

## **Balancing Technology and Re-establishing Real Relationships**

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Balance? What balance? Things could hardly be more out of kilter.

### **We Don't Manage Technology – It Manages Us**

Technology has come to rule us all - to varying degrees – and with dire consequences in some cases. We've seen lawyers suffer from depression, alcoholism and drug use connected to their technology use. We've seen marriages dissolve. We've talked to lawyers who can't sleep at night. Their blood pressure is terrible – some have chronic headaches, even chest pains. They are restless when not online. They neglect family and friends. They develop carpal tunnel syndrome or dry eyes. Their backs and necks hurt. They've made attempts to restrict their conduct – unsuccessfully. They lose track of time while on the computer – who among us has not felt an hour or two slip away unnoticed?

We can't blame technology for everything, but there is no question that it is causing a lot of lawyers major stress.

Over 50% of lawyers say they sleep with their smartphones either on their nightstand or – good heavens – IN THEIR BED! One would think that it would be unnecessary to point out that this can't be healthy, that it interferes with deep REM sleep which is critical, but the authors have been in animated conversations with lawyers, even big firm lawyers, who say that this is mandatory conduct.

Why? Partners expect it, anticipating that they can reach associates at any hour of the day or night. Clients expect it, a relatively new development which is growing precipitously. The large firm lawyers told us anxiously “If I don't answer the phone at 3 a.m. when the client calls, the client will find a lawyer who does.” Wow.

Author Nelson includes in her engagement agreements a specific (bolded and boxed) paragraph while clients must initial. It references that that electronic communications are not always secure – and in sensitive matters, sometimes best avoided. It also states that clients should expect responses to e-mails or calls within 24 working hours. Does she reply faster? Of course, in most circumstances. But the expectation is set. If she is away from the office, there will be an “Away” message, giving the client someone to call in the event of an emergency. And she recognizes that, even when abroad, she will need to check in at least once a day. Like it or not, that is the modern practice of law.

She sometimes chuckles wryly that vacations are times when “my laptop gets a view.” But she does what must be done in 60 minutes or less each vacation day and then forgets about the

electronic world – and her clients. She smells the roses, revels in the sound of crashing waves and helps her grandchildren collect sea shells – unconnected to the electronic world – and much happier for those digital breaks.

Back in the office, we've seen lawyers take calls in the middle of client meetings, text or e-mail during client meetings, etc. What does that say to your client about his/her importance to you? We know of lawyers who are unable to have a business lunch or dinner without constantly glancing at the phone to read their e-mails or texts. They can't even leave the phones alone when having dinner in a romantic restaurant with their spouse. Many have been told by said spouse: "Put that phone away! Now!" Real relationships require real time – and a two-hour romantic dinner is not well-punctuated by surreptitious (or open) checking of messages. And if both parties are doing it, they've lost more than they know – and stand to lose still more in their future.

While computer use can be compulsive as well, it seems to us that the number of lawyers who are addicted to their smartphones has grown sharply in the last several years. It has become more of a demon than most lawyers understand.

Mind you, in some respects, we know we are the pot calling the kettle black. Few people are quite as wired as we are, given the nature of the business we're in (digital forensics, information security and information technology). With hundreds of open computer forensics cases and hundreds of IT and cybersecurity clients, we certainly need to be wired. But we would argue that we approach the situation more rationally than many attorneys we know.

### **Creating a Balance Between Technology and Real Life**

Here's our approach, which does help strike a balance between work and real life. We rarely give out our cell phone numbers to clients. True, we sometimes have to call them from our cell phones when we're traveling. Punch \*67 before calling and it blocks the number. You can also use Spoofcard and your number will show up as your office number (not your cell phone number).

Yes, there is a TrapCall app that will unblock the number (ironically and shrewdly, made by the same manufacturer) but almost no one uses it.

