



LAW PRACTICE MANAGEMENT

A Publication of the Law Practice Management and Legal Administrators Section of the State Bar of Michigan

From the Chair

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By Ian Lyngklip

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This is the first newsletter from the section in some time. And indeed, the time since the last has been troubled.

As most members know, the section has not been active since roughly 2018 with no programs, meetings or publications since that time. The section was on the cusp of dissolution in August of last year when the Board of Commissioners sent a notice of pre-suspensions to the entire membership of this section, and posted a copy to the MichBar web site for good measure.

Since the issuance of that notice, the section has managed to reconstitute its governing Council, hold an annual meeting, conduct new elections, and begin planning of events for the upcoming year. We hope that those plans will include a regular newsletter, training opportunities, and some real community building activities. While some of our plans may hinge on the continued trajectory of the current pandemic, most will not. But the ultimate success of the section will hinge on you and your participation.

In the time since our annual meeting, we are issuing our first newsletter, begun preparation for a new list serv provider, and had our first program. That program was a great discussion of how the Michigan court system will use video conferencing into a future that is free of COVID. The program included participation by the Michigan Supreme Court, Court of Appeals, Circuit Courts, Probate Courts, and State Court Administrator's Office. The participants addressed our question about how the court system will use technology like Zoom to improve its service and access to justice. The program is currently available at the following website: <https://www.dropbox.com/s/jfk6ujo4jykov9/State%20Bar%20Zoom%20April%202021%202022.mp4?dl=0>

The LPMLAS provides education and support to bar members for the management of their practices and organizations. A key component of what we address is technology and management issues. While these topics are discreet, they are vast in their scope and depth. Given our busy lives in dealing with the actual delivery of services, few of us have time to becoming experts in technology and business. That said, each of us is an expert in running our own practice or organization and everyone has something to contribute.

STATE BAR OF MICHIGAN

LAW PRACTICE MANAGEMENT
AND LEGAL ADMINISTRATORS
SECTION COUNCIL

2021-2022



CHAIR

Ian B. Lyngklip

Lyngklip & Associates Consumer
Law Center PLC
13751 W 11 Mile Rd
Oak Park MI 48237-6926
Phone: (248) 208-8864
e-mail: ian@ConsumerLawyers.com

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NEWSLETTER EDITOR

Barry L. Brickner
email: BarryL2@mich.com

From the Chair

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While the section Council has taken the initiative to begin programming, like all section the LPMLAS is a volunteer organization. In the end, our programming will only be as strong as our member participation. As we move forward, we will be posting requests for your help to develop content and do the work that only this section can. By sharing your technology and management success stories or tips, you help the entire profession raise the standard for delivery of legal services.

We hope that you will join us as the section renews its commitment to the practice, and we ask that you take the opportunity to share what you know. Our collective future, and the future of our Michigan practices depend on it. If you are interested in sharing your experience or participating in the section, please reach out to me or one of the other section Council members.

The Effect of COVID-19 on the Practice of Law—A Time for Change

By Ian Lyngklip

While the rest of the world has been busy innovating, automating, and re-imagining, the legal profession has been sharpening its quill pens and unfurling its parchment scrolls. Yes, there have been changes, and there are new tools available to the profession. But in 2020, at core, the legal system still operated the same way as it had hundreds of years before. People lined up to get face time with a judge, submitted formal requests on papers, and lawyers argued about archaic rules of decision. In short, the legal system has been resisting change through the last quarter century, and then it met something more stubborn than itself: COVID19.

In March of 2020 the legal profession met a virus that would not budge, and overnight the legal profession began to change. It simply had to. It had to do something to move cases through the system and provide for the livelihood of its stakeholders. The courts shut down, law offices closed and the legal system took itself online.

These changes throughout the country allowed lawyers and courts to begin functioning without in person contact. And even though this style of practice was new for many, this change relied heavily on existing tools that had already been available for years to other professions and the general public. For instance, while courts had previously relied on in-person meetings to schedule relevant dates in cases (known to attorneys as “scheduling conferences”), those in person meetings had to give way to remote meetings. Courts began holding those meetings by Zoom, and in some instances simply resorted to using telephones!

