



Communicators Talk

News from the NABE's Communications Section • Winter, 1999

'We need to fix the image of lawyers'

How many times have you heard your president utter those words? As communications professionals, we are on the frontline of the battle to improve the negative perception of the profession. But how do we go about winning the war?

One thing is certain, there is strength in numbers. By working together, sharing ideas, and formulating a plan of attack, perhaps we can regain some lost territory and rebuild trust in the profession.

In my last column, I told you about the Section's plan to develop a shared communications strategy to assist each of us in tackling this daunting task. Although the landscape may differ locally, every state and local bar is facing virtually the same issues. This theory was proven by a survey we conducted of Section members which asked the principal topics about which your bar communicates, and what messages are used to deliver each topic.

Elizabeth Derrico, ABA Division for Bar Services associate director, compiled the survey results and summarized, "There are three broad focuses of bar association communications: public service, systemic reform, and the legal system."

While the Section was

polling its members to learn how the frontline was combating the public's waning confidence in lawyers, the ABA was conducting an important national survey. The survey results were recently announced at the ABA Symposium on Public Understanding and Perceptions of the American Justice System, held Feb. 25-26 in Washington, D.C.

The key findings were: 1) strong support for the justice system exists, but there are areas needing improvement; 2) confidence in the system increased in several ways – over time, with knowledge, by positive court experiences, and among "traditional establishment" demographics; 3) knowledge of the justice system is erratic.

The data shows that while respondents believe in the justice system, they have a lower confidence in the various components. According to the survey, 80 percent of Americans believe that "in spite of its problems, the American justice system



Jennifer Davis
Section chair

is the best in the world." The support is rooted in the jury system, which 78 percent said is the fairest way to determine guilt or innocence. Additionally, 69 percent believed juries are the most important part of our justice system.

The survey also asked respondents to rate their confidence in 17 different institutions in American society. The U.S. Supreme Court topped the list with 50 percent "extremely or very confident" in this institution. At the other end of the spectrum was the media, garnering only 8 percent in "strong confidence." Lawyers were next to last with 14 percent. Congress elicited 18 percent, although that number may be in jeopardy since the president's impeachment trial.

There were some inequities within the survey. While 63 percent said their knowledge of the justice system comes from personal expe-

rience and 59 percent learned from school or college courses, only 20 percent admitted basing their understanding on televised trials such as those seen on Court TV. Oddly enough, however, 96 percent knew "a defendant who is found not guilty in a criminal trial can still be sued for money damages in a civil trial." Now, how many remember studying that in school? Sounds more like O.J. Simpson 101.

The survey also discerned what confidence drivers needed improvement. Not surprisingly, the public's perception of lawyers appeared in this list –

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Section biz

Minutes of the NABE Communications Section business meeting

by Ginger Banks
Section secretary

The business meeting of the NABE Communications Section was called to order on Feb. 4, 1999, in Los Angeles, by Chair Jennifer Davis.

Committee Reports

1999 Section Workshop. Workshop co-chair Ginger Banks reported the 1999 workshop will be held Oct. 20-23 at the Menger Hotel in San Antonio.

While programming plans are still being explored at this

early date, she said the program will include an emphasis on leadership skills and a presentation based on the successful efforts of this year's Luminary Awards recipients.

Program Committee. Reporting on behalf of commit-

tee co-chairs Wendy Jones and Susan Andres, Jennifer Davis said that two educational presentations developed by the committee – "Create the Future: Ready or Not – It's Here – Information Overload" and "Create the Future: Can You Keep a Secret" – had been selected by the Program Committee for presentation in Los Angeles. Planning for the NABE Annual Meeting, scheduled for August in Atlanta, is continuing, she added.

Newsletter Committee. Committee co-chair Gary Toohey reported that three issues of the Section's newsletter have been issued, with a fourth now in production. He urged section members to continue to provide him with news and article ideas, along with feedback on the newsletter itself.

Research Committee. Committee chair Betty Braden reported the committee is asking the NABE Executive Committee to authorize a nominal budget to send a postcard survey to ascertain what members want from the organization. The committee also is exploring how to aid Section members in learning what research is, how to identify good versus bad research, and how to use the results. (See article on p. 4.)

Marketing Committee. According to committee members Ann Scarle and Chris Blake, the committee hopes to gather information on, and provide summaries of, successful marketing ef-

forts as an addendum to *Marketing Commandments for Bar Communicators*, the marketing handbook developed by the committee last year. The committee currently is considering the best way to obtain this information from bar organizations.

Luminary Awards Committee. Chair Chris Cendagorta summarized the significant changes made to the awards program last year. She added that Susan Ferrer of the Indiana State Bar had agreed to co-chair the committee. (See article p. 4)

Richter Award Committee. Elizabeth Derrico of the ABA Division for Bar Services, the recipient of last year's award, reported that some consideration is being given toward the creation of an additional award to recognize outstanding volunteerism within the Communications Section. She also reported the Richter Award recipient's bar association would be notified in advance of the workshop so that co-workers could make arrangements to be present if they so desired.

