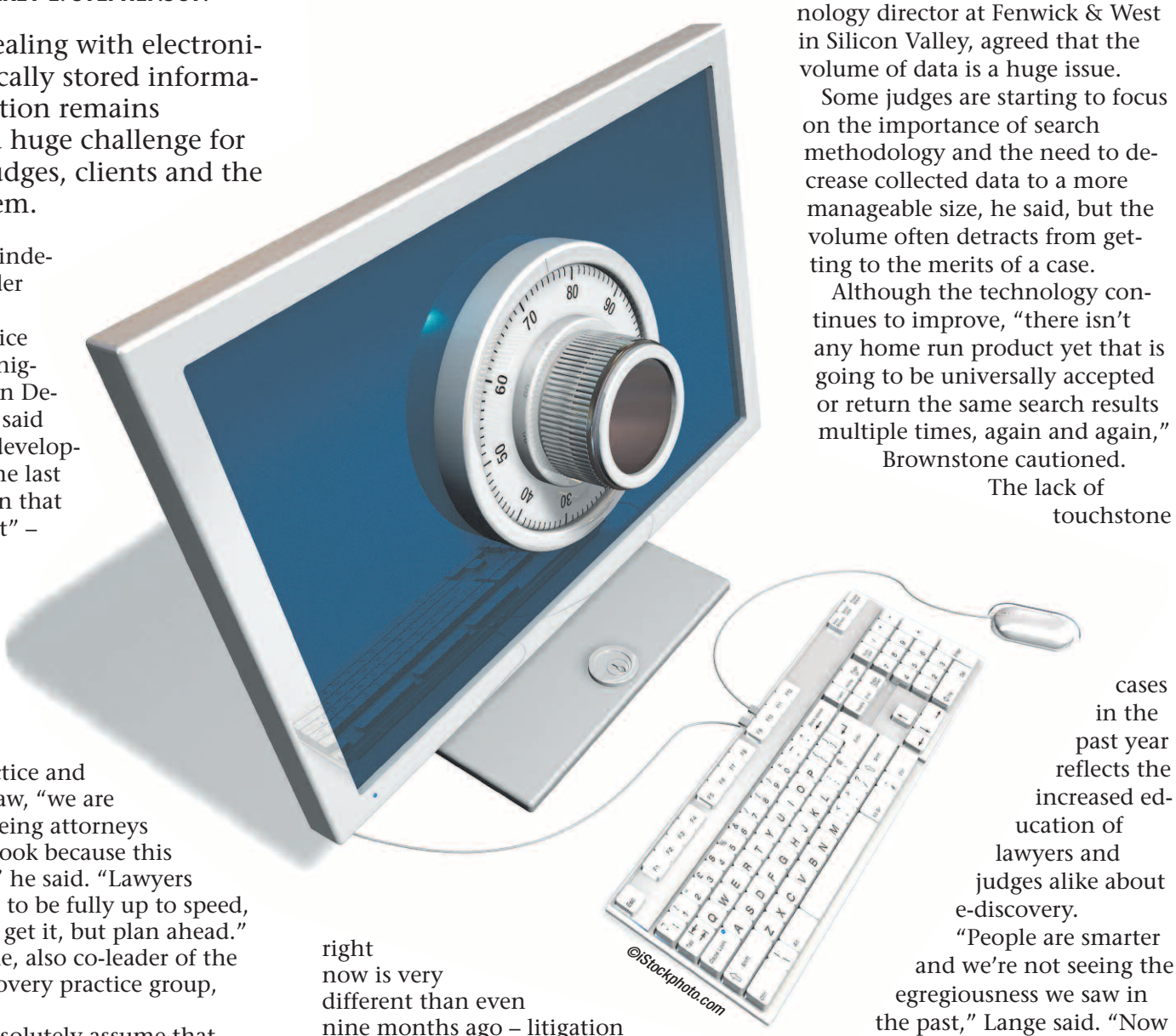
E-discovery challenges

By CORREY E. STEPHENSON

Dealing with electronically stored information remains a huge challenge for lawyers, judges, clients and the court system.



Michael Hindelang, co-leader of the e-discovery practice group at Honigman Miller in Detroit, Mich., said the biggest development over the last year has been that judges "get it" – and have a growing expectation that lawyers understand it as well.

In his practice and in the case law, "we are no longer seeing attorneys get off the hook because this is new area," he said. "Lawyers are expected to be fully up to speed, and not just get it, but plan ahead."

Tim Devine, also co-leader of the firm's e-discovery practice group, agreed.

"Judges absolutely assume that everyone is up-to-date on the law, the cases and the rules and expect us to know how to make it all work."

But like every other aspect of litigation, the economy has had a huge impact on e-discovery, said Michele Lange, a staff attorney at Kroll On-Track, an Eden Prairie, Minn. computer forensics company that specializes in electronic evidence.

"The way people are litigating cases right now is very different than even nine months ago – litigation budgets are down and our clients are consistently asking us to do more with less."

Part of that decrease occurs early in the life of a case, she said. Clients do not want to pay to process every single box of back-up tapes and are increasingly turning to technology and relying on metrics to try to winnow down discovery data to as small an amount as possible.

Robert Brownstone, law and technology director at Fenwick & West in Silicon Valley, agreed that the volume of data is a huge issue.

Some judges are starting to focus on the importance of search methodology and the need to decrease collected data to a more manageable size, he said, but the volume often detracts from getting to the merits of a case.

Although the technology continues to improve, "there isn't any home run product yet that is going to be universally accepted or return the same search results multiple times, again and again," Brownstone cautioned.

The lack of touchstone cases in the past year reflects the increased education of lawyers and judges alike about e-discovery.

"People are smarter and we're not seeing the egregiousness we saw in the past," Lange said. "Now it's parties making small mistakes and then seeking sanctions."

Hindelang agreed.

"The outer boundaries are more defined.
Now we're slicing finer and finer slices towards the middle."

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The President's next High Court pick

By KIMBERLY ATKINS

President Barack Obama seated his first U.S. Supreme Court justice within months of taking office, leaving open the very strong possibility that he will get another chance to make an appointment to the nation's highest court – perhaps even before his first term ends.

Solicitor General Elena Kagan

And the chances are strong that the next justice will be someone who has already gotten a nod from the president: Solicitor General Elena Kagan.

Kagan would not only add to the gender diversity of the Court and bring a strong academic record, she also carries another big bonus: she's already been confirmed by the current Senate.

"It's certainly a plus to have someone who was recently confirmed," said Robert Schapiro, a constitutional law expert at Emory University School of Law and former clerk for Justice John Paul Stevens.

Kagan would also fulfill Obama's desire to look outside the federal judiciary for Supreme Court candidates, a goal he articulated during his campaign.

In a 2008 New York Times piece, Obama cited Justice Earl Warren, who served as governor and attorney general of California before being selected for the Court, as an example.

"[He could] definitely reach for someone outside of the lower federal bench," said Bruce Murphy, a government and law professor at Lafayette College in Easton, Pa., who has written about several Supreme Court justices.