While conducting scheduling conferences by Zoom and phone seems like a no-brainer to most of the public, this was a huge step for the legal profession and represented major change in the cost structure of litigation. To put this in per-

spective, a judge who receives and disposes of 1,000 cases a year must have a scheduling conference for each of those cases. Each of those cases must be attended by at least two attorneys, and routinely have several other attorneys in attendance. Each of those attorneys must prepare to go to court, travel there, wait for the court to be ready, attend the hearing, return to their office, and then mentally unpack to start other work. All this for an in-person conference that could otherwise be handled with a 10 minute phone call.

At the end of the day, a scheduling conference could take an attorney several hours in preparation and travel time. For an attorney who charges several hundred dollars an hour, the client may expect to pay thousands of dollars. While the legal system has maintained that these in-person conferences were important for the players to get to know one another, I have never heard a compelling reason why this expenditure of resources was justified. More importantly, the profession appears to have never considered whether that expenditure delivered a commensurate value to the people who were paying for it. In a country with thousands of judges, managing thousands of cases, consuming hundreds of thousands of billable hours for attorneys, these conferences represent an enormous cost center for the consumers of the legal system. Millions of dollars expended, just so a judge could sit face-to-face with attorneys and calendar a handful of dates -- a function that could more easily be accomplished with a simple phone call.

Scheduling conferences were only one way that the legal system changed. Attorneys began to meet their clients remotely, courts began to eliminate paper, and attorneys learned how to take depositions from their own offices. Changes abounded and the legal system got lean. COVID19 put an end to the madness. Or did it?

While the pandemic forced the courts and lawyers to engage in new efficiencies, the end of the pandemic appears

to be in sight. The courts are preparing to reopen. Lawyers are beginning to meet clients again. But the system -- the underlying infrastructure of the law -- has not yet changed. As judges and lawyers begin to think about returning to work, the machinery of the law that we abandoned over the prior months sits unused, shiny and well oiled like a vintage car ready to be turned over and taken out on the road.

Make no mistake, some of us have turned a new leaf and will not be heading back to our old ways. My office, for example, has not purchased paper in over a year now. Our photocopiers remain covered in tarps since we went 100% remote. For every office like mine, there are many that are just waiting to put their old, high-priced conference rooms back to work. Courts are ready to return to live hearings and conferences. All of the infrastructure we had put into hibernation just to survive a global pandemic is waiting for us, doing push ups in the parking lot.

At the same time, some leaders have recognized that we have a choice. The pandemic has shown us that our old ways of doing things do not fit in a modern society. From this collective experience, some have begun thinking about making law a better thing, a thing that serves the public and is deserving of respect instead of ridicule.

To be sure, we are at an inflection point. The legal community has witnessed for itself that our old ways of doing things are hardly necessary, and in many instances are counter productive to the economical and efficient administration of justice. This pandemic has awakened us to other possibilities. The question remains, will the legal system as a whole abandon its old practices and totally revise the infrastructure that has bound up the profession for the last five centuries, or will we step into to present and adopt the technologies and concepts that prevail among the society that we serve.

There is no doubt. If ever there was a time to make the practice of law better, it is now.



TECH TIP

Speed and Protect Your Internet Connection

By Scott Bassett

Although not a substitute for a true Virtual Private Network (VPN) service, Cloudflare's free 1.1.1.1 Domain Name System (DNS) servers can protect your browsing from being monitored by your ISP while also speeding access to web pages.

First, some definitions.

- A VPN creates a secure connection between you and the internet. Think of it as a secret tunnel from your computer(s) to the websites you visit. IT is (mostly) impervious to snooping. The best VPN's are paid services with a monthly or annual subscription. They are not expensive, with some of the best VPN's costing well under \$100 per year. Everyone should use one.
- The Domain Name System (DNS) is the phonebook of the internet. Each device connected to the internet has a unique IP address (like 143.198.21.327) which other machines use to find the device. DNS servers eliminate the need for humans to memorize IP addresses. DNS translates domain names to IP addresses so browsers can load internet resources using familiar web addresses (URL's) like cnn.com or nytimes.com.

Odds are your Internet Service Provider (ISP) has its own DNS servers you use by default when connecting to the internet. The downside is that because your connection goes through your ISP's DNS servers, your ISP can track which sites you visit and gather data about your browsing habits that it then sells to data brokers or marketing companies so they can more effectively market products and services to you. Some view this as an invasion of privacy.