This means, at home, we rarely are disturbed by client phone calls. Author Simek has a pager number – but clients have been conditioned to know that a very steep price is associated with using it – and it doggone well better be an emergency when they do.

E-mail is another matter. E-mails come in day and night. But you know what? They'll still be there in the a.m. Unless we have a pending urgent matter, we will check e-mail after dinner and that's it for the night. Any doctor will tell you that being "wired" before bedtime is a bad idea.

The natural rhythms of our body slow down at night in preparation for sleep. Read a book or relax to TV (not a good time for horror or war films perhaps).

The night is for our time together with our dogs – and sometimes children/grandchildren. Again, there are exceptions (notably when we're traveling and have to catch up at night in our hotel room) but they are rare.

In other words, we make rules. We are cruise-aholics, but even onboard ship, we connect up only once a day on business days and we have a 60 minute rule – get the important stuff done and the rest can wait.

Even in the office, we make rules. If there is a project that has to get done, we minimize Outlook and turn off the e-mail notification sound and pop-up window. If the project is important enough, we simply close Outlook so we aren't even tempted to wander from the task at hand.

With respect to the smartphones, the same kind of logic applies. Turn off the beeps and the vibrations. In fact, author Nelson never has those functions on. As she wryly observes, "I am aware of the presence of my Inbox 7 X 24 – I don't need any reminders."

Our ability to make rules probably separates us from the addicts in spite of the massive number of hours that we are chained to our keyboards. But we have certainly witnessed the conduct of those who are unable to make, or to follow, such rules.

That way lies madness – or divorce, high blood pressure, headaches, eye strain, sore necks, bad posture, sleeplessness, depression, alcoholism, drug use and all manner of other ailments.

Why isn't there a lot of guidance about technology addiction? The phenomenon is probably just too new. There have always been lawyers addicted to work, who couldn't seem to take time off and worked late into the night. Technology has just complicated the issue by providing us with another form of addiction.

Technology is our friend in many ways. It makes us more efficient and productive. It allows us to correct errors easily. It permits us to collaborate with others who are geographically remote. It can level the playing field for a solo who is up against a large firm. E-mail has largely replaced snail mail. So we give it the praise it is due and we acknowledge that we can't practice law well without technology. Therefore, control of "our friend" is essential. It is unfortunate, but the sheer volume of technology we must deal with as lawyers makes technology every bit as much an adversary as a friend.

And our sedentary lifestyles were killing us even before technology complicated the issue.

As George Macaulay Trevelyan's once wrote, "I have two doctors, my left leg and my right." So take a walk. Go fishing. Ride a bike. Take your kids to the zoo. Enjoy a picnic. Make the whole experience low tech. Take your cell phone in case there's an emergency, but with the ring tones,

vibrations and beeps turned off. You'll enjoy yourself more – and those around you will enjoy you more.

Our advice is simple: Get unwired so you don't come unglued.

## **Digital relationships – wonderful, but there's a catch**

We all know how much value there is in digital relationship. Social media, in particular, has been a great boon to lawyers. Most of us have firm Facebook pages, personal LinkedIn pages, Twitter accounts, Google+ accounts – and perhaps many more. We do make connections on social media and they can indeed lead to client conversions.

Prospective clients are there – and they certainly are not finding us in phone books anymore, with rare exceptions. They are finding our websites and our social media accounts and engaging with us that way. Most lawyers have adapted to these forms of communications, but some too well, never venturing out of the office for a face-to-face breakfast, lunch or networking event. Talking to people face-to-face, for many, seems to be a lost art.

Social media? Not so social, many experts tell us. In fact, some call it anti-social – as, by its nature, we are inside a “bubble” with none of the human interaction – handshakes, hugs, eye contact, tone of voice, smiles – and even exchanges of private parts of our lives that none of us would normally commit to social media.

How deep do those relationships run? How far out of your way would you go for someone who you only know online? You might make an online introduction, but would you pick up the phone to tell a friend, “Hey, this is someone you really need to talk to - I can really recommend their product/services.”