Last term Murphy and a group of seniors taking his seminar studied possible Supreme Court hopefuls and correctly predicted that Obama would select Justice Sonia Sotomayor.

The fact that Kagan currently serves in Obama's administration also gives the president a close look at her views and philosophy.

""It makes sense for him to look to those he has gotten to know well. [It] give him insight into the view of the nominee, which would be difficult to do with a federal judge," Schapiro said.

Before Kagan became the first female solicitor general to be confirmed by the Senate earlier this year, she served for nearly six years as the dean of Harvard Law School, where she taught administrative law, constitutional law, civil procedure and seminars on separation of powers.

A Harvard Law graduate, she clerked for Supreme Court Justice Thurgood Marshall before going into private practice. She served on the faculty at the University of Chicago Law School – along with Obama – in the 1990s.

Kagan has also worked in Washington before, first as White House counsel to President Bill Clinton, and then as Clinton's Deputy Assistant for Domestic Policy and Deputy Director of the Domestic Policy Council.

Other candidates from outside the federal bench who have reportedly been considered by the president include: Michigan Gov. Jennifer Granholm, who previously served as attorney general of the state; U.S. Homeland Security Secretary and former Arizona Gov. Janet Napolitano; and Massachusetts Gov. Deval Patrick, who headed the Justice Department's Civil Rights division under President Clinton.

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Twitter:

Marketing miracle or waste of time?

By SYLVIA HSIEH

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Some swear by it as a marketing must for small law firms; others predict Twitter will go the way of the dodo.

The micro-blogging site has been touted as a powerful way for lawyers to brand themselves, connect with people and build referrals.

It has "incredible marketing value," said Susan Cartier Liebel, a Connecticut-based legal coach.

"Twitter is about conversations," she said.

Others, like Nancy Byerly Jones, a law practice consultant in Banner Elk, N.C., use Twitter as an educational tool to stay on top of marketing trends, quick tips and news.

"That in itself is making me more valuable to my clients," she said.

But with all the vague talk about connecting and conversing, some question whether tweeting has ever resulted in any lawyer anywhere actually getting a new client.

"Twitter is supposed to be 'all about the conversation,' and I see few conversations that lead to new business," Larry Bodine, a Chicago law marketing consultant, wrote on his blog.

"What can you say in 140 characters except 'Hey, look at me'? It's not a place where intellectuals roam," he told Lawyers USA.

He cites research on Twitter's ineffectiveness as a law firm business development tool, such as Nielson Wire figures showing that 60 percent of Twitter users drop out after a month, and notes that it is the least effective way to boost traffic to your website, according to Marketing Sherpa, and that lawyers and firms can get in a lot of trouble in the event of litigation.

Another criticism is that the time required to have a presence on Twitter distracts lawyers from proven marketing methods like creating a business development plan and meeting people face to face.

"I think you run the risk of a lawyer who is trying to market his practice spending too much time on Twitter because it's fun, and not enough time speaking to groups and working on his website," said Jim Calloway, head of practice management at the Oklahoma Bar Association.

"If you have time left over, you can send a tweet," Bodine noted.

A few lawyers have bucked the trend and converted tweets into paying clients.

James Walker, who tweets about his three-lawyer firm's niche practice of cruise ship law, says he has been referred ten injury cases worth several millions of dollars from a California attorney who is among Walker's 6,000 plus followers.

And Deena Burgess, who practices Internet and small business law in New York City, said she has gotten about five clients directly from Twitter.

"The reason Twitter is so great is it humanizes lawyers. They may direct a question to me and I help answer their question. ...When it comes time for them to hire a lawyer, they feel comfortable talking to me already," she said.

Kevin O'Keefe of LexBlog advises lawyers to treat Twitter as they would the country club, golf course or bridge table.

"I would probably hear a lot of gibberish: the dog ate the leg of my chair, the weather's crummy. But that person may be leading a $100 million company [and] I may strike up a conversation with [him] about gibberish. … People hire people. We're building relationships with people," he said.

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How your firm can weather financial downturns

By NORA LOCKWOOD TOOHER

If there's one lesson the recent recession has hammered home, it's the importance of keeping law practices financially healthy.

Even firms that somehow weathered the downturn unscathed should batten their financial hatches and prepare for future economic turbulence.

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Here's what several experts advise:

• Develop a capital management plan.

Michael Blum is the head of LawFinance Group, a San Francisco firm that loans money to contingency fee firms.

He says those firms are especially prone to "lumpy cash flow."

"Sometimes they have plenty of cash; other times, not so much," Blum notes. "If you do some modeling and look at it from a business perspective, then you're able to forecast and know when you expect to be flush in cash and when you're going to need financing."

• Tighten your belt.

Draw up a monthly budget, and stick to it.

"Whatever you don't need, don't buy," says Patricia Yevics, director of law office management at the Maryland State Bar.

Review your expenses to see if there's anything you can cut.

To trim costs, Bruce Dorner, a solo in Nashua, N.H., has reduced his office supplies, brings his lunch to work and makes long-distance calls on his laptop through Skype, an Internet-based, low-cost phone service.

Instead of meeting clients for lunch, he meets them for coffee.

Other firms have eliminated travel and professional memberships.

• Shed the dead weight.

"If you've been carrying bad accounts receivables, get what you can and get out," Yevics advises.

• Get the money upfront.

The best way to avoid getting stuck with unpaid fees is by "collecting a reasonable retainer and keeping that retainer replenished," says Linda Oligschlaeger, membership services director at the Missouri Bar.

Other ways to reduce the risk of unpaid fees include improving intake procedures and account receivable collections.

Also, consider accepting credit cards. It can be attractive to clients because it makes it possible for the attorney to get started on their legal matter sooner.

"And it's beneficial to the lawyer because they're being paid upfront," Oligschlaeger notes.

• Keep marketing your practice.

In tough economic times, marketing is often the first item to be slashed. That's a mistake, according to Chicago marketing consultant Larry Bodine.

Focus marketing efforts on your top clients, he suggests.

"Those are your crown jewel clients," he says. "Visit them, spend time with them, find out what's going on at their companies and if you can help them."

Make all the lawyers in your firm develop a business development plan, listing the clients they're going to call on, the people they'll build into a referral network and at least one organization they will join, Bodine adds.

And don't just join a random organization. Ask your best clients which organizations they belong to and then ask if you can attend a meeting of that group with them. If you go to a Rotary Club meeting with a client, for example, not only will you be introduced to potential clients, but you'll have the opportunity to deepen your relationship with the existing client.

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What the Obama presidency means for trial lawyers

By KIMBERLY ATKINS

WASHINGTON – President Barack Obama has been in office for less than a year, but already his White House has implemented or signaled a host of changes that affect the way trial attorneys practice law and run their businesses.

On the employment law front, Obama indicated his willingness to broaden civil rights protections by signing, as his first law, legislation restarting the statute of limitations for unequal pay claims with the issuance of every disproportionately low paycheck.