Even if you don't subscribe to and use a proper VPN, you can help protect your privacy simply by refusing to use your ISP's DNS servers. Instead, change your computer (or ideally your router) to use Cloudflare's DNS servers. A set of instructions published by the website WindowsCentral guides you through the why and how.

[How to configure Cloudflare's 1.1.1.1 DNS service on Windows 10 or your router | Windows Central](#)

Not only will Cloudflare's DNS services cut your ISP out of the loop when it comes to monitoring your web browsing, it should also increase your browsing speed. Because they are not scraping data from your browsing, the Cloudflare servers tend to be faster than the DNS servers provided by your ISP or other DNS providers like Google.

I have been using Google's 8.8.8.8 DNS servers because they are usually faster than the default DNS servers provided by your ISP, but Cloudflare is much faster than even Google. After reading about Cloudflare's DNS servers, I reconfigured my router to use 1.1.1.1 and 1.0.0.1, which are the addresses of Cloudflare's DNS servers. Now all the internet enabled devices connecting through my router (I have more than 50 with all my computers, tablets, phones, smart lights, smart locks, etc.) have the benefit of the faster DNS servers along with greater privacy.

Scott Bassett is a virtual family law appellate attorney, adjunct professor of law, and member of our Section Council.

Mission Statement

The Law Practice Management and Legal Administrator Section of the State Bar of Michigan provides education, information, and analysis about issues of concern through meetings, seminars, its website, public service programs, and publication of a newsletter. Membership in the Section is open to all members of the State Bar of Michigan and all affiliate members who are actively involved in the performance or teaching of administrative or managerial duties with a private law firm, corporate legal department, government, judicial or legal agency, educational institution, or other organization devoted primarily to the practice or teaching of law, and meet educational/experience requirements.

Three Tips for Marketing Your Law Firm on Social Media

By Frances Murphy, Fran Murphy Law PLC

Social media can be a powerful tool to promote your law firm. From tweets, to LinkedIn posts, to Facebook announcements, online social media tools are a great marketing resource for law firms.

Why use social media?

Social media can expand your audience and drive people to your website. A 2018 survey by the ABA reported that online visibility is crucial. Only 55% of solo practitioners have websites, whereas 100% of law firms with 50+ lawyers have websites. The ABA reports that even with word-of-mouth referrals, many people will turn to the internet for information before contacting a lawyer. If the person doesn't find your website, they very well may find that of a competitor. One of the best ways to drive potential clients to your website is through social media.

Here are three tips for marketing your law firm on social media:

1. Utilize Twitter

If you do not already have Twitter, you should create an account for your firm. Twitter allows you to tweet moment-to-moment updates on the law and public events that affect your law practice.

After you create a Twitter account, you can maximize your visibility by using relevant hashtags and creating substantive posts that focus on quality over quantity. Hashtags specific to legal marketing such as #attorney or #criminal defense (depending on your area of practice) are a step in the right direction to increasing your firm's visibility. For the post itself, it's important to focus on what's relevant and current. Posting quality, relevant content will help you establish credibility with your followers.

If you do not want to manage your Twitter account yourself, you can use external software to help manage your account. One example is Hootsuite, which can organize your Twitter feed, schedule posts to go out at a later time, and give you input data about your followers. Some of these services are free, while others cost money.

2. Link your firm's Facebook and Instagram accounts

Assuming you have both a Facebook and Instagram account, you can save time on your social media posts by

cross-linking your Facebook and Instagram accounts. This is an easy process that can be done through Instagram's Help Center. Once you have cross-linked your accounts, all you need to do is post to Instagram, and your Facebook friends will be notified of your post. This makes gaining followers easier from your Facebook network because you will not have to send out a "follow-me" message.

3. Engage on LinkedIn

LinkedIn has been around longer than Facebook, Twitter, and Instagram. It hosts more than 600 million professional profiles, according to topresume.com, which creates infinite networking opportunities for your practice. Some say that referrals from other attorneys are the lifeblood of any solo firm. While much in-person networking is on hold with the pandemic, online networking is more important than ever.

LinkedIn can help you build your professional brand. LinkedIn can be a platform from which you can stand out from others in your industry with no cost to you other than time. According to topresume.com, LinkedIn can also help rank your name on Google better than your website because LinkedIn is a well-known and enormous network, whereas your website most likely is not.

