

Highlights

- **TECHSHOW® Discounts Available Now**
- **Wireless Security Update**
- **Collecting Your Fees**

Inside

- **TECHSHOW® Registration Form**
- **Annual Meeting Speakers Announced**
- **Quick Practice Tip**

LOMAP Update

Information from the Law Office Management Assistance Program

Winter 2003



ASB Offers \$100 Discount for ABA TECHSHOW®

Great CLE and a Great Time in a Great City!

Did you know...

that once again the ASB is acting as a TECHSHOW® Program Promoter, and offering you a \$100 discount off TECHSHOW® registration?

The ABA TECHSHOW® is an intensive three-day conference highlighting the use of technology in the law office and courtroom. It is the only technology program created by lawyers and legal professionals for lawyers and legal professionals.

This year, the program, which is again sponsored in Chicago by the ABA's Law Practice Management Section, will be held from Thursday, **April 3rd** through Saturday, **April 5th**.

Designed to give you the information you need to more effectively use technology in your practice, this year's conference also puts special emphasis on electronic discovery and knowledge management.

In addition to a keynote address by Judge Richard A. Posner entitled *Intellectual Property and the New Economy*, there will be one hour programs on everything from

keeping the spam out of your inbox to innovative ways to incorporate intranets and extranets into your practice to better serve your clients. (If you don't know what intranets and extranets are, and how they can help you, you should definitely attend.)

To make picking and choosing among the more than 60 CLE offerings easy, the program is divided into the following tracks:

- General, Solo & Small Firm
- Litigation – E-Discovery
- Security
- Strategies
- Collaboration/Nets

Additional \$100 discounts apply for early registration (**before March 8**), for multiple registrants from the same firm, and for Law Practice Management Section membership. You can register on-line at www.techshow.com, or use the registration form on page 3 of this newsletter. Be sure to mention **Program Promoter Code PP22**.

For more information or to obtain a TECHSHOW® schedule contact Sandra Clements here at the Alabama State Bar at (334) 269-1515 x 302.

Wireless Security?

by Andrew Zangrilli, Esq.

What lawyers should know about wireless connections and their security.

Wireless computing and communication devices are saturating the US at every level of the market, from gabbing teens to smart moms, to tech-savvy business folks. While wireless is a cool and convenient way to communicate innocuous messages, it may not be entirely appropriate for sensitive and/or confidential matters. Lawyers should be aware that wireless networks and their associated devices are vulnerable to security breaches. As corporate and business use of wireless networks increases, and as wireless capabilities expand, the existing wireless security issues will be magnified.

Wireless Defined

In the US there are two main types of connections used for wireless computing and communications. The first type is a fixed wireless connection, most commonly a wireless local area network (WLAN) connection with a laptop computer. Wireless LAN connections are the more secure of the two connections.

WLAN connections can be secured if users take basic precautions such as: i) turning off the LAN access point (AP) SSID and ii) activating the built-in Wired Equivalent Privacy (WEP) encryption. These two operations make it difficult for would-be intruders to detect and access your wireless network. Failure to take these simple precautions could result in the unauthorized use and/or misuse of information available through your wireless network.

Even with basic protections activated, wireless LAN connections are not totally secure. Various forms of low-security Internet communications, such as Instant Messaging, should not ever be used to communicate confidential information via WLAN or traditional wired LAN.

The second type of wireless connection, called personal communications services (PCS) connection, supports mobile smart phones and some PDAs. PCS is operated by common carriers, such as Sprint, and it has real security issues because PCS signals cannot be easily encrypted and can be easily intercepted. Voice and text signals can be "snatched" from the air by anyone with the proper interception technology, which is readily available at the consumer level. Given the current vulnerabilities of PCS, the legal profession should not depend on PCS wireless devices to communicate confidential matters. Currently the odds that your PCS transmission will be intercepted are low, but the threat is real.

Security threats to the wireless domain can range from relatively harmless free Internet access to malicious intrusion, snooping, interference, destruction of data, and virus attacks.

One commonly speculated example of an attack on a wireless network is what is known as "war spamming." This occurs when an unauthorized person intrudes into an open access point (AP) of a wireless LAN, and uses it to send out spam email. Recipients of the spam would then believe it originated from the

legitimate owner of the wireless network.

