

Effectively handling e-mail overload

“Neither our standard education, nor traditional time-management models, nor the plethora of organizing tools available, such as... Microsoft Outlook... has given us a viable means of meeting the new demands placed on us.”

David Allen was talking about the modern-day knowledge worker's struggle to keep up in his 2001 book *Getting Things Done: The Art of Stress-Free Productivity*. Many lawyers identify with his statement.

While “stress-free productivity” is too wide a topic for this column, I suggest you follow one of the best paths to this blissful state: An empty e-mail inbox.

To do this, you'll need to use your personal information management (PIM) software for more than e-mail. Consider adopting the following habits, which apply to PIM software such as Microsoft Outlook, Lotus Notes, Microsoft Entourage and others.

File it

Put all related e-mail (e.g. from



HI-TECH

LUIGI BENETTON

“**For many people, unsubscribing from newsletters they don't have time to read may be the easiest way to lighten the inbox load.**”

a specific case) in its own folder where you don't have to see it until you need it.

File it without touching it

Getting lots of e-mail from

client X about case Y? Tired of manually moving it to the client X, case Y folder?

Set up a rule to do two things: Check for all incoming messages from your client and put relevant messages into the right folder.

Rules are pretty flexible. You can sort e-mail using many criteria (like the “from” address or text in the subject line) and have the rule do other things besides sorting, like forwarding, redirecting and deleting.

Try this: Once you create a rule, select all messages in your swamped inbox and execute your rule. Several rounds of rule running should sweep swaths of messages into the right folders. Check the contents of said folders for any “false positives” and fine-tune your rules.

Worried about missing client messages while inbox rules run rampant? The name of an Outlook or Entourage folder appears in bold type with a number beside it to show that it contains that number of unread messages.

Tip: Let the number of non-urgent messages (e.g. newsletters) build to a certain amount (e.g. 20), then read them all in one go.

Tasks

Does your inbox serve as a task list? It shouldn't.

PIMs offer one-step processes that let you turn messages into tasks and assign future dates so that tasks reappear on the day you need to do them.

Modern PIMs also make delegating tasks as simple as filling out the “To” line in an e-mail.

You might want to perform the task right away if it's urgent or takes very little time to do. Choose your “very little time” threshold — two minutes, five minutes, whatever you're comfortable with — and if a given task fits under that threshold, do it right away. If not, create a task, set a date and, until then, set it aside.

Meeting requests

Ever receive one of those meeting request e-mails with

“Accept” and “Decline” buttons at the top? Once you click Accept, the event conveniently slots itself into your calendar.

Bring that convenience to your inbox by saving email as an event. Many PIMs keep the message's original text in the event for you. Remember, you can also invite people to the event.

Tasks and events: What's the difference? Tasks often need to be done by a certain day (e.g. submit invoice), but events must occur at a given time (e.g. meet with client).

Note: Meeting requests might show up as gibberish for people who use less sophisticated email clients or check e-mail using certain types of smartphones. You might need to follow up with a conventional e-mail or phone call.

A cleaner view

Now that your calendar and task list are set up, make a combined calendar/task view the first thing you see when you start your PIM. To do so reflects your choice

See **E-mail** Page 22

Firms can survive, even benefit from global credit crisis

Tips

Continued From Page 19

For example, certain areas of law are counter-cyclical, such as: Bankruptcy, litigation and regulatory work often tend to pick up when other areas slow down.

While these areas have yet to take off, Jones indicates that recent signs are “encouraging.” Diversifying into counter-cyclical or stable areas of law may shore up business for firms.

Also, it may be wise to move out of certain areas of law altogether. Lawyers who may add key capabilities to core practices can be moved from peripheral areas.

It may even be a good time to hire counsel to bolster preparedness in core areas.

Don't delay

Jones stresses that firms need to act quickly to collect on payables and start negotiating credit arrangements for 2009 early. Because so

many North American law firms use cash basis accounting, this is especially crucial.

“You don't really start making profits until sometime in November,” says Jones.

“This year you have a bad combination because clients are looking to slow down payments when you need them sped up.”

According to Jones, lines of credit for 2009 will likely be more expensive than this year. Additional financial covenants may be required in their terms. Bank policies may change. Consequently, firms would be wise to negotiate credit earlier rather than later.