Conclusion

Managing your own law practice is a lot of work. Marketing is just one part of building a successful law practice. In this day and age, if you don't engage with social media, you are behind the times. So go out and do it!

Sources

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Back From the Past

By Barry L. Brickner

Over the years I have been intrigued with the ways that I could improve my law practice by using the computer. I first started writing articles about using computers in the law office back in 1985. This was the same time *Back to the Future* came out. As that saga unfolded and by the time *Back to the Future II* was released in 1989, there was the prediction that we would have flying cars by 2015. I was not thinking in those terms, but I thought that with the progression of the computerization of the law office many of the things that we did back in 1985 would be fully automated by now. Alas, the more things change, the more they stay the same. Things that I thought would be automated by now, are not. The attorneys who thought about what might be the future of law office computing are the same ones who were talking about that 30 years ago. One thing that I do remember was the old adage that the law is slow to change. That is still true.

I thought that progress was made when some courts allowed phone conferencing. The only reason we moved on to video conferencing (Zoom hearings) was because of the pandemic. Terrible things promote great progress. I was writing about document assembly over 30 years ago and I was using document assembly back then too, but not anymore. How often do you even hear that term used today?

I also wrote articles about how to get something for nothing. I called that “Cheap Chic”. While we all know that you can get a great deal of information on the internet by just looking online. Did you ever think that you can use the tools that you have that are a part of your office software to develop simple programs to help you in the practice of law? Bundled with most Word Processing software is other staples such as spreadsheets, data bases and presentation software. Whether you have Microsoft or Word Perfect Office, you have all of these other programs bundled with them. Waiting at your beck and call. Asking you to please use me. You bought the program for the word processing software. Why not use the rest of the package? Is that not like getting something for nothing? Too optimistic for you? You can go ultra cheap and say to yourself, I spent all of this money on Office and I want to get my money’s worth. However you justify your position, just start using the additional programs.

After word processing, I believe the next most used program in the office bundle is the spreadsheet program. While I started out with the king of the spreadsheet programs back in the day, Lotus 1-2-3, most people are familiar with Microsoft

Excel or Corel Quattro Pro. They all work basically the same. Spreadsheets put things in columns and rows and apply math where indicated by the drafter. The way that I started using spreadsheets was by looking at lists that I made with descriptions and numbers, then arranging them in the spreadsheet program. The beauty of the spreadsheet is that whenever you make a change in the numbers, the spreadsheet automatically recalculates the balance. You can easily sort the data and the presentation is neat and clean. You can also make graphs and charts if you want.

When I took the lessons that came with the spreadsheet program, the first thing that I learned how to do was to make an amortization schedule. The variables were the principal amount, the interest rate and the number of years that payments were made. The spreadsheet would then calculate the monthly payment. Now, you can go online and find a site that will calculate a loan payment . However, the spreadsheet could also show the balance left on the loan after each payment. It could be expanded to calculate payments to date and interest paid to date. Not all sites on the internet will calculate the number of payments that you need if you have a fixed payment that is not amortized for a certain length of time. How often do you have an agreement that fixes the payment amount for a certain period of time that leads to a balloon payment? If you do your own spreadsheet you can figure out what the balance is when the contract balloons.

You might be thinking these are standard calculations, why do I need to do this? I can find this online. Not for everything. The best example that I can give is when I was contacted by a new client, who was the seller on a land con-



tract. She had a standard amortization schedule based upon an amortized amount. The purchaser stopped making the standard payments and stopped paying on time. There was a reduction in the payments and gaps in time between the payments. I modified an existing loan payment spreadsheet and calculated interest on a daily basis between payments. This spreadsheet allowed for different payments to be used as a part of the calculations. I was able to figure out the balance due as a part of a land contract forfeiture proceeding. The purchaser had a balance due after the expiration of the land contract because he was not paying the amortized payments and not paying on time. He verified all of his payments and when they were made. By placing all of the payments in a spreadsheet, I was able to calculate the balance due. The purchaser disputed the amount due until he saw the print out of the spreadsheet and then he paid it. Case closed. My client said to me when we were done that she needed a lawyer because all lawyers know how to figure these things out. I said to her... No, they do not. Knowing how to use spreadsheets helped me to figure out the balance that was owed to the satisfaction of the seller and the purchaser.

