

Hearsay

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If you have questions about the newsletter, or would like to submit an article for a future issue, please contact one of the co-editors.

MSBA



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Greetings From The Chair

By: Rebecca Rhoda Fisher

The bar year is already half over and there is still much to do. The section, as well as its three standing committees, have been very active. Here is a brief update.

CLE update:

The section offered an ethics CLE on January 19, 2006. Craig Klausung, the Assistant Director of the Lawyer's Office of Professional Responsibility, spoke about trends the office has seen in recent years, pointed out common mistakes made by new attorneys, and discussed the new professional responsibility rules. The next CLE is planned for March 16, 2006, at 4:15 p.m. to 5:15 p.m. Lori Ann Wagner of Redgrave Daley Ragan & Wagner, LLP and Peter Hennigan of Faegre & Benson will be speaking on electronic discovery in their presentation entitled "Discovery in the Digital World: Where Are We At? Where Are We Going?" As a reminder, these CLEs are worth 1.0 hours and are free. If you would like more information, please contact myself or the CLE chair, Jennifer Daugherty, at jdaugherty@larsonking.com.

Social/Membership Update:

The committee will be working on the spring social with HCBA and RCBA for April 2006.

The committee is also in the process of planning the social event for the MBSA Annual Convention in June 2006 at Madden's. We have lined up the band Skatyr's, a cover band that will play songs that span several decades. It is sure to get people movin' and shakin'.

Community Service Project Update:

The section is working with HCBA, MTLA and many other organizations to start and promote the ABA YLD "We The Jury" project program in local high schools. Training sessions have already been completed, but please contact Sonia Miller Van-Ort at smiller-vanoort@flynnngaskins.com or Deanna Dailey at ddailey@larsonking.com if you are still interested. We are always still looking for volunteers!

We are still working with the Criminal Law Section on a methamphetamine awareness education program to take into the high schools in spring. The Criminal Law Section is in the process of coordinating production efforts with local news channels. Once the video is complete, we will

be looking for volunteers to show it at high schools across the state.

Additionally, we are still collaborating with the MSBA Katrina Relief Infrastructure Subcommittee, HCBA, RCBA and other affiliates to collect office supplies and furnishings at donation locations in the Twin Cities and Affiliate areas. One truckload has already been sent and the goods were off the truck before you could blink. There is still a great need for furniture and office supply donations to go to four legal aid organizations affected by Hurricane Katrina.

Unfortunately, KSTP cancelled Lawline at the end of January. Apparently, they are switching to a more fast-paced new style and have cut several hotlines as they feel they take up too much time and are just filler. The section discussed various options at our meeting in February and will continue to discuss this at the March 16th meeting.

Please check the MSBA NLS website and watch for e-mails on upcoming meetings and events. I encourage each of you to participate in the section some way this year whether it's attending meetings, volunteering to serve on a committee, volunteering to help with a community service project, or attending a CLE. Watch for opportunities and announcements in Bench and Bar or on the MSBA website. Our meetings are the third Thursday of the month at 5:30 p.m. at the MSBA offices in Minneapolis. Hope to see you all there!



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Appellate Practice Pointers

By: Shanda K. Pearson

All attorneys inevitably encounter judgments or orders adverse to their clients and find themselves contemplating an appeal. Appellate law comes with its own set of procedures and rules that can perplex experienced and newer attorneys alike. There are many components of successful appellate practice, but proper evaluation of a potential appeal and adherence to the appellate rules are key. While this article cannot address all of the nuances of appellate law, it discusses some items that should be considered before the appeal as well as basic rules and possible pitfalls that new attorneys may encounter.

Evaluating probability of success on appeal. No matter where your appeal takes place, the system favors the non-appelling party. In 2004, the Minnesota Court of Appeals decided and/or dismissed 2,035 cases. A little over 11% of those cases resulted in outright reversal.¹ The Eighth Circuit reversed only 9.7% of the cases it decided in 2003.² Appeals are expensive and time consuming. Before moving forward with one, attorneys should evaluate and discuss with their client whether a trial court loss is worth the time, cost, and uncertainty of an appeal.