Trim the fat

“I sound a bit like [president-elect Barack] Obama,” says the American Jones. “In cutting expenses, use a scalpel and not a meat axe. It will be important not to cut too much.”

Jones predicts the economic recovery in the legal market will

likely precede a general economic recovery. When it does “firms need to be ready to move forward.”

While Jones cautions that they are “not a good short-term savings device because of severances and other issues, in some cases layoffs will be necessary.” Jones advises simultaneous layoffs rather than a phased process.

“Avoid torture,” advises Jones.

Anxiety will rise and productivity will be undermined if layoffs are done gradually. Lawyers need to know when layoffs are complete.

Communicate

Jones insists that good communication with partners, associates and clients is a firm's key to survival and success.

“Strong leaders communicate a sense of calm. People look to their leaders to exude confidence.”

Firms can even dissolve after a crisis of confidence in their

leadership.

In cutting expenses, firms should not gut marketing budgets. Jones stresses that firms should spend marketing dollars to stay close to clients as competition for their business intensifies.

“Retaining clients in a stagnating economy will be challenging. Value to clients must be combined with excellent customer service.”

Innovate

For years, clients as well as associates have grumbled about firms' current models for delivering value.

Billable hours as value units and inflexible employment arrangements are often reviled. Jones says:

“The current financial crisis may lead firms to re-think fundamentals of how they do business, and that may not be such a bad result.”

Jones advises firms to consider

opportunities for contract work, outsourcing, increased use of non-lawyer staff and re-evaluation of billing practices. This may be a good time to reconsider associate remuneration. Competency-based pay may be more economically viable than lock-step approaches.

The current economic crisis may present firms with opportunities for innovation from which counsel and clients can actually benefit.

For lawyers struggling to attain the ever-elusive work-life balance, this might even mean current fiscal challenges ultimately prove to be good news. ■

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E-mail

Continued From Page 20

to focus first on the things you plan to accomplish each day.

Contacts

You can create contacts from e-mail just as easily as you create tasks and events. Keep the text from the e-mail so that you can find the contact using a text search in your PIM.

Don't let e-mail run your day

Andy Sherwood describes an office scenario:

"You're working quietly when a co-worker runs into the office, plunks an envelope on your desk and proclaims 'You've got mail!' You open the envelope, read the contents, deal with it and go back to work. Five minutes later, your secretary barges in again, envelope in hand and again announces 'You've got mail!'"

Sherwood's point: We would not tolerate such behaviour from our colleagues, but we expect it from our computers. That's why the principal of corporate productivity training firm Priority Management in Toronto recommends turning off all audible and visual alarms — new e-mail, meeting reminders and the like.

To keep up with the day's messages, Sherwood recommends checking e-mail three to five times per day.

Cut back on e-mail

Emptying an inbox gets easier when less e-mail comes in.

For many people, unsubscribing from newsletters they don't have time to read may be the easiest way to lighten the inbox load.

Transferring communications to other conduits also helps. If you find yourself typing the second reply to a second e-mail from the same person on a given topic, consider taking the conversation off e-mail and picking up the phone.

For projects, consider wikis. These editable websites, made popular by sites like Wikipedia, can serve as "single source" document creation tools that let many people work on one document and record who writes or changes what. Wikis tend to prevent the proliferation of email, multiple versions of documents and the dreaded version checks that ensue.

Also, try instant messaging. U.S. lawyers Dennis Kennedy and Tom Mighell promote IM in their book *The Lawyer's Guide to Collaboration Tools and Technologies: Smart Ways to Work Together*.

"People can carry on an instant messaging conversation in real time, or they can send each other messages that can wait until the other is available to respond to them."

As an added bonus, you can save the contents of your instant messaging session as a text file for later reference. ■

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The ideal candidate will have between 10 and 20 years of litigation experience. Applications from retired or semi-retired litigation counsel, and from retired judges, are welcome. Salary to be negotiated, commensurate with experience and the Foundation's non-profit status as a registered charity. Resumes with cover letter may be sent, in confidence, to JCarpay@CanadianConstitutionFoundation.ca.

Dealing with pressure in these stressful times

Let's face it, economic times are hard right now.

Credit is tight or has dried up. Some clients are at the brink of survival or have gone under. Those clients fighting to survive are calling with desperate and immediate demands that lawyers are trying to meet on top of an already overloaded work expectation.