Years ago I developed a spreadsheet that would calculate gross estate fees for probate matters. The court had guide sheets that you followed to calculate the amount. Since it was all math, the spreadsheet did the calculating. The courts now allow you to go to their website and get the amount. I still run the spreadsheet which verifies the amount. At the time the spreadsheet was written, the court did not have that service. I also use spreadsheets to produce accounts of fiduciary and include them with the SCAO forms.

I recently came up with a small spreadsheet that calculates the transfer taxes on real estate transactions. I only did

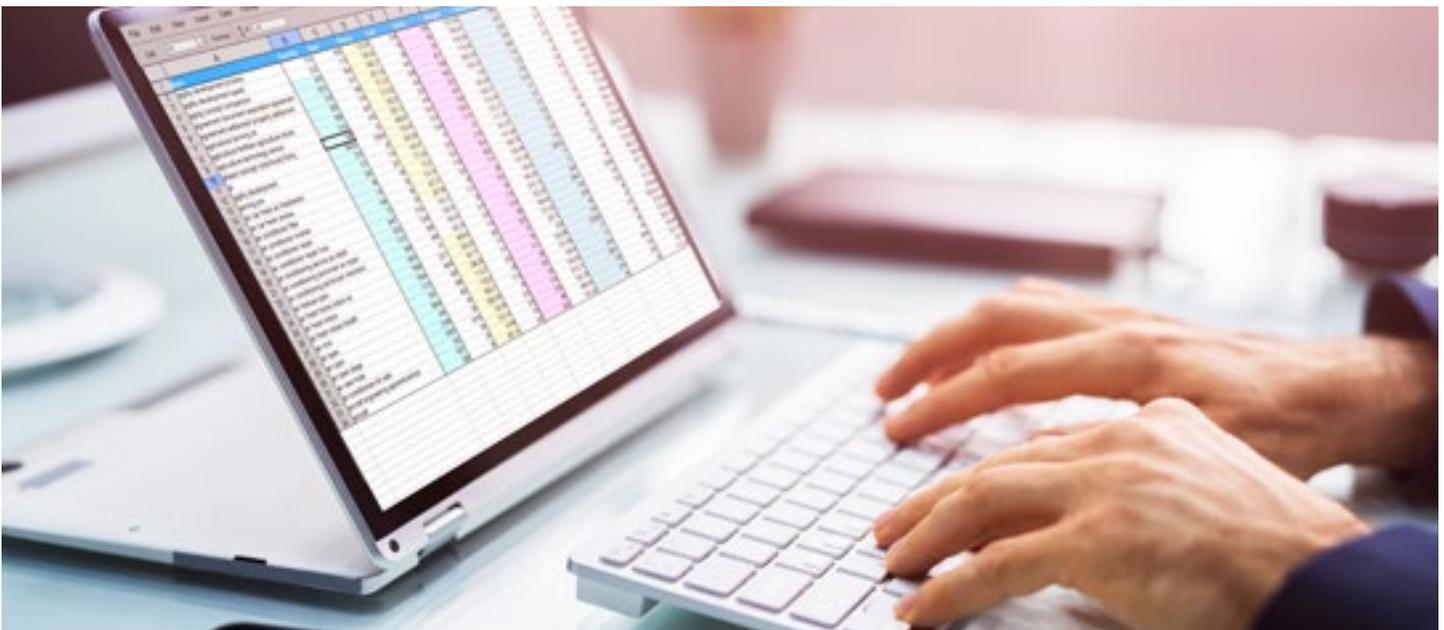
it to see if I could, but it does save time. I have a spreadsheet that replicates a closing statement for real estate closings. It calculates real estate tax proration amongst other things. I use it to verify closing statements from title companies.

Have you ever tried to calculate statutory interest on Judgments? The interest rates are changed twice a year January 1 and July 1, which is required by statute. The State Bar publishes those rates online. How do you calculate those rates? I have a spreadsheet that calculates interest to date starting from the date the judgment was entered through the date the calculation is made. The only variables are the amount of the judgment and the date of the judgment. The spreadsheet calculates the accrued interest. It also shows the per diem rate for the different time periods. I have been updating that spreadsheet every 6 months for years.