More and more, lawyers seem to be foregoing real-life events in favor of the safer but less personal digital world. We live in an era where college women say they spend ten hours a day on their phones and college men say they spend eight hours a day on their phones. We don't imagine much of that is research or homework. They will bring that “new normal” with them into the workplace – famously, one of our friends at Patton Boggs in D.C. told us that when Facebook went down, all the young associates were gathered in the hall asking their comrades, “What's wrong with Facebook?” We certainly were left wondering how much productive time is lost to social media in all law firms. And if policy forbids them from using their work computers to access social media sites, they can all reach for their smartphones.

## Reestablishing Real Relationships

We recently heard one pundit proclaim that social media is inherently anti-social. There's some truth to that. When you smile at someone, they smile back. When you shake a hand or offer a hug, a genuine connection is made. When you sit and talk and read someone's facial expressions and see their hand gestures – well, let's just say you can't **really** do that with emoticons. ;-)

Cisco published a 2012 study of business leaders, 75% of whom said in-person communications are critical and 82% said that there was more understanding after an in-person encounter. Respondents said that they were motivated to have in-person relationships to generate long-term relationships and to resolve a problem or create an opportunity quickly.

The key to successful communication, they said, included engagement and focus on shared content, tone of voice, facial expressions, the words used, subconscious body language and conscious movements or gestures.

Even Richard Branson has acknowledged that he goes to conferences just to meet with people. The truth is that electronic communication cannot entirely supplant face-to-face communication. According to a study from Entrepreneur magazine, 46% of new jobs are still found through traditional marketing. And in terms of sales, 40% of those converted to being clients were from in-person marketing. Without in-person marketing, it is estimated the businesses would lose 17% of their business and that it would take three years to recover lost profits. Ouch.

### How, Where, When

For centuries, men cemented business deals and friendships on golf courses. Women have of course joined that club now. There is still the traditional breakfasts, lunches, dinners, sporting event, bar association events and conferences. Bar association events and bar conferences are golden opportunities to make a good impression on someone who may one day refer you a case. We cannot imagine how many cases we've gotten this way, though the number is enormous. What goes around comes around, and we've been quick to give out referrals as well. It truly isn't about what you know – it may be a great deal – but about who know.

Author Nelson remembers a lawyer from 35 years ago giving her advice that most clients come "from friends and flukes." So he told her to focus on making friends and being alert to those lucky flukes. It proved to be excellent advice.

Charity events present phenomenal opportunities – as long as you go for the right reason. While you should never go for the express purpose of marketing, it is always true that people who share common support of the same good cause already have something in common to talk about. Within the Fairfax Law Foundation (the charitable arm of the Fairfax Bar Association in Virginia), there have been innumerable referrals between members. People who work hard to

provide pro bono services to the poor and law related education to students have a natural affinity for one another. These are rich referral sources.

Don't be a one-way transmitter. Make sure the conversation is balanced and that you are asking questions of the person you are talking to. Who doesn't like to talk about their hobbies, their jobs or their upcoming vacation? You may stumble on topics of mutual interest. Animal rescue often comes up with us because so many people are rescuing animals these days (including us).

Country clubs are great, but you can treat someone to a more inexpensive beer or glass of wine after work. Lunch and breakfast won't break the bank either. It doesn't much matter where you are – it is the camaraderie that makes the magic happen. There's no way to replicate that online – the shared interests, the laughter, the energy of being together and the sense of caring.

You know what? You won't remember it all – no one can. But you can go back to your computer and enter a few important facts (family members' names, what they're up to, common interests, etc.) – and the next time you're together, your contact (who may now be a friend) will be impressed that you “remembered.” Hey, we all need a little help – there's just too much information out and too many people that we meet.

We have struck up conversations with perfect strangers in restaurants, grocery stores, elevators, parks, the airport etc. and had those interactions result in business. Don't forget to develop your elevator speech – a very short description of what you do that sounds compelling.