Standard of Review. One of the most significant factors to assess when determining the chances of success on appeal is the standard of review that the appellate court will apply to the issues raised on appeal. The standard of review essentially determines how much deference an appellate court will give to the trial court's decision. The Minnesota Court of Appeals has compiled an extremely helpful and extensive publication setting forth case citations to standards of review applicable to dozens of appellate issues. This publication is available on the state law library's website at <http://www.lawlibrary.state.mn.us/casofrev.html>.³ The three most common standards of review are as follows:

- *De novo:* De novo review is somewhat akin to an instant replay at a football game. It means the appellate court is not bound by and need not give deference to the district court's conclusions. This form of review is generally reserved for purely legal issues where facts are undisputed and provides appellants with the greatest chance of success on appeal. Success is less likely under the abuse of discretion and clearly erroneous standards.

- *Abuse of Discretion:* Discretionary decisions made by a district court are reviewed for an abuse of discretion. A decision does not constitute an abuse of discretion unless it "is against logic and the facts on record or misapplies the law."⁴ Under this standard, an appellate court will correct erroneous applications of the law, but afford the district court discretion in its findings of fact and ultimate conclusions.⁵
- *Clearly Erroneous:* The clearly erroneous standard applies to questions of fact and is the *most difficult* to overcome on appeal. Factual findings by a trial court are clearly erroneous "only if the reviewing court is left with the definite and firm conviction that a mistake has been made."⁶ Under this standard, an appellate court will view evidence in the light most favorable to the district court's findings.⁷ The fact that the record may support findings contrary to those made by the district court is irrelevant.⁸

The Record on Appeal and Preserving Errors. A party's chance of success on appeal also greatly depends on the facts in the record and errors properly preserved at the district court level. Appellate courts typically do not consider items outside the record, nor will they address issues not raised in the district court. Thus, great care should be taken to dissect the record to ensure that there are sufficient facts in the record to support a legal argument and that procedural mistakes at the district court level will not preclude review of an issue on appeal. You have weighed the chances of success and decide to move forward with an appeal. Now what?

What to appeal. The appellate courts dislike piecemeal appeals and with few exceptions, generally limit appellate review to final judgments and orders that are sufficiently final or important to warrant immediate appellate review. Premature appeals are dismissed. While refiling may appear to be a simple solution, an unsuspecting appellant may be left without recourse if the dismissal of a premature appeal does not occur before the actual appeal period expires.

A judgment is final and thus appealable if the judgment disposes of all of the claims of all involved parties. A judgment may also be certified as final under Minn. R. Civ. App. P. 54.02, which allows a judge to expressly state there is no just reason for delay and direct immediate entry of

judgment. Questions frequently arise concerning the finality of a judgment when judgment is entered, but the trial court has not yet ruled on attorneys' fees and/or costs. Absent certification under Minn. R. Civ. P. 54.02, the time for appeal generally does not begin to run until attorneys' fees are decided. [Cite Here] In contrast, a judgment is final regardless of whether *costs* have been taxed.⁹

Immediately appealable orders are those listed in Minn. R. Civ. App. P. 103.03. However, the list is not exhaustive. Minnesota case law provides for appellate review of various other orders, including orders denying motions to dismiss or for summary judgment based on governmental immunity or lack of personal or subject matter jurisdiction.¹⁰ Even if a party fails to appeal from an immediately appealable interlocutory order, that party does not lose the right to appeal from the final judgment.¹¹