I use a spreadsheet in divorce matters to list assets of the parties. I have also made his/hers lists to show an equitable division of the assets. During settlement negotiations assets can be shifted between the two parties and the spreadsheet keeps a running total for each party.

In the good old days I would keep track of my billing and payments on fee cards that were part of a peg board system. Yes I am that old. I converted that to spreadsheets which keep track of charges and payments. The top part of the spreadsheet prints out as the statement that I send to my clients. The statement also shows outstanding balances that are 30, 60 or over 90 days past due.

The simple fact is there are many ways to make your practice easier and more efficient by using tools that you already have built into your standard office software on your computer. Maybe your future can be brought Back From the Past. Sorry, no hover boards are included.



Mitigating Employee Turnover with Generation Z Entering the Workforce

By Madeline Barone

Employers are just starting to grapple with a new generation of workers, those born between the late-90's and the mid-2010s. Known as Gen Z and sometimes called “zoomers”, this new generation of workers is expected to account for 27% of the work force by 2025.¹ Like the millennials before them, this upcoming generation of workers bring new challenges and new opportunities for employers. They certainly bring new ways of thinking about everything from company loyalty to what constitutes fair pay. Employers that fail to embrace this change will increasingly find themselves with workplace vacancies and high employee turnover. Today's employers can not expect employees to blithely stay loyal to the company simply through the consecration of time.

Unlike Baby Boomers and Generation X, Millennials and Gen Z are not as committed to company loyalty. Zoomers will only stay at a company if they feel that they are being treated fairly. In this context, it is the universal “they” because Gen Z is attuned not just to their own self-interest but how this fairness does or does not manifest with all employees. This lack of implicit, intrinsic loyalty has been heightened by mass firings and subsequent labor shortages that have occurred during the pandemic. Gen Z witnessed their parents, aunts and uncles, family, friends, and other older generation members get laid off from companies they worked at for decades. When the reasoning behind company loyalty is the expectation that this loyalty is reciprocated, this is quite



discouraging for the younger generation to witness since this is not the case. Additionally, with the labor shortage (which Gen Z is referring to as the “wage shortage”), individuals are seeing that their work is needed by their employers, and not the other way around. Instead, Gen Z is now treating companies as entities that need to prove themselves worthy as well. Many individuals in this generation know their employment worth, how much they should get paid, and what other companies are willing to offer them if they are not being treated fairly. If you are in a hiring position, or maybe you just want to see what the future of the workplace will look like, here are seven mistakes to avoid when onboarding Gen Z employees.

Top Employer Mistake One: Failing to Compensate Fairly

When viewed through the eyes of the generations before them, Gen Z has boundary issues! The truth is, Gen Z is not inhibited when thinking or talking about many topics previously off limits or taboo, including income. Perhaps sites like PayScale have played their part, but whatever the cause, Gen Z are all too happy to talk with their peers about how much you are paying them. One reason for this presence of mind is that inflation is on the rise perhaps even bordering on stagflation. Combined with burdensome student loans, fair wages are an important aspect, if not the most important aspect, of the Gen Z hiring process. Since Gen Z are not afraid to talk about their salary with their co-workers, this should warn employers to not underpay their employees, Gen Z or not. If a Gen Z employee finds out they are being underpaid, they are not afraid to leave for a job that will recognize their worth and compensate them as such. Gen Z and Millennials are nearly twice as likely as baby boomers to discuss salary amongst their colleagues.² Therefore, fair and livable wages are a huge part of the Gen Z employment search.

Top Employer Mistake Two: Failing to Allow for Workplace Flexibility

Perhaps more than any generation before them, Gen Z values flexibility. Workplace flexibility typically emphasizes an employee finishing their assigned work, without necessarily focusing on when and where employee completes these tasks. This may include things like remote work, compressed work weeks, and flexible hours. With the increase in mental

health awareness, as well as the increasing need for potential sick days with the pandemic, workplace flexibility is key in the Gen Z job search. With the pandemic allowing remote work, and in the age of Zoom, Gen Z has seen that working from home is entirely possible for many careers. A study of 16,000 workers over nine months published by Stanford found that working from home can increase productivity by 13%.³ Additionally, the ability to work from home, at least on an “as-needed” basis, can cut down on travel costs, allow for lower cost of living relative to office location, increase sleep time, and overall allow for a more productive day.