New Member Outreach Committee. Co-chair Carol Manning said the committee, as part of its outreach effort, is working on development of a system (in conjunction with the ABA Division for Bar Services) to identify new section members as they are hired at bar organizations around the nation and provide them with a welcoming package of information

Learn by example on the NABE Web site

by Mark Mathewson
chair, NABE Comm Web Site Committee

By the time you read this, an online archive of bar association author guidelines, advertising policies, and copyright release forms and licenses should be available on the NABE web site (www.nabenet.org). Look under the Communications Section link.

If you'd like to add your guidelines/policies/forms to the list, send them to me at mmathew@isba.org as Word or WordPerfect documents. Or, if you already post them on your Web site, simply send me the URL and we'll create a link. Thanks to Mel Reveles of the Colorado Bar and Bill Selman of the ABA for helping to make this happen.

We hope this will be the beginning of an expanded resource exchange on our portion of the NABE site. And speaking of great online resources, if you're not already part of the Communication Section's email discussion group, visit our Web site and sign up now or email Joyce Hastings at jhastings@wisbar.org.

about the services, materials and support available to them through NABE and the Communications Section.

Communications Audit Committee. Trudy Levindofske, chair of this committee, provided Section members with a brief overview of this service, which allows bar communicators to bring in a two-to-three person team of their colleagues from other bar organizations to objectively evaluate their overall communications efforts.

Scholarship Committee. Jennifer Davis reported the Section will offer two \$500 scholarships, one of which will be reserved for a first-time attendee, for the 1999 Section Workshop in San Antonio.

Publications Counseling Service. Jennifer Davis described this service of the Section, which offers a review of publications submitted by bar associations around the country. Bars interested in having their publications critiqued should contact committee chair Nancy Hebble.

Section Listservice/NABE Website. Jennifer Davis described the Section's listservice as a "huge membership benefit" for instant information and support from colleagues in bar work. She noted that the Web Site Committee, led by chair Mark Matthewson, is striving to develop an information clearinghouse for Section members on the NABE website. (See article on p. 2.)

Communications Strategy Janet Eveleth, who is chairing the effort to develop an updated, comprehensive

communications strategy for the Section, summarized the history of this project, dating back to the 1978 "Scottsdale I" and 1988 "Scottsdale II" documents. She said the goal of this effort is to finalize a communications plan that will contain common messages and address common issues facing all bar communicators.

Treasurer's Report

Section Treasurer Chris Cendagorta provided an update on Section finances. The 1998 Section Workshop in New Orleans had come in under budget, contributing to the Section's continued solvency. A motion was made and seconded to increase Section dues by \$10 to a total of \$30. While dues have been at \$20 for more than 10 years, the Section has continued to grow in size and benefits – including the listservice, newsletter, and annual workshop. This nominal increase was adopted by voice vote and will be submitted to the NABE Executive Committee for approval.

Bylaws Amendment

Jennifer Davis advised the Section membership of a bylaws amendment that would add the immediate past chair of the Section to the Executive Council as a way of fostering continuity. On a voice vote, the amendment was adopted.

There being no further business, a motion was made, seconded and adopted for adjournment.

The next business meeting is scheduled during the NABE Annual Meeting in Atlanta in August.

1998-99 NABE Communications Section

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Communicators Talk is a quarterly newsletter published by the National Association of Bar Executives Communications Section as a membership benefit. To submit material for the spring edition, send it to Gary Toohey, Missouri Bar, P.O. Box 119, Jefferson City, MO 65102, (573) 635-4128, fax: 573-635-2811; email: garyt@mobar.org by April 15, 1999.

Section biz

New committee surveys members' research needs

by Betty Braden
chair, Research Committee

Off to a running start, the new Research Committee of the Communications Section has set its sights on a survey of the NABE membership to determine their research needs. The survey results will help committee members identify and prioritize research-related goals for the Section and for all NABE members.

The survey, which was mailed in March, asked NABE members to select several options they would like the committee to explore and to rate areas where they believe education and support would most benefit their professional activities.

If you did not receive a survey, contact Rich Martin at the New York State Bar. Additional comments or suggestions related to research activities should be directed to committee members Betty Braden, Joyce Hastings, Rich Martin or Cynthia Spanhel.

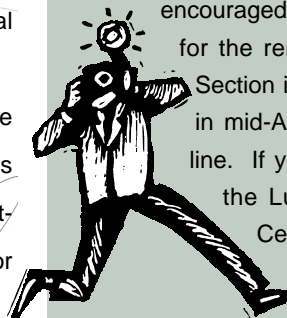
Luminary Awards competition is your chance to shine

by Christine Cendgorata
chair, Luminary Awards Committee

It's time to dust off your best work of 1998 to submit in the Communications Section's Luminary Awards competition.