When to appeal. In appellate practice, timing is everything. Minn. R. Civ. App. P. 104.01 provides that unless otherwise provided by statute, parties have 60 days to appeal from a judgment or appealable order. An order for judgment is distinguishable from a judgment: only the actual entry of judgment triggers the time to appeal. In contrast, the time to appeal from an appealable order begins to run when any party serves written notice of the filing of the order. Attorneys should be aware, however, that controlling statutes may establish a different, and often shorter, time limit on appeals.¹² While the appellate courts retain discretion to review untimely appeals in the interest of justice, the reality is that they strictly enforce timing rules and can, and typically do, dismiss untimely appeals.¹³

A party may toll or suspend the time to appeal from an order or judgment by serving and filing a "proper and timely" motion of the kind listed in Rule 104.01, subd. 2. A "proper" motion is one on the list and authorized in the particular proceedings at issue.¹⁴ Importantly, Rule 104.01, subd. 2 does not include motions for reconsideration and the court of appeals has held that such motions do not toll the time for appeal.¹⁵ Additionally, the motion must be filed in compliance with applicable procedural rules¹⁶ and within the time constraints contained in the rules. Untimely or otherwise improper motions do not toll the time for appeal and the chance to appeal may be lost if an attorney incorrectly relies on the tolling provision. When a proper and tolling motion has been filed, the time to appeal begins anew when any party serves notice of filing of the order that disposes of the tolling motion.

How to appeal. Minn. R. Civ. App. P. 103.01 speaks to the technical requirements for a notice of appeal. Timely service and filing of the notice of appeal is jurisdictional.

The notice of appeal is a relatively simple document to prepare, but failing to name and serve all adverse parties may have serious consequences. In *Janssen v. Best & Flanagan, LLP*, 704 N.W.2d 759, 764-65 (Minn. 2005), a shareholder's derivative suit, the appellant failed to name one of the adverse parties and serve it with a notice of appeal. Because the judgment was indivisible as to all of the involved parties, failure to serve one of the parties resulted in dismissal of the appeal. Even if a judgment is divisible, an appellate court will consider only those issues between the appellant and the adverse parties properly served. Thus, care must be taken when preparing and serving a notice of appeal.

Conclusion. The above highlights just a few of the issues that may arise when deciding whether to appeal. The importance of adhering to the appellate rules cannot be overstated. Moreover, meaningful evaluation and careful planning on the front end will ensure that you are using your time and your client's money in the most efficient manner possible and help you give your client a realistic assessment of the probability of success. Concentrating on these key steps will help achieve success on appeal.

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Notes

¹ 2004 Minnesota Courts Annual Report.

² Federal Judicial Caseload Statistics, Table B-5 (Mar. 31, 2004) (citing statistics for the 12-month period ending March 31, 2004).

³ *Court of Appeals Standards of Review* (2005 ed.).

⁴ *Schallinger v. Schallinger*, 699 N.W.2d 15, 23 (Minn. Ct. App. 2005).

⁵ *Rehn v. Fischley*, 557 N.W.2d 328, 333 (Minn. 1997).

⁶ *Fletcher v. St. Paul Pioneer Press*, 589 N.W.2d 96, 101 (Minn. 1999). In contrast to factual findings by a trial court, factual findings by a jury are overturned "only if no reasonable mind could find as the jury did." *Reedon of Faribault, Inc. v. Fidelity & Guar. Ins. Underwriters, Inc.*, 418 N.W.2d 488, 491 (Minn. 1988).

⁷ See *State v. Atkins*, 543 N.W.2d 642, 646 (Minn. 1996).

⁸ *Vangsness v. Vangsness*, 607 N.W.2d 468, 474 (Minn. Ct. App. 2000).

⁹ See Minn. R. Civ. P. 58.01.

¹⁰ *McGowan v. Our Savior's Lutheran Church*, 527 N.W.2d 830, 833 (Minn. 1995) (subject matter jurisdiction); *Ander-son v. City of Hopkins*, 393 N.W.2d 363, 364 (Minn. 1986); *Hunt v. Nev. State Bank*, 285 Minn. 77, 88-89, 172 N.W.2d 292, 298 (1969) (personal jurisdiction).