Top Employer Mistake Three: Micromanagement

Micromanaging doesn't improve workplace productivity, contrary to what you may believe. Countless studies have shown that micromanagement leads to disengagement, and disengagement can average an 18% lower productivity and 12% lower profitability rate than teams that are not micromanaged.⁴ This leads to high employee turnover rates, which will actually *increase* the amount of time and money you will need to spend annually on staffing. Overall, by allowing employees to oversee their own tasks, if they are completing these tasks in a timely fashion, you will be saving time and money, plus your employees will feel more trusted and respected.

Top Employer Mistake Four: Lack of Diversity and Inclusion

Gen Z is cited as being the most radical and diverse generation in America yet,⁵ and they expect their workplace environment to reflect this. Diversity and inclusion are both expected in the workplace, and 69% of Gen Zers claim that they would be more likely to apply for a job that reflected an ethnically and racially diverse workplace.⁶

This employment desire likely comes from the majority of Gen Z either witnessing or experiencing workplace discrimination. In response to a Tallo survey, 67% of Gen Z stated that they had witnessed discrimination in the workplace based on race, ethnicity, gender identity, or sexual orientation, whereas 44% of respondents had been personally discriminated against.⁷

Although Gen Z is constantly taunted for being “too woke,” this way of thinking comes from personal experience among the generation, and clearly is not something they will stand for. In the age of social media, word spreads about workplace discrimination much more quickly, and this can be used to the employee's advantage. To appeal to this expectation, hire diverse and avoid discrimination inside *and* outside of the workplace.

Top Employer Mistake Five: Not Assigning Meaningful Work

A workplace issue that remote work has highlighted is the idea of working just to “look busy”, or busy work. Being

assigned work and mundane tasks just to keep employees doing something during the workday, although not actually be important, can result in quicker burn out. In fact, enterprise workers feel that 32% of their work week is spent on unimportant tasks, leading to 86% of enterprise workers believing that these tasks get in the way of doing their job effectively. Plus, Gen Z and Millennials feel the highest pressure to appear as if they are working during office hours, even when they know they will not be productive.⁸ The ability to focus on meaningful work rather than mundane tasks not only increases employee drive, but increases the quality of work as well. Meaningful work gives purpose to employees outside of just working to pay bills. When individuals feel as though their work is important and valued, they are going to be more likely to do a better job and feel better about their work and workplace.

Top Employer Mistake Six: Not Recognizing Employees

Being new in the workforce, many Gen Z employees feel the need to “prove” themselves to their employers and show that they are as reliable and capable as their older counterparts. Hard work oftentimes deserves recognition, and recognition drives employees to continue to work hard. In a recent study by Achievers, one in five employees (20%) feel underappreciated at their jobs, which hinders their engagement at work. This number increases to 43% with Gen Z, where nearly half of the generation's employees do not feel that their work is valued.⁹ As mentioned earlier, higher engagement leads to stronger work which leads to higher productivity. Even a simple, “good job with this week's assignment” can go a long way.

Top Employer Mistake Seven: No Work-Life Balance

Gen Z members appreciate the ability to go home after work and not have the constant anxiety that they are going to be contacted by their employer, yet Gen Z feels the most pressure among all generations to be reachable at all times of the day.¹⁰ With half of Gen Z workers planning to switch jobs within a year, it is important to focus on allowing employees more control of their schedules. An employee can not be expected to be on call 24/7 unless that was explicitly stated in their job description. This ties back to employee burnout. Work is important, but the time away from work where your employees recharge is what is reflected in work quality. When the typical workday is a 9-5, expecting your employees to be available on weekends, or weeknights when it is not discussed prior to hiring can turn off otherwise intended long-term employees.

Overall, Millennials and Gen Z seem to want the same things as other generations, Gen Z is just the most vocal. With the majority of the generation coming into the

full-time workforce in the middle of remote work, a labor shortage, and the pandemic, they have the upper hand in demanding what they want and need from an employer. Gen Z knows what they are worth. With work-life balance and fair wages seeming to be the top priorities among the upcoming working generation, meaningful work, flexibility, recognition, and personal responsibility are up there as well.