The Luminary Awards recognize individual and team efforts in areas of Special Publications, Regular Publications, Web Sites, and Public Relations. Why should you enter? What you are sure to get – regardless of whether you win an award – is the experience of re-examining your work as you prepare the newly simplified entry form and a detailed critique from the judges to help you improve your work.

All bar organizations – including smaller bars – are encouraged to submit entries. Be sure to watch for the reminders from the Communications Section in March. Your entry form will arrive in mid-April for a June 1 submission deadline. If you have questions, call the chair of the Luminary Awards committee, Chris Cendagorta, at 775-786-4494 or email to wcba@intercomm.com.



Committee calls for nominations for Section office and council positions

by Joyce Hastings
chair, Nominating Committee

If you've ever wondered how Section officer and council members are chosen, read on.

Nominations now are being accepted for the 1999-2000 Communications Section Executive Council positions of chair, vice chair, secretary, treasurer, and two council positions. The Executive Council manages and directs the affairs of the Section, subject

to the NABE and Section by-laws. Officers serve one-year terms; council members, two-year terms. New officers and council members take office at the close of the NABE Annual Meeting in Atlanta in early August.

Service on the Section's Executive Council is a wonderful opportunity to share your time and talents with your colleagues, participate

in developing Section policy and programming, and work with other communications professionals to pursue ways the Section can better serve its members.

Please watch your mail for a nomination form, and return it to me by April 15, 1999.

If you need another form, contact me at jhastings@wisbar.org or (608) 250-6126.

Calendar

August 3-6, 1999

NABE Annual Meeting
Atlanta, GA

October 20-23, 1999

NABE Communications
Section Workshop
San Antonio, TX

Feb. 8 - 15, 2000

NABE Midyear Meeting
Dallas, TX

Creative writing

Good writing 101: More creativity leads to better stories

by Clifton Barnes, communications director
North Carolina Bar Association

A well-known writer was once asked to teach a class in creative writing. He walked onto the stage and reached the podium. The class grew quiet in anticipation of his words of wisdom. The writer surveyed the crowd of eager students and then said, "So you want to learn to write? Go home and do it." With that, he left the stage.

No one can really teach someone else to think and write creatively.

I do have a few more words of wisdom than that writer, but I do believe forging ahead and writing is the best way to learn to write creatively.

One of my favorite stories about creative thinking regards a young Abraham Lincoln, who, by the way, later wrote the classic Gettysburg Address in only 272 words. Try to get your bar president to write a column of that length. In fact, try to get me to write this article that length.

Anyway, Lincoln was the captain of a militia company in 1832, but he understood that he was no expert. He was not well versed in military procedures. One day, he was leading his men across a field and they approached a bridge. He could not for the life of him remember the command to get them in position to march through a narrow gate and across the bridge.

In desperation Lincoln ordered, "This company is

dismissed for two minutes and will fall in again on the other side of the bridge."

Many times creativity comes out of desperation. As bar communicators, we have to be creative on demand. We have to write ourselves to the other side of the bridge.

In order to become good, creative writers, we have to be well-read, culturally literate and good listeners. Someone once said that good listeners are not only popular, but after a while, they know something, too.

I recommend reading newspapers and magazines to keep up with trends. For instance, did you know that opera attendance is up 34 percent since 1980 and that 27 million people attended theatrical stage shows last year? Yet, this is a nation that spent \$20 million on tickets last year to see the movie "Booby Call."

I recommend reading books. I especially like books that deal with trivia or cultural literacy. One of my favorites is "Test Your Cultural Literacy." People who know today's and yesterday's culture think and write more creatively.

I recommend surfing the

Internet for nothing in particular. Just get on a search engine and experiment.

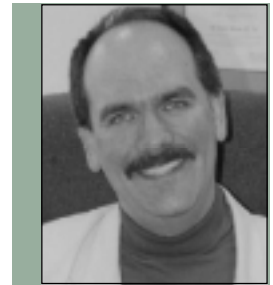
I recommend watching television and using the remote to get a broad range of what is out there. I know, I know . . . I'm a typical male.

I recommend hanging around some people who are intellectual equals. Going to the NABE's Communications Section workshop every year is like a cerebral spa for me. This is not to sound pompous, nor is it to say we shouldn't have friends of all ilk. Just remember that the tennis player who only plays against inferior opponents never gets any better. For you media trainers out there, don't use the word "inferior" like I just did. I'd better leave this subject while I'm behind.

Getting back to the writer who taught the class in creative writing: write. Just write. Write all the time. Write in your mind. Bring a notepad with you. Take notes. Send pithy emails to friends. Write letters. Write a journal with 50-100 words about your day or your week. I "write" into a tape recorder when I'm on long trips.