"It is fitting that the very first bill that I sign, the Lilly Ledbetter Fair Pay Act, [is] upholding one of this nation's founding principles: that we are all created equal and each deserves a chance to pursue our own version of happiness," Obama said before signing the measure.

The law overturned a 2007 U.S. Supreme Court decision, *Ledbetter v. Goodyear Tire and Rubber Co.*, which found that discrimination claims brought more than 180 days after the first unequal paycheck were time-barred.

Obama has also firmly stated his opposition to Bush Administration-era policies promoting federal preemption of state law tort claims.

In a memorandum issued in May, Obama directed federal agencies not to adopt broad preemptive policies in the preambles of regulations unless such preemption is codified by statute or existing regulations.

"The general policy of my Administration that preemption of state law by executive departments and agencies should be undertaken only with full consideration of the legitimate prerogatives of the states and with a sufficient legal basis for preemption," Obama wrote.

On the issue of tort reform, in September Obama authorized the Department of Health and Human Services to begin a program of granting state funding to test medical malpractice reform projects.

Although details of the plan have yet to be finalized, it could cover state-level efforts to reduce the number of medical malpractice suits by implementing measures such as requiring certificates of merit from medical professionals or implementing no-fault systems to allow patients to be compensated for medical negligence without filing suit.

More changes are yet to come. For example, Obama has called for Congress to eliminate the disparity in criminal sentences between offenses involving powder cocaine and those involving crack cocaine.

Congress and the White House also must act this year to prevent the estate tax from falling to zero in 2010 before resetting to the highest rate in nearly a decade in 2011.

In his budget proposal, Obama proposed freezing the estate tax at 2009 levels.

The White House is still working on Obama's overall tax reform proposal. That proposal has drawn concern from some business organizations and practicing attorneys who say owners of small businesses – including law firms – could see a tax hike.

Small businesses set up as "flow-through" or "pass-through" tax entities, such as subchapter S corporations, sole proprietorships, LLCs and partnerships have profits that flow through to the personal income taxes of the firms' owners.

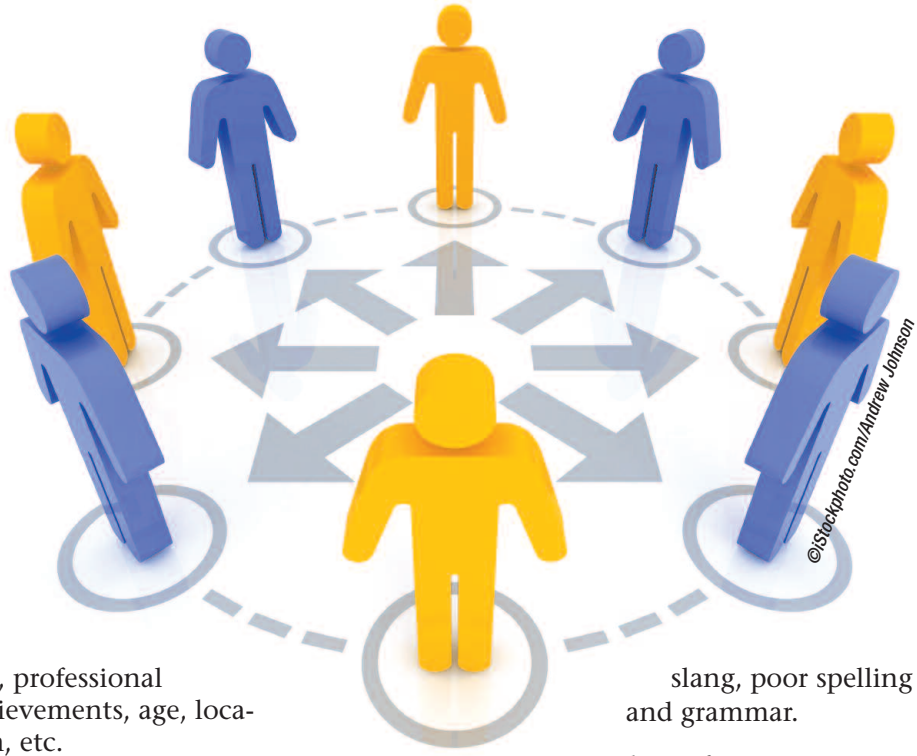
"Since most law firms are typically pass-through entities, even if the lawyers are investing in the firm and putting money in, they are being taxed as if they are taking money out," said Keith Ashmus, a co-founding partner of the Cleveland-based law firm Frantz Ward.

Questions or comments can be directed to the writer at: kimberly.atkins@lawyersusaonline.com

Top tips for social networking

By JUSTIN REBELLO

With thousands of attorneys already taking advantage of social networking, novice users might feel overwhelmed. Here are some tips on how to navigate the major networks (LinkedIn, Facebook, Twitter) like a pro:



• Personalize. Personalize. Personalize.

When launching a Facebook or Linkedin profile, upload a professional-looking photo; don't just use your firm logo. And remember to personalize the URL on your page.

"The most common mistake attorneys make," said David Nour, managing partner of the Nour Group, a business networking consulting group, "is just setting up a profile and doing the bare minimum."

He suggests including some personal facts in your Twitter bio, such as family information or interests outside of the courtroom. These provide a workable icebreaker for future networking.

• Make the right contacts.

Be proactive when looking for contacts. LinkedIn offers an option to upload e-mails from your company's Outlook account or import contacts from personal e-mail accounts.

But don't get carried away with inviting anyone and everyone to connect with you.

"The quality of your contacts is far more important than quantity," said Nour. "If you end up with several hundred contacts, but you don't communicate with them, what's the point?"

• Join groups.

LinkedIn features thousands of groups to join based on similar interests, professional achievements, age, location, etc.

For example, if you are a divorce lawyer looking to make contact with others in your field, type "divorce attorney" in the group search field. The first result you'll get is the American Divorce Lawyers group, featuring 550 members from the practice area.

• Cite articles you've written.

Include articles with what Nour calls, "long-tailed keywords." For example, instead of including search terms such as "litigation attorney," use the term "litigation attorney focused on medical malpractice."

• Always be professional.

When sending Facebook messages or wall postings, remember you are networking with other attorneys and prospective clients, said David A. Barrett, a Massachusetts litigator and social media legal marketing consultant, during an American Bar Association webinar on social networking pitfalls. Make sure to avoid slang, poor spelling and grammar.

• Update often.

Set aside some time each day to keep your profile current; include relevant news and links, said Barrett.

• SEO is key.

Use highly searched keywords in tweets, Barrett suggested, such as practice areas (#bankruptcy) or proper nouns such as the name of your bar association.

• Remember a tweet is not a press release.

Robert Ambrogi, a Rockport, Mass. lawyer and author of Legal Blog Watch, cautioned that Twitter and other social networks are not designed to act as an online public relations firm.

"It's structured so that it's more like you're having a conversation with someone rather than shooting information at them," he said.