¹¹ *Engvall v. Soo Line Ry. Co.*, 605 N.W.2d 738 (Minn. 2000).

¹² See, e.g., Minn. Stat. § 14.63 (providing 30 days after agency decision to serve and file petition for writ of certiorari); Minn. Stat. § 209.09 (providing 5 to 10 days to appeal election contests); Minn. Stat. § 103E.095 (providing 10 days to appeal eviction actions).

¹³ See Minn. R. Civ. App. P. 126.02 (prohibiting appellate court from extending time to file notice of appeal); *Township of Honner v. Redwood County*, 518 N.W.2d 639, 641 (Minn. Ct. App. 1994) (holding that court of appeals lacks jurisdiction to consider untimely appeal).

¹⁴ *Madson v. Minn. Mining & Mfg. Co.*, 612 N.W.2d 168, 172 (Minn. 2000).

¹⁵ *Baker v. Amtrak Nat'l R.R. Passenger Corp.*, 588 N.W.2d 749 (Minn. Ct. App. 1999).

¹⁶ *Id.* at 171-72 (Minn. 2000) (noting a “proper” post-trial motion complies with the Rules of Civil Procedure, including in part, “stating the grounds for the motion with ‘particularity,’ setting forth the relief sought with any required supporting documentation, such as affidavits, and serving and filing the motion with the appropriate signatures in place”).

Time Well Spent: Targeted Mailings

By: Dana R. Bartocci

Dear Sir or Madam:

Does this greeting make you want to read the rest of this article? Odds are this greeting does not catch your eye, and it does not catch an employer’s eye either. Many lawyers in their first years of practice who are contemplating a career or employer change are unsure about how to tackle this very daunting task. Mass mailing usually seems as though it is a perfect way to start your search: it is quiet, your current employer won’t likely find out about it, and doesn’t take much time. This may seem like a good strategy, but in actuality it has little likelihood of success.

Whether you are looking for your first job, or a career change, there is a right way to distribute your résumé to employers in whom you are interested but are currently not posting positions. This technique is called **targeted mailing**. This technique takes more time and effort than paying someone for a spread sheet of legal employers and running a mail merge, but nets more interviews and jobs in the long run. Below are some strategies for an effective targeted mailing.

1. First, do your research and have some parameters of the types of employers that interest you. Perhaps you are looking for firms with 50 or fewer attorneys, or in a certain location with a certain practice area. You can research firms on martindale.com or Westlaw, with community members, or by checking your law schools for alumni career and professional development services. Once you have narrowed down a rough list, review each firm’s website or other marketing materials. Note if the firm has any jobs posted or specific application procedures, and if they do, follow the procedures. If the employer does not

have employment opportunities posted, draft a targeted cover letter and résumé for the type of employment you are seeking.

2. Second, draft your cover letter and résumé for your targeted employers. In the business world this is seen as “target marketing.” You have done your research about your audience and now you must demonstrate in your cover letter why you would like to work for this specific employer and why you are qualified. Do not send the same letter to everyone; rather, be specific in each letter. In addition, try to find a name of someone to whom you can direct the letter. This may take a few more minutes, but helps keep your letter from being lost in a mailroom.
3. Third and finally, FOLLOW UP. Sending a résumé and cover letter is just the beginning, and alone it will result in very few interviews and jobs. The general statement I always hear is that for every 1000 résumés you send to an employer you can expect to get 2 interviews, and it takes 10 interviews to net one job. These odds are not in your favor, and not an effective use of your time. These statistics improve dramatically with follow up and networking. Follow up with a phone call after you send your résumé. Ask if the employer has received your résumé and if the hiring authority needs any more information from you. If you learn that the employer is not hiring but will keep your résumé on file, check back in the future or schedule and informational interview. In addition, keep your eye out for people from the places to which you have sent résumés at networking events, bar meetings, and CLEs. Talk to them about their

place of employment and let them know that you have sent in a résumé. Often, meeting someone face to face is all you need to give your résumé a boost.