Viruses can attack both WLAN and PCS wireless connections. Although most viruses are written for Windows and DOS based computers, the first documented viruses that attack mobile smart phone operating systems have just emerged, according to a computer security corporation.

Vocabulary

As with any new fascination, a new vocabulary associated with hunting and exploiting unprotected wireless networks has emerged. Many of these terms contain the "war" prefix, derived from the movie "War Games," where a pre-Ferris Matthew Broderick programs his phone to dial random numbers until it accesses a federal missile command network.

Here are a few terms to toss around at the next cocktail party:

Sniffing: searching for unprotected wireless networks.

War-driving: sniffing by car.

War-walking: sniffing on foot using a handheld locating device.

War-flying: sniffing by air.

War spamming: sending spam from an open AP

War-jacking: disabling a real AP with a denial of service attack and then setting up a new AP that will serve as a new destination to devices that homed on the legitimate AP

War-chalking: physical markings outside a building that indicate the existence or type of wireless network used by the building or business.

Wi-Fi: (aka wireless fidelity) is another name for wireless LANs which are specified on the 802.11b specification from the Institute of Electrical and Electronics Engineers.

Conclusion

While wireless networks and devices allow users great communication and computing flexibility, the security of the wireless domain is not impervious to intrusion and attack. The more people use wireless for valuable communications, the more attractive

wireless becomes to attackers. Legal Professionals who use WLAN connections should secure their networks and communications by employing the WEP encryption that is often included in their wireless hardware. Until better forms of security are established for PCS connections, the legal profession should not depend on devices such as mobile phones, handheld PCs and PDAs for secure, confidential communications.

This article was reprinted with permission and provided courtesy of FindLaw's Modern Practice, December 2002, v. 7 See: www.findlaw.com.

Quick Practice Tips

Technology Resources

This is not an ad! We want you to be aware of two very good commercial media resources for technical information that is on point, understandable, and allows follow up with the lawyers who use the software and hardware.

The first is a magazine called Law Office Computing www.lawofficecomputing.com. This is a great source of reviews on every imaginable law office technical resource and the contact information to talk to the lawyers who write the reviews based on their own experience with the software. A password is given to subscribers to see the full reviews.

The other magazine is Smart Computing, www.smartcomputing.com. The articles are of wide general interest and are written by the editorial staff. Again, a login is necessary, but you can see part of the articles without a login to get a feel for the easy-to read prose. The technobabble is kept to a strict minimum. Indeed, the articles are a pleasure to read because they are understandable. Subscribe! It's worth it.

Quick Practice Tips are brought to you by the members of the Practice Management Advisors' Committee of the ABA's Law Practice Management Section.

Malpractice Matters

Claims Frequency and Severity: Where are the bulls-eyes?

By Laura A. Calloway

It's probably impossible to practice law without risk. No matter how careful you are, there is always the possibility of a mistake which may lead, eventually, to a malpractice claim. Some areas of the law seem to be more dangerous to concentrate in than others, however, according to information contained in the 2001 annual report issued by Attorneys Insurance Mutual of Alabama.

Real estate tops the list of claims frequency by major area of the law at 24.8% of claims closed between July 1, 1989 and December 31, 2001. Next is BI/PI (bodily injury-personal injury) at 16% of claims closed during that period. These two areas also lead in terms of claims severity by major areas of law during the period studied, with BI/PI accounting for 26% of claims closed and real estate right behind at 24.5%. Interestingly, BI/PI defense represented only 4.2% of claims by severity.

If you are interested in the other end of the spectrum, worker's comp and collection work look like good bets, with only 4.7% of claims closed involving worker's comp cases and 6% involving collections. The overall severity for these types of claims is also low, with collections being only 3.7% of closed claims by severity.

For information on how you can reduce your malpractice exposure, check out *The Lawyer's Desk Guide to Legal Malpractice* from the American Bar Association.

Statistics excerpted from the 2001 Annual Report of Attorneys Insurance Mutual of Alabama, Inc.