Questions or comments can be directed to the writer at: justin.rebello@lawyersusaonline.com

Are you making the most of your firm's website?

By SYLVIA HSIEH

Your website is the best place to invest your marketing dollars. Hands down.

"For sure, you are going to get a return on your investment," said legal technology expert Sharon Nelson, president of Sensei Enterprises in Fairfax, Va., and author of How Good Lawyers Survive Bad Times. She noted that 65 percent of people looking for a lawyer begin by searching on the Internet.

Small firm lawyers are beginning to understand the value of their website and revamping their stagnant web presence.

Start by throwing away the stock photos of tall buildings, courthouse columns and gavels.

When it comes to your website, you have 2-3 seconds to grab someone's attention, said Nelson.

One way to do this is to create an overall theme.

Many law firm websites settle for the message, "We're a law firm" instead of expressing why a client should hire you, said Ross Fishman, principal of Fishman Marketing in Highland Park, Ill., which specializes in law firm branding.

Every firm can identify something unique to its culture or style to use as a branding tool.

It might be as simple as "We're tough" or "We're fast," said Fishman.

For example, a criminal defense lawyer's website might display photos of a person in handcuffs and a police cruiser with a tagline: "In trouble? We can help," Nelson said.

And don't treat your attorney bio as an afterthought.

Attorney descriptions should be as specific as possible about a lawyer's experience and how it sets him or her apart from others.

"Visitors want to know what you've done, for whom you've done it and what you can do for them," said Deborah McMurray, CEO of Content Pilot, a Dallas-based website development company.

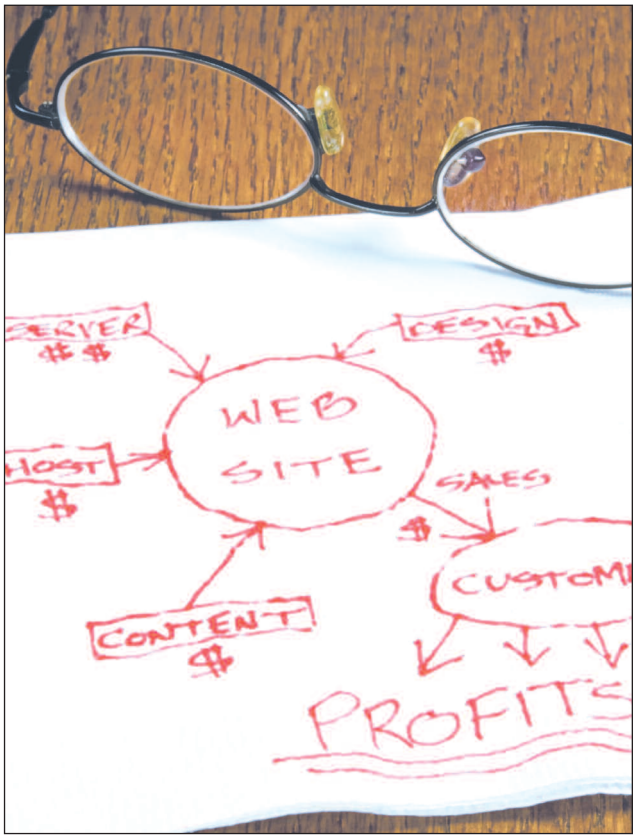
Updating attorney bios dovetails with improving your website's ranking on search engines like Google.

For example, the first 250 words of attorney biographies should be the most compelling and current so search engines will pick up those pages.

Each page title should have an enticing and more-detailed description as the pages get deeper into the site, rather than using the firm name as the title metatag on every page, said Heidi Sogn, principal of Sogn Consulting Services, a Seattle-based marketing technologies consultant for law firms.

When adding content to your website, beware of common errors, including ethics violations.

There has been a recent uptick in state bar associations' scrutiny of law firm websites for ethical violations, Nelson said.



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A common transgression is going too far in describing a case, such as violating a restriction on calling it a "win" or failing to state that the case is not representative of all results.

But McMurray says it is possible to get around some of these rules through creative wording.

"If you can't say that you won $500 million in a landmark lawsuit, you could say the case went six weeks before a jury in XYZ court and was decided in a favorable way," she said.

Questions or comments can be directed to the writer at: sylvia.hsieh@lawyersusaonline.com

Dealing with angry juries

By SYLVIA HSIEH

While Wall Street may be showing signs of improvement, jurors on Main Street are still madder than ever.

Although juries have never loved big corporations, they are much angrier now because they are getting hit personally, whether by losing a job, their home or their retirement savings, said Dr. Noelle Nelson, a trial consultant and clinical psychologist in Malibu, Calif.

"When anger is personal, it has a much bigger impact in the courtroom," Nelson said.

Last year, Mark Kosieradzki, a plaintiffs' attorney at Kosieradzki Smith in Minneapolis, began noticing a "universal distrust of corporations" among jurors.

But figuring out whose side jurors take when they're angry is less clear.

According to conventional wisdom, a bad economy produces two effects: juries are more punitive and less generous, said Kenneth Broda-Bahm, a senior consultant with Persuasion Strategies in Denver.

In criminal cases, juries are more likely to convict, he said.

In civil cases, expect juries to be less generous with classic damages in a standard personal injury case, but more willing to "send a message" in cases involving bad corporate behavior, Broda-Bahm said.

Cuts both ways

A juror who is personally experiencing financial turmoil could benefit either side of a dispute, depending on his attitude.

Asking a juror about how he is dealing with a financial setback, such as the loss of a job, can give a lawyer insight into how he sees the world.

"If a juror says, 'It's tough right now, but we're tightening our belts and thinking of ways to start up a small business on the side,' that tells me this juror is a master of [his] own destiny," said Richard Gabriel, a jury consultant at Decision Analysis in Los Angeles.

Such a juror would be favored by a defendant.

On the other hand, a juror who says, "I don't know what we're going to do. We have to move out of our house and I'm just really upset by the whole thing," may be more susceptible to a plaintiff's argument that "somebody did something to me," said Gabriel.

While juries tend to be more frugal in a bad economy, they also expect corporations to follow the rules – and will punish those who break them.

For corporate defendants, it's more important than ever to humanize the company, by telling the story of the founders or telling the jury about pro bono activities such as community outreach, Nelson said.

More hardship waivers

Jury consultants are observing more hardship waivers.

Patricia McEvoy, a consultant with Zagnoli McEvoy Foley in Chicago, said that at a recent trial the judge allowed anyone who was unemployed and looking for a job to get out of jury duty.

Noticeably, the more educated and management-level segments of the workforce are seeking hardship waivers.

As a result, the average education of the jurors who ended up serving on the jury is lower than expected, McEvoy said.

Typically, hardship decisions are made by judges outside the view or control of lawyers, but lawyers might want to explore this issue in written jury questionnaires, said Ted Donner of Donner & Co. Law Offices in Wheaton, Ill., co-author of Jury Selection: Strategy & Science.