Targeted mailing is just one tool in your job search tool kit that will enable you to have an effective job search; you must combine it with research, networking, and other tools

to maximize your opportunities of finding rewarding employment.

Dana R. Bartocci is the Special Assistant to the Dean at the University of Minnesota Law School. She also serves as a career advisor. She received her J.D. and M.S. in Education from the University of Wisconsin Madison.

Your First Immigration Case: What Happens At The Interview?

By: Vincent P. Martin

Let me start by saying that Immigration Law is not an area in which one should “dabble.” If a client is unhappy with your representation regarding an immigration matter and wishes to appeal an adverse decision based on your representation, the client is required to file a complaint against you with the Office of Lawyers Professional Responsibility before any such appeal may be sought. *See Matter of Lozada*, 19 I&N Dec. 637 (BIA 1988).

Nevertheless, there may be times when you take on a “simple” family based immigration case or are called to fill-in for another attorney at a “routine” interview with U.S. Citizenship and Immigration Services (“USCIS”). The interview at USCIS is typically the final stage of an immigration case and the decision of the Immigration Officer will typically determine whether your client receives the benefit being sought. Here are the basics of what you can expect.

USCIS will send you and your client a call-in notice explaining the purpose of the interview and what to bring to the interview. While these notices often times request documents that have already been submitted, it is a good idea to bring them in again. Typically, one submits copies of documents with an initial filing and the immigration officer must examine originals at the interview. You will not look very good in front of your client if you have to argue with the immigration officer that you have already submitted certain documents and, therefore, you did not instruct your client to bring them to the interview when the notice clearly instructs you to bring them again.

Once you arrive at the immigration office and get through the security check point at the entrance, you will be directed to a waiting area. When your client’s case is called,

an officer will greet you and your client and usually identify himself or herself. It is a good idea to note the officer’s name in case you need to follow up later with anything in particular. The officer will then require your client to show identification. If your client brings an interpreter, he or she will also have to show identification. The officer will then swear in the parties by asking them to “tell the truth, the whole truth, and nothing but the truth.”

The officers are supposed to review the application or petition and relating material prior to the interview; however, this is not always the case. As such, you should be thoroughly familiar with the facts and procedural history of your client’s filing in case you need to educate or remind the immigration officer of any relevant matters. There will typically only be one interview for any particular application. Therefore, if the officer does not solicit something that you believe is relevant and important, make sure to bring it to the officer’s attention.

In marriage-based cases, the officer will often question the husband and wife individually. You should be present during each interview. The officer will ask the couple many of the same questions in order to identify discrepant answers. As the officer asks your client questions, make sure that your client is permitted to give a full explanation of any issues involved in the case, if necessary.

Although the role of the attorney during these interviews is one of observation, the attorney is generally allowed to speak to the officer in order to clarify matters on an application or help the client give a thorough answer. However, the interview proceedings are not to be adversarial in nature and the attorney cannot “speak for” the client. The attorney’s role during the interview is not to argue the

client's case, at least not while the initial interview is taking place. The purpose of the interview is for the officer to obtain the correct information in order to make the correct adjudication of the case.

The officer's objective is to cover or discover all the pertinent information, both favorable and unfavorable to the applicant. At the end of the interview, attorneys are usually allowed to give brief information that may assist the officer in adjudicating the application.

You should keep notes about the questions asked and the answers given by your client. While it may not be necessary to keep notes verbatim, you should at least note any discrepancies between the information submitted on the application and your client's response. This will be helpful in the event of an appeal or request for reconsideration.

At the end of the interview, the officer will usually state that the case has been approved or denied, that the officer needs additional information, or that the officer will take the matter under consideration and a decision will be mailed

to you. In some cases, the officer may inform you that the case is "approvable," but that USCIS is still conducting background checks. In such a case, it may take several weeks, or even months, before a final decision is rendered.