Madeline Barone is a Paralegal at the Barone Defense Firm. She is a 2019 honors graduate from the University of Illinois at Urbana-Champaign with a B.S. in Environmental Science and a B.S. in Psychology with fluency in Mandarin Chinese. Madeline founded the Illinois chapter of Epsilon Eta Environmental Honors Fraternity and directed the University of Illinois International Freezer Challenge team to win first place internationally two years in a row. Madeline also was awarded a Certificate in Leadership in Environmental Stewardship from the Chancellor at Illinois. Madeline was the Chief Editor for the Black Sheep, and a frequent contributor to The Rising. She will be attending Northwestern Law School in the fall and intends to pursue a career in International Environmental Law.

Endnotes

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Does Your Firm Actively Encourage People to Take Vacations?

By Patrick T. Barone, Barone Defense Firm

The traditional law firm model focuses primarily on measuring two things – the size of a lawyer’s book of business and the number of the lawyer’s billable hours. What would happen if a third thing was added – number of vacation days? Not as a negative but as a positive Key Performance Indicator (KPI)?

We were designed both for work as well as for rest. This is an ancient concept, going back thousands of years. Very early recorded advice about the importance of vacation can

be found in Genesis 2:3, where it says “Then God blessed the seventh day and made it holy, because on it he rested from all the work of creating that he had done.” Extended out, just one day a week would be 52 vacation or days of rest per year!

Developing science established also that the benefits of vacation can be profound, and that the impact not taking a vacation can be devastating. According to Quartz, not taking a vacation has a negative impact on your body, your mind, and your work.¹ Contrary to what law firm associates them-

selves may think, taking a vacation increases your likelihood of being promoted by 6.5%!

In today's connected world, what exactly is a vacation and how can management encourage employees to take them? A vacation can really only happen if we are willing to totally disconnect, and the truth is, this is really difficult for most of us. According to the author of *Disconnecting in a too-connected world*: I readily admit that I am powerless. Without a forced break from email, text messages, Facebook and an endless stream of online news and blogs, I am an information addict.²

What can law firm management do to “force” employees to actually take such a break? The first thing is to model the behavior themselves, by taking a vacation while at the same time clearly encouraging employees to take vacations. Then, while employees are on vacation, leave them alone! Simply having a vacation police is not enough; vacations must be actively encouraged. According to *Harvard Business Review*, if you think you are coming off as neutral by not encouraging or discouraging taking vacation, your silence could be interpreted negatively.³ Likewise, if you email an employee who's on vacation, you're communicating an expectation that she should work during her time off — even if you believe she “should know” that you don't expect a reply until she's back in the office.

The same article suggests the following three things: (1) management should take a hard look at and have an open suggestion about their own views of vacation and what they may be doing to fail to promote the taking of

vacations; (2) take their own time off, and don't check email while away; and (3) have managers choose a trusted staffer to take over their duties while away.

This concept can be taken a big step further by having management actually measure vacation days like any other KPI! In Section 8, of his book *Managing for Happiness*⁴ Appelo describes a different way to select and measure metrics or KPIs. He suggests that all employees have their own metrics, based on their own goals.

Applying this concept to vacation, law firm management could, and in fact should, encourage all partners, associates and support staff, all employees, to place a metric or goal on their own scorecard relative to vacation. Since Drucker makes the connection between measurement and management, what better way for law firm management to send a message that vacations are important, and to make sure vacations are actually taken, then to actually “institutionally” measure vacation days?

Endnotes

- 1 <https://qz.com/485226/this-is-what-365-days-without-a-vacation-does-to-your-health/> (last checked Nov. 18, 2021).
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- 3 <https://hbr.org/2015/06/vacation-policy-in-corporate-america-is-broken> (last checked Nov. 18, 2021).
- 4 *Managing for Happiness Games, Tools, and Practices to Motivate Any Team*, Appelo, Jurgen. *Managing for Happiness: Games, Tools, and Practices to Motivate Any Team* (p. v). Wiley. Kindle Edition.



Don't forget to update your member record. In order to safeguard your member information, changes to your member record must be provided in one of the following ways:

- [Login to SBM Member Area](#) with your login name and password and make the changes online.
- [Complete contact information change form](#) and return by email, fax, or mail. Be sure to include your full name and P-number when submitting correspondence.
- [Name Change Request Form](#)—Supporting documentation is required