Write at least 100 words. Keep the fingers moving. Don't think ahead. Don't edit. Don't stop and cross out. And don't worry about grammar.

Exercises like this one not only help get creative juices flowing but also simply help you break through the dreaded writers' block.



Clifton Barnes

In other words, just write anything to get started.

In his book "Writers' Block," Zachary Leader writes, "A writer's block can be manifest in a feeling that everything, including your name, could use some work."

The causes of writers' block are often self-inflicted, irrational and imaginary. We have feelings of failure or of not living up to past performance or our good reputation.

To start, I generally try to pull out my most exciting quote or anecdote or statistic, and then work around it. I put all my work in the lead and let the story flow naturally from there. Others sketch out an outline of the story. You may have your own little tricks to get you going.

Having a creative lead gets the reader into the story quicker. Most of us have publications that come out once a month or once every other month or even quarterly. That means we have to deviate from traditional newsy leads and write more creative "featurey" leads.

(continued on page 6)

Some time ago, I wrote a profile of the director of the state's Administrative Office of the Courts. We wanted to find out how he got to where he is in life and what he had in store for the court system.

A traditional lead might have been something like:

Franklin Freeman says that after five years as assistant, he is ready to oversee the Administrative Office of the Courts, and its 143 employees and the more than 2 million cases filed each year.

Freeman will soon present a budget in excess of \$175 million to run the judicial branch of government in North Carolina, which is the largest centralized court system in the country.

The actual "creative" lead I used was:

If you know the tune "Down By The Fishin' Hole," the theme to the Andy Griffith Show, this would be an appropriate time to whistle it.

You see, Franklin Edward Freeman Jr. has lived the life of Opie and has gone on to use those small-town values in one of the most powerful positions in North Carolina government.

As director of the Administrative Office of the Courts, one of Freeman's duties is to present and administer a budget for 4,300 people — that's seven times more folks than he grew up with in Dobson, N.C.

Dobson is the county seat of Surry County, where Andy Griffith was born and raised.

"I had an idyllic childhood," Freeman said, as he stared up with a faraway look in his eyes. "It was like Mayberry — everybody knew everybody else and I used

to wander into the courthouse whenever I wanted."

You'll notice that my cultural literacy of the Andy Griffith Show and Andy Griffith himself came in handy.

Now, the drawback to the creative lead is that it usually takes longer to get into the meat of the story. But, I'm sure more people read the article than would have had I stayed with the dry traditional lead.

There is nothing wrong, however, with traditional leads in certain circumstances. Many of us are former newspaper journalists, however, and we sometimes get stuck on doing articles one way — the traditional way.

Break rules. Try new things. One rule is to never begin a sentence with the word "and." My most famous lead (only famous lead is more like it) became a bumper sticker in North Carolina after the UNC Tar Heels won the national basketball championship in New Orleans 16 years ago.

Coach Dean Smith is considered a god by many in North Carolina yet his teams had been to the Final Four six times and never won. So, the lead to my story became, "And on the seventh try, Dean created National Champions."

Try short leads, even shorter than that one. There are many types of leads. Try question leads. Try quote leads. Try imperative leads.

Try the conversational lead: "So you're one of the more than 16 million Ameri-

cans expected to quit smoking today in the Great American Smokeout. But how long will you stay quit?"

As for being conversational, that's a key element in getting good quotes during an interview. Good quotes help your story be more creative.

I recommend using quotes extensively when appropriate. People would rather read quotes for a variety of reasons. It shows authority. It brings an actual human into the story. It breaks up the type and it helps the story flow.

During an interview, ask questions unrelated to the topic at hand to get the conversation going. Know something about the subject but don't act like you know too much. Let the subject do the talking.

Have prepared questions but listen carefully and be willing to take the conversation in a direction you didn't expect. You'll get more interesting quotes that way. But of course you have to stay in control of the interview and save tough questions for later in the conversation.

Try interviewing people, especially for personality profiles, away from the office to provide a better environment for good quotes.

If you try too hard to be creative, your writing can be stilted. Good conversational quotes can help.

As I mentioned earlier, many of us are former newspaper journalists. Not only do we write leads in a traditional manner but we also write the story in the traditional "inverted pyramid" style. In that story technique, the writer arranges materials in de-

scending order of importance. Many times we assume the reader knows more than they do and we bury necessary information deep in the story or leave it out completely.

Again, our deadlines generally make it so that feature articles work better for us as bar communicators. The most closely related and most effective story technique is called the "narrative mode."

The narrative mode tells a story with actions performed by real characters in time sequences. There is a beginning, a middle and an end. Quotes retain characteristics of real speech. Actions and quotes reveal motives. The mode reveals mostly by showing with a little telling for framing.