Annual Meeting Speakers Announced

Plans are well underway for the Annual Meeting & Legal Expo, which will be held in **Mobile** at the **Adam's Mark Hotel** from **Wednesday, July 16th**, through **Saturday, July 19th**, and several speakers have already been lined up.

On Wednesday, July 16th, the Bar will host a day long seminar entitled **How to Persuade with Power and Influence**, led by **Rob. Sherman**. From Columbus Ohio, Rob is a lawyer, author and also founder of the Sherman Leadership Group. He has a passion for helping people develop their leadership talents. The morning session will concentrate on negotiation skills and the afternoon session will cover effective presentation skills. Whether you are a new lawyer or a seasoned practitioner, we believe Rob can enhance your practice.

On Thursday, July 17th, our featured speaker at the Bench and Bar luncheon will be **Dennis Archer**, president-elect of the American Bar Association. In addition to being the first African-American to head the ABA, Mr. Archer is also a former mayor of Detroit and a former justice of the Michigan Supreme Court. Come to hear the things he hopes to accomplish during his upcoming term of office.

No program would be complete without humor, and **on Friday, July 18th**, **James W. McElhaney** will show you how humor can be used judiciously in the courtroom. You will not want to miss this session with the Distinguished Scholar in Trial Advocacy. Mr. McElhaney also serves as senior editor and columnist for *Litigation*, the journal of the ABA section of Litigation. See why "make'em laugh" can sometimes be good advice.

A complete Annual Meeting & Legal Expo schedule will appear in the May issue of *The Alabama Lawyer*.



ABA TECHSHOW® 2003 CONFERENCE REGISTRATION FORM

Register Early and Save Even More! Early Bird Discount Before March 8, 2003
 Photocopy this form for additional registrants. Payment must accompany form.
 Phone (800) 888 8300 x 9191 – Fax: (212) 481-8276
 Mail: ABA TECHSHOW, Attn: Nelson Johnson, 345 Park Avenue S., New York NY 10010

Name: _____
 Firm/Company: _____
 Address: _____
 City/State/Zip: _____
 Phone: _____
 E-mail Address: _____

Fees: (Please circle the fee that applies)	by 3/7/03	3/8/03 or after
Full Registration with PP Discount*	\$595	\$695
Additional Full Registration with PP Discount**	\$495	\$595
Exhibits Only	Free	

*Full Registration: Access to all educational programs for 3 days and exhibit floor Thurs & Fri.
 **Additional Full Registration: two or more full registrations from same firm submitted together.
 My Program Promoter is the Alabama State Bar. My Program Promoter Code is PP22.

Please Charge my credit card: Master Card Visa AMEX
 Account No. _____
 Expiration Date _____
 Signature: _____

LOMAP Library Highlights

Collecting Your Fee: Getting Paid from Intake to Invoice by Edward Poll - Published by the American Bar Association.

Wouldn't it be great if you never had to worry about collecting another past due client fee? Ed Poll tells you how to end your collection worries in this slim little volume that takes you through the billing process from start to finish and shows you how to rid your practice of the stresses and strains of arguing with clients over money

Poll's premise is simple: "When we agree to perform services for our client, we (the lawyer and the client) are entering into a two-way bargain. We agree to perform legal services that meet or exceed the standard of the community and the expectations of the client, and the client agrees to pay us our billings in accord with the terms of our written fee agreement. Anything less than this is a failure: generally (but not always) on our part!" Poll then goes on to point out what we are doing wrong during the creation and over the course of the attorney-client relationship to doom ourselves to non-payment, and gives us the tools to correct those mistakes. It even contains suggested letters and other forms to use throughout the representation to enhance the collection process.

This book is a must-read for any lawyer who is feeling frustrated and wondering why he or she is working so hard for so many, and receiving so little in return.

Collecting Your Fee: Getting Paid from Intake to Invoice is available from the LOMAP Check-out Library. If you would like to read it, or if you would like to receive a list of other titles available from the Law Office Management Assistance Program, please call Sandra Clements at (334) 269-1515 x 302 or visit the Law Practice Management section of the State Bar's web site at www.alabar.org.

LOMAP Update

Alabama State Bar
P. O. Box 671
Montgomery, AL 36101-0671

Inside: TECHSHOW® Discounts & Annual Meeting Update!