Questions or comments can be directed to the writer at: sylvia.hsieh@lawyersusaonline.com

Legal tech trends for 2010

By JUSTIN REBELLO

For attorneys, 2009 was the year of advanced smartphones, an introduction to practice management in the clouds and a new social network that allowed attorneys to market themselves and their firms 140 characters at a time.

So what's in store for 2010? Lawyers USA spoke with practice management consultants and legal tech gurus to find out:

- **The rise of e-readers.**

With the launch of Amazon's highly popular Kindle DX, attorneys are able to read depositions in PDF form, self-publish their own books and take sensitive documents home with them without the hassle of a briefcase stuffed with papers.

E-readers are expected to be even more prominent next year, as the Kindle DX becomes more ubiquitous and the Plastic Logic e-reader is released.

The Plastic Logic "has a touchscreen where the Kindle does not. It handles PDFs on one page. You can zoom in, make notes. It hits it right out of the park," said Bryan Sims, author of the Connected Lawyer blog and a partner at Thompson, Rosenthal & Watts, LLP in Naperville, Ill..

Brett Burney, founder of the legal technology consulting firm Burney Consultants in Cleveland, Ohio, believes that e-readers will become a high-tech replacement for the legal pad.

"You can record an entire meeting and even have access to rules and regulations [of civil procedure] in PDF form," he noted.

- **Smarter smartphones.**

According to Jeff Beard, author of the LawTech Guru blog and a veteran industry consultant based in Illinois, smartphones will become outfitted with faster 4G networks, and will expand wifi service to more markets in 2010.

AP Photo/Herbert Kratky

Beard also expects a rally from Blackberry, as the company attempts to keep pace with the furiously popular Apple iPhone. He anticipates that Blackberry will incorporate wifi and additional connectivity options, a stronger web browser to compete with the iPhone's Safari and mobile social networking apps for Twitter and Facebook.

- **Netbooks replacing laptops?**

The smaller, lighter and cheaper netbook computers are a popular choice when traveling, but currently have limited capabilities (mostly word processing and e-mail).

Beard said that he expects netbooks will start incorporating faster dual-core processors, longer-lasting batteries and stronger graphics chips for high-definition video to compete with laptops.

The challenge, he said, is "increasing the functionality while keeping the price below the $400-$500 range."

- **Trial software in the clouds.**

In 2009, attorneys became enamored with cloud computing (web-based software).

In 2010, the cloud could be entering the courtroom. Companies such as NextPoint are producing courtroom aids that will allow attorneys to highlight documents and organize evidence on a web browser.

"It does everything that software like Trial Manager does, but in a web browser, and it looks pretty slick," said Burney.

Questions or comments can be directed to the writer at: justin.rebello@lawyersusaonline.com

Using e-mail at the office: The legal pitfalls

By CORREY E. STEPHENSON

Love it or hate it, e-mail is a part of everyday life. But some things that might sound acceptable in person should not be written down and preserved for all eternity.

"Each keystroke leaves its print in what can easily become an electronic hall of shame, if not liability," warned Douglas Winter, a partner at Bryan Cave in Washington, D.C. "You simply can't let technology lower your guard or dissipate your responsibilities."

To help clients avoid embarrassing litigation, lawyers should advise them carefully about what not to say in an e-mail, especially in the workplace.

And the dangers are just as real for lawyers, too, with concerns about breaching the attorney-client privilege.

Keep these suggestions in mind before hitting send:

- **Jokes aren't funny.**

Good-luck forwards or "jokes" sent to mass recipients are a breach of office etiquette, but can also provide support for a sexual harassment lawsuit, Winter said, helping to establish a hostile work environment.

Robert Brownstone, the law and technology director at Fenwick & West in Silicon Valley, noted a case against a subsidiary of Chevron Corp. where the company settled a sexual harassment claim for $2.2 million based in part on an e-mail containing the joke, "25 reasons beer is better than women."

- **Don't send secrets.**

Elizabeth Charnock, CEO of California-based Cataphora, an e-discovery software provider, noted that even seemingly innocuous personal messages can create problems down the road.

If an employee has a very serious health condition but doesn't want it to be public knowledge, for example, a passing mention in an e-mail could become public knowledge in a later electronic discovery documents request.

- **Avoid dangerous language.**

Don't send anything that starts with the words, "Delete after reading," or could be construed to suggest a cover-up, as in "Should we tell the general counsel?" Winter suggested.

Charnock said she frequently attends depositions where witnesses admit that they knew they shouldn't have sent an e-mail or said they thought it might have been a bad idea.

"If you have even a suspicion [that the e-mail] might be a bad idea, why send it?" she asked.

- **Don't get personal.**

Avoid negativity about the company, especially comments about upper management or the corporation, Charnock advised.

Even something relatively benign like, "Well, we've spent money in worse ways than this," might be a red flag to opposing counsel about problems in the company or a disgruntled employee.

- **Take a break.**

Most importantly, "people need to remember they don't have to send an e-mail immediately after they write it," emphasized Winter. "Certain messages demand reflection and it's perfectly fine to write an e-mail and save it, and then re-visit the text at a time when passions or stress level aren't as high."

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- **Think beyond e-mail.**

Social networking sites "are great tools with many upsides," Brownstone said. "But it's important to be careful."

Given the informal nature of the sites, employees can easily – and accidentally – reveal information contrary to an employer's policy and open employers up to potential liability. "It's a bigger universe where individuals can get in trouble," on sites like Twitter, LinkedIn, and Facebook, Brownstone cautioned.

Lawyers should be wary of exposing client confidences by tweeting what they are working on, for example, and think twice before endorsing a former colleague on LinkedIn, which could provide that person with ammunition in a suit against the employer, Brownstone suggested.

Questions or comments can be directed to the writer at: correy.stephenson@lawyersusaonline.com

Hiring tips for law firms: How not to get sued

By CORREY E. STEPHENSON

Even attorneys need to act carefully to minimize the risk of liability when filling a position.

"Lawyers and law firms are not immune from the concerns of all other employers just because they practice law," cautioned Rich Greenberg, a partner in the New York City office of the employment law firm Jackson Lewis. "We're not smarter than everybody else."

Employment lawyer William Hannum, a partner at Schwartz Hannum in Andover, Mass., suggested using a checklist of potential problem areas as a reference tool to improve the hiring and selection process.

The following tips can help minimize the risk of liability and maximize effective hiring:

• **Sharpen the job description**.

A detailed, accurate job description helps when defending against discrimination and other employment claims, Hannum said. Firms should update each job description on an annual basis, as well as when posting it for a new hire.

The job description can become extremely important if an employee requests a leave of absence or a reduced work schedule, because it allows the firm to establish and focus on the essential job functions and what type of accommodation is possible and reasonable, he said.

"I'm finding that these issues crop up more and more lately, perhaps as a result of stress due to the recession," Hannum noted.

• **Focus on job-related criteria.**

Keep the interview process solely job-related, Greenberg advised.