A study by the American Society of Newspaper Editors shows that while the most educated readers, including lawyers, considered traditional, inverted pyramid stories to be of the highest quality (probably because they are accustomed to them), they learned the least from that mode and the most from narrative stories.

In fact, the study shows that significantly more readers went to the jump of the narrative story than the traditional story.

Try storytelling, even in news stories. Be creative. Take chances.

As David Kelley, the CEO of IDEO Product Development, said, "Enlightened trial and error beats the planning of flawless intellects. The more you experiment, the more you learn; the more you learn, the more you create."

Go write.

Future shock: look ahead before you're left behind

by Gary Toohey
communications director, The Missouri Bar

With the possible exception of the Psychic Friends Network, no one can predict the future – not me, not you, and not even Ed Barlow. But Barlow, a futurist and president of the Michigan-based firm Creating the Future, Inc., says all of us

can learn to plan for a future radically different from the present.

Barlow shared that planning strategy with bar executives during the opening plenary session at the recent NABE Midyear Meeting in Los Angeles. The program, “Envisioning the Future: The Art of Looking Backwards from Tomorrow,” focused on the anticipatory thinking Barlow says will distinguish winners from losers in the competitive business environment of the next century.

“Dealing with the future will require significant behavioral changes,” Barlow warned. “You can either inherit the future or become victims of it.”

Many people and organizations have difficulty planning for the future, he explained, because they use traditional planning methods that look at the past, consider the present, and then project what has been into the future. In other words, they try to translate past experiences into the future.

Much more accurate, Barlow says, is a “futuring” process that considers not just one, but several possible futures within which individuals and organizations may find themselves. The

process should include consideration of possible aberrations – those things that may not be likely but *could* happen and thereby change the playing field for the organization.

The process continues with a review of past activities. Then, in the context of the present, the possible futures and the past are brought together and interpreted, applying a decision matrix to formulate future decisions. The decision matrix addresses four pertinent issues:

- What from the past should be kept because it has future value?
- What past practices should be modified to be more relevant?
- What activities should be discarded because they have no future value?
- What does not currently exist, but needs to be created to ensure future success?

Barlow said this approach to shaping the future needs to be incorporated into every aspect of organizational planning. It requires that an effective system for scanning and anticipating possible future events be developed, and that this infor-

mation be the driving energy for the formulation of organizational decisions. In fact, he added, it is important that organizations continuously review where they are in time and space, *before* they enter a breakdown period.

An inability to anticipate the future is usually attributable to “paradigm paralysis” – firmly established ways of thinking, mindsets and perceptions based on past experiences. Barlow calls this “a terminal disease of certainty.”

Failing to position one's organization for the future holds serious – perhaps fatal – consequences. “Some people make things happen, some people let things happen, and some people say, ‘What the hell happened?’” Barlow said. Those who make things happen, he said, will be more readily able to adjust to the inevitable changes to come, he added. Those changes, Barlow said, will include rapidly increasing complexity and diversity within the business environment. Issues of global competition, instantaneous communication, environment, technological advances and population diversity, along with the constant need for professional and organizational change, will become more pronounced.

“It cannot be assumed for a minute that what was done, has been, or was relied upon yesterday will be viable

tomorrow,” he said. In fact, he cautioned, “90% of what you'll need to know to thrive in the next century is unknown to you and outside the realm of the profession” at this time.

During the next century, Barlow continued, we'll all need to work both harder *and* smarter to keep abreast of the pace of change within an increasingly diverse and increasingly demanding market for products and services. He predicted that the growing capability of rapidly-evolving technology to customize services will spearhead a drive to produce products and services specifically “tailored to the interests and needs of each individual customer.”

“What business are you really in?” Barlow asked. “You're in the business of creating and supporting successful professional opportunities for your members. If they shift and you don't, you're done. The prime leadership strategy for the future is staying in alignment with a world increasingly characterized by diversity. The obligation we all have is to think beyond your experience [and] plan beyond your tenure.”

While the radical changes in thinking necessary to position an organization for the future will not be easy, Barlow left his audience with an upbeat message. “The future isn't bad,” he said, “it's just different.”

The long and winding road: The origins of NABE's Communications Section

by Ted Stellwag
executive director, Pennsylvania Bar Association

The NABE Communications Section, like many good things, had its genesis in a small idea that wouldn't go away.

The ABA, beginning in the late 1960s, offered an annual Bar Public Relations Workshop at the Kellogg Center in South

Chicago. There were only a handful of bar public relations professionals at the time. Wally Richter, the mustachioed one from Missouri, is the "dean" of bar PR. He was joined in the earliest years by Don Hyndman and later Rich Morris of the ABA, Bert Ballard of California and Alan Kurland, who became the first director of the ABA's Division for Bar Services. (Alan's columns in early editions of *Bar Leader* are remembered for their wisdom and simple elegance.)