Overall, it is important to thoroughly prepare your client for the interview and to make sure your client is aware of your role during the interview. Up to this point, you have met with your client regularly, answered questions he or she has had, submitted filings with USCIS, etc. As such, your client most likely expects you to advocate on his behalf at the interview. Make sure to counsel your client on the nature of the immigration interview so that he or she is not caught off-guard by the immigration officer's direct questioning of him or her because he or she expected you to speak on his or her behalf.

Vincent P. Martin is an immigration attorney with HELLMUTH & JOHNSON, PLLC in Eden Prairie. He can be reached at vmartin@hjlawfirm.com.

Software Tools For Managing A Small Practice

By: Edward Weck

You have just finished law school, passed the bar, survived the parties, and started a small law practice. Otherwise, maybe you have joined a small, established law firm with an older attorney who is not very computer-savvy. Either way, you think that there must be a better method for managing contacts, paperwork, and procedures in a law office.

There are a number of possibilities to accomplish this goal, and this article will highlight a few. The simplest way is to use the capabilities that are available in Microsoft Office. You have the ability to set up a few appropriate databases of client information in Microsoft Excel or Access. For document creation, client, attorney, and other information can then be merged into form letters and pleadings. However, one disadvantage in using this approach is that form letters will display the information for all clients, and one must tab through to the client or case for which informa-

tion is required. Calendar information can be maintained in Microsoft Outlook.

Another possibility is to look at the variety of software programs available for practice management, many of which are listed below. These packages can keep track of time, billing, accounting, calendars, clients, and cases. Each of these programs utilizes slightly different ways of keeping track of time, billing, calendars, clients, and cases. A number of free demonstrations and downloads are available so it is possible to investigate personal preferences for a computer package.

Table I. Selected Practice Management Software Packages

Software product	Company	Features	Download/ CD demo?
Abacus Law (Classic, Silver, Gold)	Abacus Data Systems	Time, billing, accounting, calendars, clients, cases	Download demo www.abacuslaw.com
Amicus attorney	Gavel & Gown Software, Inc.	Time, calendar, communications, notes, cases	30- day free trial www.amicusattorney.com
Case wizard	CyberDyne Industries, Inc.	Documents, cases	No free demo www.casewizard.com
Client Profiles for <i>Sybase</i>	Client Profiles, Inc.	Cases, documents, e-mail, time, billings	Demo session www.clientprofiles.com
CompuLaw	CompuLaw	Rules based legal calendar	On-line demo www.compulaw.com
Legal Master List	Sumac Consulting Group, LLC	Case management software	Download 30-day free trial www.themasterlist.com
Case, Financial, Document management	Legal Software Systems, Inc.	Time, billing, calendars, clients, cases, notes	E-mail contact www.legalsoftwaresystems.com
Needles	Needles Case Management	Billing, contacts, calendars, cases	Request a demo CD or internet demo www.needleslaw.com
Perfect law	PerfectLaw Software	Time, billing, accounting, cases	Request more information www.perfectlaw.com
Practice Master	Software Technology, Inc.	Clients, cases, calendars, e-mail	Free trial for a limited number of clients www.tabs3.com/products/ practicemaster/pm_overview.html
Prolaw Ready	Thomson Elite	Time, billing, cases, calendars, documents	Download evaluation with canned files www.elite.com/solutions/product- fam/prolaw/downloads.asp
Rainmaker	Rainmaker Software, Inc	Docketing scheduling	Can schedule a demo www.clswin.com/platinumP.htm
TimeMatters	Lexis-Nexis	Time, billing, calendars, clients, cases	Request demo CD www.timematters.com
Trialworks	Lawex		Free demo CD www.trialworks.com SQL license \$2995

My Case Study

I worked in a small workers' compensation/personal injury law firm for two years (Sundquist and Associates, 411 Main St., St. Paul, MN 55102). Russell Sundquist, lead attorney, has been in practice for 25 years and wanted to improve office efficiency by implementing a case management software package. The computers in the office are connected on a peer-to-peer basis so there is no server or computer network. There is a large amount of standardized paperwork for workers' compensation which requires inputting client information as well as date of injury, average weekly wage, and other case-specific information. The amount of authorized discovery is limited by statute which simplifies discovery answers. The standard letters and forms had been set up over the years, starting in Word Perfect format. The state provides some pdf files for filing certain requests.