Hannum agreed – stay away from requesting or using information on a candidate's age, race, sex, marital status, family status, disabilities, veteran status or other protected characteristics.

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• **Draft offer letters with care.**

If not drafted properly, offer letters can become employment contracts, Hannum warned. Watch out for inadvertent promises (such as references to an "annual" salary) and include an "at will" disclaimer (if appropriate), as well as conditions, such as background and reference checks, he said.

• **Background checks.**

An employee at a law firm, whether a lawyer or a non-lawyer, will have access to clients' confidential information, Greenberg said, so it's essential to verify that the new hire doesn't have any character or judgment issues (such as a history of embezzling funds, for example).

Running background checks – even on lawyers to verify they really have passed the bar – is important. Because the law is still unsettled, however, Greenberg doesn't recommend to his clients that they check out potential job candidates' social networking use, such as MySpace and Facebook pages.

"You don't want to be the test case," he said.

• **Confirm authorization to work in the United States.**

Now it's more important than ever that employers verify an applicant's legal eligibility to work or face liability themselves, Hannum said.

The Department of Homeland Security's Immigration and Customs Enforcement announced in June a heightened focus on enforcing employer obligations – including increased audits and fines.

"Given the high profile of immigration issues, this is an area where employers should be extremely careful," he cautioned.

Questions or comments can be directed to the writer at correy.stephenson@lawyersusaonline.com

Launching the paperless office

By AARON KRIVITZKY

If your office is overrun with boxes and boxes of files, memos and depositions, it may be time to consider going paperless.

Phoenix attorney Richard Keyt made the switch in 2004.

"A paperless office eliminates the need for physical file storage space, the need for a filing staff and the time and effort wasted on retrieving files from the file room or closed storage," he said.

Daniel Masters, principal of the Masters Law Firm in Montrose, Colo., agreed.

"Going paperless is so much more efficient for your administrative needs. Law firms that refuse to use electronic filing will ultimately fall far behind," said Masters, author of *The Lawyer's Guide to Adobe Acrobat*. "It should not be a question of if I should go paperless, but of when."

Here are five tips for transitioning to a paperless office:

• Find a document management system that works for you.

You need to shift from a document mentality to a data mentality. This means that all of your data should be stored in an electronic database suited to your firm's needs. Document management software allows you to create an individual database for each of your clients and place all relevant documents in an accessible location.

"There are several good document management systems out there," said Keyt. "I use TimeMatters because it allows me to marry my address book with my case database. When a client calls on the phone inquiring about a document, I can bring *that* document up on my monitor while the client is asking a question about it. In the old days I would tell the client I would call back while either my secretary or I went to the file room to retrive the file."

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• Use databases and spreadsheets instead of charts and books.

Mailing lists, contract forms, briefs and all other vital information can be more efficiently stored in a digital database. Databases also offer increased transparency, making communication between other firms and clients simpler and more effective.

"The information that you are processing should be available to as many people as possible," said Masters. "A paperless office is the way to achieve that transparency."

• Try PDFs instead of hard copies.

PDFs have become the industry standard to preserve document formatting and content across various digital platforms.

Instead of printing out documents manually, use PDF printer software to print them digitally. You can also set up your fax systems to print directly to PDF and be forwarded to your e-mail, said Keyt.

• Use scanners to archive old documents.

Transitioning to a paperless office can be intimidating if your firm already has a significant amount of non-digital data. If you scan these documents, you can archive them electronically. They can then be integrated with your newer records.

"Personal scanners are the key to a paperless office," said Keyt. "Even for small offices, everyone should have a scanner on his or her desk."

• Try Kindle for depositions, manuals and books.

Keyt and Master agree that instead of lugging around hefty manuals and stacks of depositions, lawyers should consider using a Kindle to store their data.

The new DX model of the Kindle also permits you to embed personal notes on documents.

Questions or comments can be directed to the editor at: susan.bocamazo@lawyersusaonline.com

Preparing your office for disaster

By AARON KRIVITZKY

Disaster strikes when you least expect it. Earthquakes, floods, fires and hurricanes displace thousands of businesses every year. Your office could be next.

According to Laura Calloway, program director of the Alabama State Bar's Practice Management Assistance Program, your disaster plan needs to protect the key elements of your practice.

The first goal of a contingency plan should always be to keep your personnel safe, says Calloway. She recommends having a designated phone number to call or place to meet if your facilities are destroyed.

The next goal "is to protect your client's interests and your firm's interests."

"Lawyers process and store information," Calloway notes, "and if your information lives on computers, than you must have a back-up. If it lives in a filing cabinet, you ought to consider backing your files up digitally.

"You don't want to be caught off-guard by the unexpected," she warns.

It's also crucial to have the proper insurance in place, which will cover incidents such as internal fires or pipes bursting.

"You'd be surprised to learn how many attorneys don't realize that a drought can cause your pipes to burst," says Calloway.

Lawyers USA columnist Ed Poll, owner of LawBiz Management in Venice, Calif. suggests adding a disaster-specific policy to your general liability policy

"Most attorneys have malpractice insurance because someone might sue them," he notes, "but an office disaster can be even more threatening to your practice."

What coverage to get may depend on your location – for example, you need earthquake insurance if you're in California.

"What policy works for you will ultimately depend on what part of the country you're living in," Calloway says.

Lawyers who lack the time for contingency planning should consider hiring a coach or a consultant.

Ensuring your office's security can be a daunting and time-consuming task, especially in a busy firm, says Poll.

"Hire an assistant to aid you in developing your contingency plan." he advises. "You'll not only have peace of mind knowing you've covered your bases, but it's also a good way to get an objective opinion from someone else."

To protect your files, Calloway recommends contracting with a remote backup service.

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She uses Corevault, which is available to all member of the Alabama State Bar. Other bars may offer similar services.

And don't assume just having backup is enough, she cautions.

"You have to test it from time to time to make sure it works and that you can actually restore files from it. I've heard many sad stories of lawyers who faithfully went through the appropriate procedures but, because of technical errors, didn't find out until after the fact that the technology wasn't working properly and that they had lost everything," she says.

Questions or comments can be directed to the editor at: susan.bocamazo@lawyersusaonline.com

More firms are creating their own 'alumni networks'

By RENI GERTNER

Only a few years ago, many attorneys would never have dreamed of maintaining official contact with the law firms they left.

But an increasing number of firms are realizing that staying in touch with former partners, associates and staffers can be good for business, especially at a time when so many attorneys are in transition due to the recession.

The result is a surge in firm-administered "alumni networks" aimed at maintaining contacts that can foster business development.

"The value of a tool at a law firm that allows people to more easily access their networks is tremendous in this environment," said Attorney Scott Westfahl, director of professional development for Boston-based law firm Goodwin Procter.

Maintaining relationships

It's essential for a firm to adopt a "long-term" view of its relationship with all alumni, said Westfahl, who works in Goodwin Procter's Washington, D.C., office.