The ABA workshop replaced the National Conference on Bar Public Relations, which had its origins a decade earlier. It was planned and produced by the ABA staff, with an approach Wally remembers as "autocratic." A larger problem was the location. The Kellogg Center was in a high crime neighborhood. Attendees were not allowed to wander outside the spartan facility without a security guard. The small murmur of dissatisfaction grew as the attendance waned.

Slowly an idea was hatched, from motives as pure as self-preservation. Why not get this event out of the Kellogg Center before somebody gets hurt? That

had reached a crescendo by 1974, when the ABA announced the workshop would be moved downtown to the Executive House.

It's dangerous trying to remember the names of those present. Brad Carr was there from the Georgia Bar and Dan Goldstein from New York, the late Bob Foss from Florida, Woody Woodson of Virginia, Helen Riordan from Oregon, Sharon Stephan of Nebraska, Dave Anderson of Illinois, Elizabeth Price of Delaware Co. (publications assistant.) along with Jack Sweeney and Harriet Wilson Ellis of the ABA, Wally Richter and me. There were others, of course. I apologize for not remembering their presence. But we had done it! That little victory – a five-mile change of venue – planted the seeds for a much larger undertaking.

A NABE Committee on Public Relations was formed. That committee took on the planning of the annual PR Workshop, which was convened in October 1975 at the Crown Center in Kansas City. Bobbie Lou Nailling of the Kansas City Metropolitan Bar Association provided the finer touches of hospitality. The workshop, the first held out-

side Chicago, was a resounding success. So was the 1977 edition, also in Kansas City.

Sharon Stephan, now VP of the marketing communications firm of Colle & McVoy, said the early PR workshops "gave me my best friends, memorable lessons in PR and in life, wonderful travel destinations, a chance to be part of the NABE leadership, credibility, fun and great memories. I miss everyone."

The PR Committee, now on a roll, applied to NABE for section status. There were no sections at the time, but the executive committee quickly saw the wisdom of the proposal. Messrs. Carr, Goldstein, Foss and I spent a weekend in Atlanta writing the bylaws of the new section.

The NABE Section on Communications and Public Relations was officially launched in August 1976. I was privileged to be the first chair. The workshop was convened in San Francisco and a new group of professionals joined the ranks.

The late Wayne Wilson of Washington State, Martha Snow of Oklahoma, Tom Brady of Cleveland, Kathy Lang of Cincinnati, Phil Spellman of Michigan, Gary Hunt and Denny Whalen of Ohio, Nan Wilder of Phoenix, Bob Young of Louisiana and Beth Keigher of Monroe Co. (N.Y.) and others were there.

(Again I apologize to those I've missed.)

A subsequent workshop in Boston started disastrously. The Lenox Hotel was undergoing major renovation, which intruded on every waking moment. The keynote speaker collapsed shortly after beginning his remarks, pulling the podium down with him. An ambulance was summoned. Jack Sweeney established that the man was not seriously stricken, then took the microphone to restore order. His response to the chaos remains the most oft-quoted utterance in the history of the Section: "It appears Mr. Higgins has decided to depart from his prepared text and will take questions from the floor."

In 1978, the workshop at the Registry Resort in Scottsdale produced a memorable piece of work — the "Scottsdale I" report. It came in the near wake of the Bates and O'Steen decision on lawyer advertising, with O'Steen appearing on the program. The report sought to identify the major public relations problems facing the legal profession — to diagnose those problems, identify their causes and suggest workable responses. Wally Richter, who chaired the workshop, remembers being "greatly disheartened" as the program ended, believing the goals had not been achieved. However, after a careful review of the notes, he recalls

that “a meaningful message began to take shape.”

Scottsdale I became the bible of bar public relations and the point of reference for an equally ambitious re-examination 10 years later which produced the *Scottsdale II* report. Paul Hill of The Florida Bar chaired that workshop. It will come as no surprise that many of the problems – and proposed solutions – remained constant.

Again quoting Wally Richter: “Based on my 40 years of experience in bar public relations work, it’s apparent there is a 10-year cycle in bar approaches to public relations problems.” Invariably this leads to surveying and other studies, which produce conclusions similar to those reached in The Missouri Bar/Prentice-Hall Public Attitudes Study done in the early 1960s. Wally views this as so much “wheel spinning which could be eliminated if (bar leaders) paid attention to what went before.”

He believes the time is ripe for *Scottsdale III*, to take the current temperature and see if past solutions still make sense in the information age. There is clear and certain value in building on past successes and learning lessons from those things which have not worked.