Make time to network – even when you're busy. The more networking you do, the less likely you are to have slow times. For us, bar events and conferences have been “the golden ticket.”

And if you know some of the people who are going to be at a conference or other networking event, for heaven's sake, look them up on LinkedIn or on their website. Now you know something about them – which will impress them – and conversation will come much easier.

## **But I'm Shy – Can I Really Learn to Do This?**

It's ok. A lot of people are shy. In fact, studies showed back in the 1980s that 80% of us identified ourselves as shy. The number now exceeds 90% in recent studies. So first, take comfort, you're not alone.

And trust us, you'll get better with time and practice – and we hope some of the tips you find in this article might help too. And, truth be told, many folks do better with a drink or glass of wine at an evening event. It just lowers their anxiety and allows them to interact. No harm in that – just don't get overboard.

Be prepared with questions to follow up you've extended your hand and said, “Hi, I'm Sam Smith.”

- 1) Are you enjoying the conference? Have you attended any outstanding sessions? What are you looking forward to most?
- 2) Have you been involved with the bar association for a long time? What entities do you belong to?
- 3) I don't know this city – are you familiar with any of the sites I should see or restaurants I should try?

Just think of questions specific to where you are. The weather often provides a dandy opener – as does traffic. Banal, but it can get you started. Most people love to talk about their children and grandchildren, their last vacation or their upcoming vacation. If they have a pet, you can go on forever talking dogs and cats. Sports, if that's an interest. Cars maybe? Movies? Books? Food? Stay aware from religion and politics (rarely does that go well).

We are foodies who enjoy wine. We know *Star Trek* and *Star Wars* – and what lawyers don't know *My Cousin Vinny*, *To Kill a Mockingbird* or *The Godfather*? Author Simek knows football and Author Nelson knows *Downton Abbey*. We read – a lot. We know technology and cybersecurity – and have fun stories involving them. You would be amazed at what you know that can somehow weave into an agreeable conversation with someone you are meeting for the first time – keep the tennis ball in the air and pass an easy lob over the net to your new friend with a question prompted by topics that arise. Find common ground and you can talk for a good, long time.

Watch the news. Remember the funny stories. Especially the funny ones about lawyers who get in trouble. Nothing is as funny to lawyers as that. If your main occupation is playing Candy Crush or watching cat videos, you are not going to be a great conversationalist. Learn from others who are great conversationalists. Listen, watch and learn. Believe me, in the beginning, we marveled at what some of these lawyers could do. We imitated them until we had a style of our own that worked. It didn't happen overnight – and author Nelson used to be so nervous at events where most people were strangers that she felt sick. But as they say, “what doesn't kill you makes you stronger.” She now projects confidence and an easy-going manner – but it sure didn't start that way!

You get the gist. If one question doesn't seem to work, move to another. Small talk is anything but small – it is how relationships are built. Once, when we were in Louisville, KY, the subject of bourbon lasted more than an hour. Our hosts had very strong opinions about bourbon which prompted an animated conversation. Woodford Reserve won the day by a landslide (just saying). And we ended up with another speaking engagement and a client. How our hard-drinking colleagues managed to make our 8 a.m. presentation the next day remains a mystery to us.

Shy people also tend to have trouble breaking away from folks. It takes a little practice, but it's doable. Shake their hand again and tell them how nice it was to meet them and let them know you're going to get something to eat or a drink. It's often easy to turn to someone else if you're

in a group and shift the person you are talking to without causing offense. Most people are used to “working the room” themselves and take no offense unless you bolt rudely which usually means too abruptly.

Whatever you do, don’t scan the crowd for someone more important to talk to. It is very hard to hide that you are doing that and it is offensive to the person you’re talking to – who is unlikely to think well of you.