With pressures such as these, lawyers sometimes cope badly personally.

We drink too much coffee or alcohol. We chain smoke. We don't get adequate rest. We skip lunches or grab fast-food high in fat and carbohydrates that we gulp at our desks or as we are walking somewhere. We occupy all our time with other people's problems such that we forget to live our own lives. We are on the phone all the time. We do not go out with friends. We "forget" to talk to our life partners. We don't go to family get-togethers because we "have things to do." If we go, we forget the wine and are bad company, waiting to leave.

Usually, some triggering event will force us to rethink what we are doing. We might have a phantom heart attack — not the real thing, but it sure is scary until the emergency doctor tells you that you need to slow down. Or you might double-book two really important appointments and get caught when you cannot move either of them. Your relationship might break down. You might be sued for negligence.

What a grim scenario.

And yes, I know, you will tell me that I don't and can't possibly understand the pressure you are under.

But, I do know.

I am that guy who handled the pressure so poorly that I ended up in hospital, missed a bunch of court dates and had some "splainin'" to do like Lucille Ball.

During Canada's last big recession in the late 80s and early 90s, I was a sole practitioner in a medium-sized Ontario city. I was in my late-30s when my personal and professional life spun out of control.

At the time, I was suffering from the onset of a serious mental illness, which was compounded by the pressures of practising alone, the stress of files and financial strain.



JOHN STARZYNSKI

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I am that guy who handled the pressure so poorly that I ended up in hospital [and] missed a bunch of court dates...

Things got so bad I was hospitalized. So I turned my practice over to some other great lawyers who looked after my clients when I couldn't.

I was a workaholic and physically and mentally exhausted myself.

I came through that dark time.

Having gone through such struggles, I now can offer some tips on how to physically and emotionally survive being a lawyer in these stressful times. I hope they help.

An area we tend to take for granted is our physical well-being. We need to be well so we can handle stress as well as walk around not feeling ill or fatigued all the time.

There are some very simple things lawyers can do to take care of our bodies.

Eat three meals a day, according to the Canada Food Guide, to get a balanced diet. Eat snacks during the day, especially around 10 a.m. and 3 p.m., when blood sugar typically dips. Have eight to ten almonds for a protein boost. Get eight hours of sleep a night, as this makes your body better able to withstand the pressure of the coming day.

Exercising at least three times a week is important too. Being in such a competitive business, we may enjoy a quick, one-hour workout. However, if the competitive juices are not sated, get on a squash ladder, join a competitive

hockey league or long-distance run. The possibilities are endless.

Cut down, or cut out, caffeine, alcohol and cigarettes. There has been enough written to indicate why these activities may be harmful to you. Drink lots of water to hydrate your body and make it better equipped to handle stress.

Emotionally, it is important not to be isolated and closed in with your feelings.

Have a close friend or confidant that you can speak to every day to check in with, assess yourself and plan how you can get through the day. Talk about work, finances, relationships and your fears. Share your triumphs. Dissect worst-case scenarios and give each other unconditional support. A life partner is the perfect person to fulfill these roles. Sometimes, if they are not our partner, we call these people mentors.

If you are looking to confide in someone outside your social circle, the Provincial Lawyers Assistance Programs available to all lawyers, judges and law students across the country are another option. I head the Ontario Lawyers' Assistance Program and can tell you the provincial programs offer confidential counseling, advisory and information services, personal support and peer group volunteers. The point here is to not be alone. Others are willing to help. You just have to ask and be open.

It is very useful to your mental outlook to get a break from the law. Read good books. Go to entertaining movies. Go to museums. Meditate. Take up photography.

There are so many things that can help your outlook on life. Find one that fits your time and interest.

My personal cross-over physical and mental suggestion physically is to get a dog. It will give you someone to talk to that will not judge you and will listen intently as long as you talk. A dog will give you exercise at least three times a day. And, as an added bonus, your friend will be glad to see you when you get home — every time! ■

John Starzynski is the volunteer executive director of the Ontario Lawyers' Assistance Program and a director of the Legal Profession Assistance Conference, the national umbrella organization for lawyer assistance programs.

Look for *The Lawyers Weekly* YEAR IN REVIEW supplement **IN THIS ISSUE!**