I found that TimeMatters was best suited to this practice because of the relative ease with which one could create merged documents. The Time Matters "database" is based on the Microsoft Outlook file structure, including intra-office e-mail possibilities. Calendaring is possible for hearing dates, discovery deadlines, and other important dates. Pictures can be incorporated on a case summary screen to help recall the client when a phone call from the client comes in. Strategy notes, all associated documents, and medical records can be attached to each case.

As with every software package, in the absence of a dedicated software architect, the user must adapt to the capabilities of the software package. The relative ease of creation of merge letters did still require that a law clerk convert all the files to a merge format. To minimize typing on files routinely used, the State of Minnesota pdf files had to be converted back to word so that merge fields could be entered.

Conclusion

It is well-known that implementing a new software package for the first time in a new office can take time, but implementing a package for a number of computers is even more complicated. One must have a general level of computer competency which may require understanding scripts and simple programming concepts. If not, it is possible to hire consultants to install and customize these software packages specifically for your area of practice.

If when starting out, one is required do some typing without secretarial help, the time spent implementing one of the above packages will pay off in the long run in terms of case management and general office organization. The use of these software packages will allow one-time data entry and will only require final editing when producing finished documents. Every minimized key stroke saves time that can be used to find and retain new clients.

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Hennepin County Affiliate News

By: Bobby Hankoff

HCBA NEW LAWYERS MAKING THE MOST OF EARLY 2006

The HCBA New Lawyers have been keeping warm this winter and making great headway into the new year. Since November, HCBA New Lawyers have played an integral role in the MSBA Katrina Task Force's furniture drive by managing the collection of furniture donations that are being shipped to the Gulf region. In addition, members of the Section volunteered their time to serve meals at People Serving People in downtown Minneapolis on January 26. We are currently gearing up for the "We the Jury" project, in which local attorneys facilitate a start-to-finish "mock jury" programs in local school classrooms.

The Section has also continued its CLE programming. On March 21, 2006, Cynthia Bremer of Flynn, Gaskins & Bennett will be presenting a CLE on "Handling Agency Claims in Employment Law Cases." This CLE is offered in association with the Civil Litigation Section. For more information, please contact Larry at (612) 752-6622.

The new Recess with Judges program has also been a source of further CLE opportunities, offering new lawyers the chance to meet and learn from local judges. Our most recent offerings include our February 1st program, featuring Hon. Marilyn B. Rosenbaum, and our March 1st program, featuring Hon. Marilyn Justman Kaman.

HCBA New Lawyers most recently sent three delegates to the ABA Mid-Year Conference in Chicago. These delegates sat in the YLD Assembly and voted on a number of highly contentious issues, including an increase in YLD dues. In addition, the delegates were treated to a dinner/dancing extravaganza at the Union Club of Chicago.

Last but not least, the New Lawyers Section has continued to host the ever-popular monthly happy hours at various Minneapolis hot spots, including Cosmos and Fire Lake. The Section also hosted a special bowling event in January at Bryant-Lake Bowl. Join us at our next happy hour, which will take place on Thursday, March 9 from 5:00-7:00 at the Newsroom in downtown Minneapolis. Please stay tuned for upcoming social events in 2006, including the annual MSBA/HCBA New Lawyers event in the Spring and our Saints game outing in the Summer. Visit the HCBA New Lawyers Website www.hcba.org/programs/newlawyers.htm for the latest information.