The business of bar communications has changed significantly since the time of black and white television and bellbottoms (although the latter is making a spirited comeback). As Brad Carr points out, “People like us used to do everything from writing news releases to editing the bar newspaper, tak-

ing the photos and doing the marketing work.” Now some larger bars have bifurcated those functions and assigned separate staff to each. More dollars are invested in this work and far more attention given by bar leadership.

Meanwhile, the NABE Communications Section has grown in stature and in numbers, benefiting from the efforts of a generation of volunteers and strong leaders who have shared their talents and their enthusiasm. As the membership has grown, networking opportunities have increased. Creative borrowing from each other is still the sincerest form of flattery in this business.

Marcia Poell Holston, formerly of the Kansas Bar and now with Harrison Coerver and Associates, offered this summation. It is both accurate and eloquent: “Although we probably had too much fun doing it, the Section really did accomplish a great deal during its formative years. It explored and defined the role of public relations in bar associations in many ways. It also established a culture and tradition that embraced mentorship, interactive learning and innovation while rejecting clubbiness and complacency.

“It was a creative, trail-blazing, egalitarian collection of individuals committed to identifying and addressing our common challenges, despite significant differences in experience, education, organizational size and budget. It was not only a terrific professional network, it was also group therapy.”

Marcia adds a fitting note to close this reminiscence:

All Aboard!

Section honors its first chair, Ted Stellweg

At the NABE meeting in Los Angeles, Communications Section chair Jennifer Davis extends the Section’s best wishes to Ted Stellweg, who recently retired from his position as executive director of the Pennsylvania Bar Association.

“We applaud him for his vision and leadership as a founding member and first chairperson of the Section from 1977-78,” says Davis, reading an engraved plaque placed in *Trains of the Old West*, a coffee table book written on one of Stellweg’s favorite pastimes.

“Ted’s vision blazed a trail for communications professionals within bar associations, and we are the beneficiaries of his selfless dedication to our ranks.”

In a recent letter to Davis, Stellweg wrote, “The book on trains of the Old West will be a treasured addition to our library. The plaque that accompanied the book touched me deeply, bringing back so many wonderful memories of the Communications Section.”

“My participation in the Section has been one of the special highlights of a long career. I thank you again for remembering one of the ‘old timers’ and for making this visit to Los Angeles especially meaningful.”



“To the new generations of Section members who might actually have time to read this, I can only hope the organizational culture and traditions are intact and that their participation is as valuable and rewarding as mine was.”

Note: I thank the “dean,” Wally Richter, Marcia Poell Holston, Sharon Stephan, Brad Carr and Bobbie Lou Nailling for their written remembrances of the early days of the Section. Their cooperation and continuing friendship are greatly valued and much appreciated. –T.S.

Tips from the trenches

Avoid temptation to reply to "spam" email

by Art M. Saffran

computer services director, State Bar of Wisconsin

Editor's Note: Last fall, Art Saffran of the State Bar of Wisconsin circulated an internal email to other State Bar of Wisconsin staffers concerning "spamming" – the receipt of unsolicited email by commercial vendors. We are pleased to

reprint a portion of Art's memo as a word to the wise (and the prepared).

Spam email is unsolicited e-mail sent by commercial vendors as a sort of electronic direct marketing effort. Spam is popular with these vendors because it costs almost nothing, especially when compared with printing and postage costs for direct postal mail campaigns.

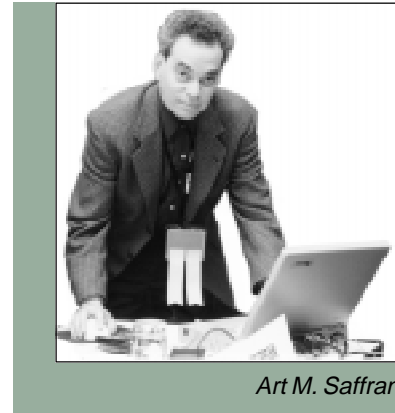
Here is a short spam primer:

1. *Spammers collect e-mail addresses from a variety of sources.* Often they use programs that scan Web sites for email links. This explains why some State Bar staff have received spam mail addressed to them via service@wisbar.org, weborders@wisbar.org and other WisBar email links. Some commercial Web sites

sell their email address lists gathered from people who buy online or register at a Web site.

2. *Spam is inexpensive.* Once the email addresses have been gathered, it costs virtually nothing to send the email to tens of thousands of email addresses.

3. *Spammers are elusive.* Your first impulse might be to reply to the spam message telling the sender where they might put their email. Most often the spammer has crafted the message to in-



Art M. Saffran

clude a dummy return address. They can mail to you but you can't reply.

4. *Spammers are sneaky.* Some spammers actually WANT you to reply

Places to go... People to see...

Comings and goings . . .

A warm NABE and Communications Section welcome to **Matt Silverman**, the new director of communications for the State Bar of Arizona.