Many of the attorneys who leave a firm take jobs as in-house lawyers for its clients, and lawyers who maintain a strong relationship with their old firm might be apt to refer work back to it.

"When they leave to go in-house and progress toward becoming general counsel, these lawyers are the ones making decisions about which outside firms to hire for particular matters," Westfahl said.

Attorneys might also take government positions, where they can develop contacts that could be helpful to the firm, he noted.

Anne Berkowitch, chief executive officer of New York-based SelectMinds, a national provider of corporate social networking services, said that many law firms promote their alumni networks to attract young attorneys.

The message, she said, is: "Not everyone can make partner, but if you come here and work for us, you'll be part of an extended network."

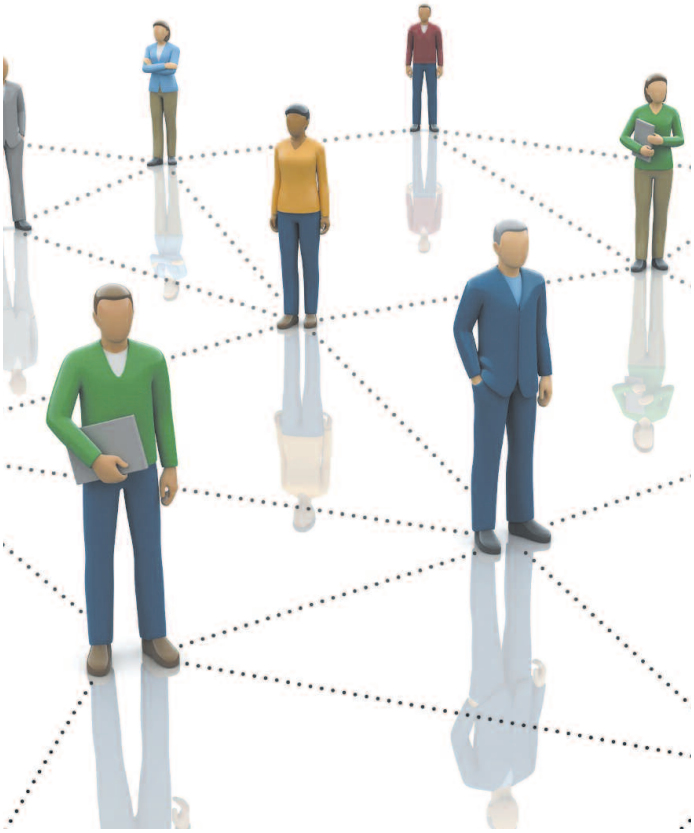
SelectMinds assists law firms (and corporations) in developing these networks by offering a turnkey system that includes the creation of an alumni website and provides consulting on how the firm can improve its network.

At Goodwin Procter, Westfahl has a roster of nearly 1,700 alumni. Approximately 48 percent of them are registered users of the firm's website.

He stresses the importance of giving alumni good reasons to check the site regularly. Goodwin Procter's site includes a 30-page "mini-book" on career transitions for lawyers, with resume writing tips and alumni spotlights, as well as a job board.

Smaller firms less formal

Smaller firms are also paying more attention to their alumni, although they tend to take a more informal approach, according to Stacy Clark of Stacy Clark Marketing in Devon, Pa.



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"Big firms are pouring money into this," she said. "But for a small firm, it can cost as little as lunch."

Clark strongly encourages smaller firms to develop alumni programs, including one-on-one "buddy systems," in which current lawyers and staff each have a list of alumni to contact at least four times a year.

She suggested providing alumni with useful information such as articles in their area of expertise or suggestions about potential clients. She also recommended that firms leverage former attorneys' connections by using social networking sites.

Questions or comments can be directed to the writer at: reni.gertner@lawyersusaonline.com

Using visuals in the courtroom

By JUSTIN REBELLO

As a new, tech-savvy generation begins to fill jury pools from coast to coast, more than ever attorneys are utilizing visual-heavy presentations to make their clients' cases resonate.

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From PowerPoint to elaborate movies of the client's day-to-day life, these visual storytelling techniques have proven immensely effective.

However, misusing visuals can have a devastating effect on your case. Here are some strategies to getting the most out of your courtroom visuals:

• Ensure that you engage jurors emotionally.

If you're just going to recite facts and figures, you might as well invest in an old-fashioned posterboard or overhead projector. PowerPoint presentations provide a more visual and audience-friendly medium.

Cliff Atkinson, an independent legal consultant in Los Angeles and author of "Beyond Bullet Points," recommends that attorneys in personal injury cases devote one slide to an expanded picture of the victim or victim's family.

"What it does," said Atkinson, "is immediately relate every juror who has taken a family photo to your client. When they see that, the lawyer is now able to extract a more compelling story."

• Clear visuals with the judge and opposing counsel.

According to Paul Mark Sandler, a partner and trial lawyer at Shapiro Sher Guinot & Sandler in Baltimore and author of the blog, "The Art of Advocacy," there are various reasons why a video or other visual medium may not be permissible, including videotaped conversations that could be deemed inadmissible hearsay or anything inflammatory or prejudicial. So be sure to check first.

• Don't overdo it.

"A video that is long, tedious and boring will not accomplish the goal," said Sandler.

He suggested that videos that cover a lot of ground (such as one that covers several days) be edited to show only the most important segments.

With a PowerPoint or other such presentation, try and state your case and major arguments on the back of a note card, then use the card as the basis for the presentation. This allows attorneys to simplify what they show jurors and establishing the most important facts of the case.

"You see these lawyers who have five bullet points per slide, and seven slides," said Dave Swanner, a Myrtle Beach, S.C. trial lawyer. "Now they're asking jurors to remember 35 points, when the average person can remember maybe five or six."

• Avoid too many gory details.

Videos or presentations in a personal injury case that focus too much on treatment, such as physical therapy, could lose jurors, who might not be able to see past the medical discussion and understand how the injury affects the victim's life.

Debi Chalik, a partner at Chalik & Chalik in Miami, said it's more effective to focus on the day-to-day details.

"It's so much more powerful to [show the injury's impact on] everyday things that we all do and take for granted, such as showering, brushing our teeth, [and] going to the bathroom," she said.

Questions or comments can be directed to the writer at: justin.rebello@lawyersusaonline.com

Flex-time catches up with the legal profession

By NORA LOCKWOOD TOOHER

Patricia Mundy, an associate in Sullivan & Worcester's Boston office, works a reduced schedule that includes one day a week at home, and Fridays off.

"With the technology we have today, it's kind of a no-brainer," said Mundy, who has four children under the age of 6.

"The day [working] at home is huge for me," said Mundy. "It's morning hours I can spend with my kids, get them up and eat breakfast with them and still be working by 8:30."

Her three days in the office are long – usually 8:30 a.m. to 7:30 p.m., and sometimes later when her workload increases.

But it's worth it, she said, for the Fridays she has with her family.

With an increasing number of attorneys seeking more time for their families and themselves, flexible and part-time schedules are becoming more acceptable, according to several experts.