Bobby Hankoff is the MSBA/ABA Liaison for the Hennepin County Bar Association New Lawyers Section. He can be reached at rhankoff@arb-forum.com.

Ramsey County Affiliate News

By: Derk Schwieger

The Ramsey County New Lawyers will have various upcoming events this spring. If you would like information regarding presently scheduled events and notification when events are scheduled, please email your request to Alexandria Hennekens at alexandria@ramseybar.org so we can add you to the New Lawyers email list. We will also have a number of CLE opportunities over the next few months. These will most likely be conducted over the noon hour with a minimal charge. The CLEs are not just for

new lawyers, and anyone is encouraged to attend. Dates and topics will be announced soon. The next counsel meeting and Happy Hour for the New Lawyers and Ramsey County will be on Thursday, March 9, 2006 at McGovern's from 4:00 p.m. to 7:00 p.m.

Derk Schwieger is the RCBA New Lawyers Section Co-Chair. He can be reached at lawdks@qwest.net.

Duluth Affiliate News

By: Kim Maki

The Duluth New Lawyers had a busy holiday season this year. First, they continued their tradition of sponsoring a clothing drive entitled "Santa Brings a Lawsuit." The clothing drive is focused on collecting gently used professional clothing that is then donated to the Damiano Center, a local soup kitchen. The Damiano Center reserves the professional clothing for its patrons who are actively seeking employment. The clothing drive was a resounding success due to the efforts of its coordinator, Yvonne Novak of Gerlach & Beamier, LLP.

The Duluth New Lawyers also had a holiday social at Baja Billy's in the Fitgers Complex. Members of the group had a great time eating, drinking, playing holiday games and getting to know each other.

The Duluth New Lawyers Section was also involved in the statewide Hurricane Relief Drive. Members were successful in gathering several items of office furniture that will be donated to lawyers in areas affected by Hurricanes Katrina and Rita.

Finally, the Duluth New Lawyers volunteered at the Damiano Center on January 28, 2006. Members cooked, served and cleaned up after lunch at the soup kitchen. This is the New Lawyers' second time volunteering at the Damiano Center, and the opportunity was enjoyed by all who attended.

Kim Maki is the Chair of the Duluth New Lawyers Section. Kim can be reached at kmaki@fryberger.com

Mankato Affiliate News

By: Lisa Hill

The Mankato New Lawyers meet every first Thursday of the month and always welcome new members! We are planning a happy hour for sometime in March, so please contact me or watch for postings if you are interested. Additionally, the contributions for Hurricane Katrina Relief our New Lawyers Section collected through Jason

Kohlmeyer's office are in the process of being transported to those in need. Thank you to all who contributed to this effort.

Lisa Hill is the Chair of the Mankato New Lawyers Section. She can be reached at lisa.hill@smrls.org.

St. Cloud and Willmar Affiliate News

No reports submitted.

2005-2006 NLS Liaisons

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Women in the Legal Profession Committee

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NLS Open Liaison Positions

COMMITTEES

Convention
Diversity Committee
Fair Response Committee
Insurance for Members Committee
Judicial Elections Committee
Life and the Law Committee
Membership Committee
Multijurisdictional Practice Committee
Paralegal Committee
Pro Se Implementation Committee
Publications Committee
Rules of Professional Conduct Committee

SECTIONS

Administrative Law Section
Appellate Practice Section
Art & Entertainment Section
Children and the Law Section
Communications Law Section
Computer Law Section
Employee Benefits Section
Family Law Section
Food and Drug Law Section
Outstate Practice Section
Public Utilities Section

As the list indicates there are a number of openings for New Lawyers to become liaisons to various sections in the MSBA. This is a great opportunity to get involved with a substantive or procedural area of law. If you are a new lawyer and interested in becoming a liaison you should contact the New Lawyers Section Chair, Rebecca Fisher at rebecca@rrflaw.com for more information.

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