The new director of communications at the State Bar of New Mexico is **Joe Conte**. Most recently an instructor of communications and design at the University of New Mexico, he is also a former deputy director of communications for the Michigan House of Representatives and worked for a publishing company in California. He replaces **Melissa Sais**, who resigned her position to care for her newborn son.

Awards and accolades . . .

Congratulations to **Ohio Lawyer**, the magazine of the Ohio State Bar Association, which received a Merit Award for Serial Publications in the Ohio Society of Association Executives 1998 Achievement Award contest.



Likewise, congratulations go out to the **Philadelphia Bar Association**, which won a Gold Circle Award of Achievement for excellence in communications from the American Society of Association Executives. The award recognizes the organization's "Public Interest Summit," which raised more than half a million dollars through the Philadelphia Bar Foundation for law-related public service programs in the city.

This just in . . .

The email newsletter produced by the **State Bar of Michigan**, which was profiled in the summer issue of *Communicators Talk*, now is distributed to all members for whom an email address is known (approximately 25 percent of the bar members). This will result in a circulation increase from 600 to about 9,000 – a number that may continue to grow as the bar places greater emphasis on identifying other member e-mail addresses.

but don't care what you have to say to them. What they really want is to confirm that there is a warm body at your email address. Replying to spam is an invitation to receive more spam. Most likely your reply will go to a computer program that will automatically add your email address to a database of "good" addresses. The lesson – don't reply to spam mail. Spammers might try to entice you to reply by including instructions for removing yourself from their email list. Here's what they say:

"Special offer for private subscribers to the Information Network email list. NOTE: If you would like to be removed from this list, just reply to this message."

Most likely you have never heard of this email list, much less subscribed. Replying will ensure that you hear from them again or that they will send your email address to other spammers.

5. *Spammers can be rude.* That is, their offers are often for "adult-oriented" products, services or Web sites. These offers are offensive to many people.

6. *There's not much that can be done to prevent spam.* Some legislatures are considering passage of anti-spam legislation. It's not clear whether this will shut down the spammers and there is certainly a free speech issue.

So, the best tool you have to discourage spam email is:

THE DELETE KEY.

To reduce spam email, delete all spam email and never buy products from spam offers.

Formal policy can help determine when a media response is warranted

It has happened – or will happen – to every bar communicator. "It" is the article, opinion column, editorial or broadcast report that – fairly or unfairly – criticizes your bar organization. The bar communicator is then faced with the eternal

question: respond or not respond? And what happens when the bar president decides a response is warranted, but the communications director does not?

The answer to these questions may be the development of a formal policy for response to media criticism. Here are the guidelines devised by the New York State Bar Association for responding to media criticism, as relayed by Brad Carr via the Section's listserve:

Probably the most difficult problem is the fast-breaking, hostile news story. When it appears, remember one thing: you can't suppress it. Usually, but not always, the best course is to let it be a one-day wonder and die a natural death in the on-rush of other news that will preoccupy the reader, listener or viewer. But first you have to ask yourself three questions:

1. Is the story really important, or merely irritating?
2. It is really harmful or are there some redeeming features that make it beneficial?
3. What can be done if it is truly harmful?

A critical news story or editorial is important, for example, if it undermines the New York State Bar

Association's credibility, insults the membership, threatens our legislative program, or impairs the climate for the proper practice of law.

In all cases, the following considerations are paramount:

1. Protect the New York State Bar Association's credibility at all cost.
2. Make absolutely sure the story is genuinely detrimental.
3. Don't compound the problem by making the initial story into a "running" news story.
4. Don't quibble over minor inaccuracies.
5. If action should be

taken to refute the story, do so at once.

Finally, here are the "do's" and "don'ts" we must follow:

1. Don't try to answer the sensational attack book.
2. Don't answer an attack column unless within 24 hours.
3. Don't ignore, laugh off, or get defensive about sincere criticism.
4. Do look into every complaint and get back to the complainant promptly.
5. Do whatever possible to eradicate trouble spots brought to the association's attention.
6. Do try to turn negative situations into positive ones by using imagination and creativity.
7. Do try to turn aside, or take the sting out of, criticism by anticipating and acting in advance.

'We need to fix the image of lawyers'

(from page 1)

as did court costs/timing, treatment of sub-groups, sentencing convicted criminals, and community service of lawyers/judges. The survey found that "lawyers are often perceived as more concerned about their own interests than the public's or their clients' interests."

This statement, coupled with the low 14 percent vote of no confidence, solidifies what we have all suspected. We have a lot of work ahead of us. This ABA Symposium

was about reviewing the survey; in May, a follow-up conference will begin to address solutions. Our Section will watch in anticipation as the agenda for change is set forth. And hopefully, our Communications Strategy Committee will assist in these efforts since we will ultimately be the messengers. I will keep you informed as events unfold.

The full survey results are available at <http://www.abanet.org/media>.

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