And it's not just mothers with young children opting for flexible schedules and reduced hours. Although the vast majority of attorneys on flextime are women, there is growing interest among lawyers of both genders, as well as a wide range of ages, in flexible schedules.

Michael R. Humphrey, 40, of counsel in Bryan Cave's Kansas City, Mo. office, was recruited from the title insurance industry about 11 years ago.

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"I was familiar with the typical large firm associate-to-partnership track, and frankly, because of personal priorities in my life I knew I was not the guy that was going to fit into that track," he said.

Humphrey, whose practice area is focused on commercial real estate and banking, usually works from 7:30 a.m. to 4 p.m. Monday through Friday. He is considered 90 percent full time.

Although he and his wife do not have children, they have aging parents with health issues. And Humphrey is deeply involved with his church.

"My personal priorities in a nutshell are God, family, church and work," he said.

"The entire profession is facing these challenges on work-life issues, and the profession as a whole is seeking more flexibility," said Deborah Epstein Henry, head of Flex-Time Lawyers, a national work-life balance consulting firm with offices in Philadelphia and New York.

Ellen Ostrow, head of Lawyers Life Coach, a Silver Spring, Md. coaching firm, agreed: "I think lawyers, like every other group of employees studied, are looking for flexibility in the workplace more than anything else. Certainly, in firms that are offering billable hour tiers with associated compensation tiers, you see people choosing fewer hours for less money."

The biggest remaining obstacle, several experts said, is attorneys' fears that their career prospects will be damaged by working less than full time.

Henry explained: "Part time historically has been stigmatized as just sort of an exception for working moms. Until there is a wholesale buy-in that flexibility is something that all lawyers need, I really don't think there will be a way to get rid of that stigma."

Questions or comments can be directed to the writer at nora.tooher@lawyersusaonline.com

Home-lawyering steps out of the shadows

By NORA LOCKWOOD TOOHER

Gazing out from her second-floor office, Carolyn Stevens can track the sun as it rises over the Sapphire Mountains and sets over the Bitterroots in western Montana.

For the past seven years, Stevens has worked out of an office on the second floor of her house, outside Missoula.

Stevens, a family law attorney, is among a growing number of solo lawyers who have traded the costs and hassles of commuting for the joys and challenges of home-lawyering.

The "virtual office" – touted only a few years ago as the wave of the future – is a reality for many solo attorneys in a wide range of practice areas.

"Technology has empowered the home office in several ways," noted Jim Calloway, head of practice management at the Oklahoma Bar Association. "For one thing, if you have a laptop computer or even a really sophisticated mobile phone you can do most anything you can do in an office from most anywhere."

Lawyers with home-based practices can be divided into two groups. Some, such as Stevens, have local practices and work out of their homes to eliminate the overhead of leased offices. Others have national or international specialties that enable them to set up shop wherever they want.

Mark Del Bianco, a telecommunications lawyer whose clients are mostly on the West Coast or overseas, works mainly out of his home in a suburb of Washington, D.C. With a high-speed fiber-optic connection, Del Bianco can communicate easily with clients around the world.

"A lot of the time, with clients in different time zones, I've had conference calls at 4 in the morning, midnight and just about any time you can think of," he said.

Del Bianco, who began working from home in 2001 after 12 years with a large law firm, may not have the eye-popping views of Stevens' office, but he can walk from his basement office into his backyard. And on the days he plans to go to the gym, he can wear a T-shirt and shorts to work.

But working at home isn't always about flip-flops and sunsets. There are distractions, privacy issues and the danger of isolation.

Besides distractions from pets and family members, many attorneys who work at home have to combat the tendency to over-work – a habit that may be hard to overcome when your office is in your home.

Del Bianco said he leases an office nearby he can walk to when he wants to "get out of the house."

Stevens merely has to step outside.

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"Lawyers sometimes don't make time to have a life," she said. "Sometimes, the small treasures are right outside my window: The sunrise coming in the east window on a chilly winter morning; watching a thunderstorm roll down the valley; the family of three mamas and 16 baby turkeys … They share the yard with two mama deer and their wobbly legged fawns and the fawns' older siblings."

Questions or comments can be directed to the writer at: nora.tooher@lawyersusaonline.com

Who makes what where?

By AARON KRIVITZKY

San Francisco and Dallas offered the highest median salaries for associates in 2009.

According to Payscale.com, the salary research site, San Francisco has a median salary of $98,900 for associates with at least three years of experience, while associates in Dallas earn $96,000.

Washington, D.C. ($93,100), Houston ($90,400) and Phoenix ($90,300) round out the top five.

Toni Whittier, founder of Whittier Legal Consulting in Texas, attributed the salaries in the Dallas area to a combination of economic factors.

"They weren't hit as hard in the recession." he said. "Also, the oil and gas industry in Texas is relatively stable, and the Eastern District of Texas remains a mecca for intellectual property litigation."

San Francisco, according to Whittier, is also a haven for intellectual property law and Silicon Valley creates a high demand for corporate lawyers.

For mid-career lawyers, defined as having at least 10-15 years of experience, San Diego shoots to the top of the list, offering a median annual compensation of $156,000. Washington, D.C. ranks second at $150,000, followed by San Francisco ($146,000), Chicago ($144,000) and Dallas ($144,000).

The recent economic downturn has affected associates' salaries – the national median has dropped almost $3,000 since last year. Conversely, the median salary for mid-career lawyers increased from $120,500 in 2008 to $122,000 this year.

According to Whittier, the lower salaries for associates reflect the fact that legal work has become a buyer's market.

"Buyers of legal services are far more vocal about requiring that lawyers with experience handle their matters," he said. "As work gets pushed up, law firms are reacting by lowering salaries for lower level associates as a cost-cutting measure."

Jim Cotterman, a consultant for Altman Weil Inc, agreed.

"Clients have become much more vocal about the value of the legal services they receive. Many clients openly refuse first or second year associates on their matters unless they specifically grant permission. This, in turn, affects the staffing decisions of law firms where recent graduates are needed less."

Statistics below are for salaried attorneys only. Sole practitioners and senior partners are not included.

The national figure represents the median for the United States as a whole. The top 10 metropolitan areas (by population, as determined by 2005 U.S. Census figures) are ordered based on median salaries.

Questions or comments can be directed to the editor at: susan.bocamazo@lawyersusaonline.com

Associate salaries:

San Francisco	$98,900
Dallas	$96,000
Washington, D.C.	$93,100
Houston	$90,400
Phoenix	$90,300
Los Angeles	$90,100
San Diego	$84,800
New York	$84,400
Denver	$76,300
Tampa	$76,200

Mid-career salaries:

San Diego	$156,000
Washington, D.C.	$150,000
San Francisco	$146,000
Chicago	$144,000
Dallas	$144,000
Denver	$140,000
Miami	$140,000
Phoenix	$135,000
Los Angeles	$135,000
Atlanta/New York	$128,000

* Salaries as of June 29, 2009 (Payscale.com)