Don’t offer your card (rude) but ask for theirs and then give yours in return. If the conversation has gone well, follow up! More on that later. Another technique that is useful – we both wear pants with pockets. Business cards from people we meet go in a pocket – taking your pants off at night (it’s ok, this is very PG), you will feel the cards and be reminded to make pertinent notes on the back – or if you are returning to the office from a day event, you will be back on your computer and can make notes in Outlook’s Contacts.

One related tip that we know from the Japanese culture (author Simek is half-Japanese) – do what the Japanese do when someone gives you a business card. Don’t just put it in your pocket immediately. Look at it first, because you want to convey its importance to the giver – and an amazing amount of time, there is something on that card that can become a topic of conversation. This simple act of respect is more noted than you might think.

### **Our Best Tip to Break the Ice: People You Already Know**

Our favorite scenario is this one: We are at an event and see someone we know – and they are talking to someone we want to meet. You just go up to your friend (don’t interrupt until the moment is right and say hello). They will introduce you to their companion and you’re off to the races.

Our second favorite scenario doesn’t differ much, except this time our friend is with someone we don’t know anything about. Once again, sidle on over and let your friend introduce you – you can ask how the two of them know each other and conversation will naturally spark from the answer. Never assume that every encounter will result in something – that’s not the point. We always look for opportunities, but our first thought is to get to know someone, to make them comfortable in conversation and to learn something about their lives. Do we talk about ours? Usually so, because they ask. If you run into someone who talks only about themselves, that’s never a good encounter. When you meet someone, don’t launch into a sales pitch. You can tell them what you do and answer questions, but this is a preliminary conversation.

Get that business card as we discussed above, and, if warranted, follow up.



## **The Follow-Up**

Sometimes the natural follow-up will be electronic – and there's no problem with that. But if this is a relationship that is a mere flicker, fanning the flame with another in-person meeting (not necessarily right away) is smart. We will generally write a nice e-mail, thanking them, complimenting them, looking forward to seeing them again, etc.

Ultimately there will be more contact in a real relationship because that's how you maintain relationships. If you get a client, you want to maintain that client and a lot of that has to do with continuing in-person contact. It's hard to leave a friend as a client– and much easier to discuss something that may not have been going well so you can correct the problem.

If you've had an extended conversation with someone, one of the best things you can do is introduce that person to someone else. We are constantly introducing people to others online, with the frequent result that they will talk by phone and perhaps meet in the real world themselves. This is particularly true where folks need referral to a lawyer or another professional. And any time you've helped connect someone with a professional he or she needs, you've deepened the relationship because you helped out. It takes very little time, but it works.

Get some nice notecards, and extend personal relationships by a handwritten notecard. Almost no one does this anymore so it is certain to be remembered. Will you remember the person who e-mailed you or the one who took the time to write? Many of our friends who excel at networking tell us that writing notecards after meeting someone (or perhaps if you see that they've won a case or been elected to a bar association position or received an award) makes a huge impact.

A text or e-mail just doesn't hold a candle to a handwritten card.

## **Being a Speaker is Wonderful In-person Networking**

Now we know this won't work for everyone. After all, many people say they would rather die than speak in public. But if you can conquer your nerves and you have the knowledge and personality to speak, we are living testament to how successful this kind of in-person networking can be.

If you are an entertaining speaker with knowledge, the audience members are unlikely to forget you. And if it is an audience of lawyers, it is an audience of referral sources. In our firm, like every other, most of our clients are repeat clients, followed by referral clients - referred by current clients or – most often – by people who have heard us speak. The third greatest source of clients is a tie – between our website and speeches, which often result in direct clients - even years after the speech was given. Strangely perhaps, many people keep the contact information of speakers who impress them – just in case. Happily for us, we attract many immediate clients

and many clients who tell us on our Intake Form that “I saw them speak years ago.” Half the time they can’t remember where they saw us or what we spoke on, but the real point is that ultimately the speech has yielded a client.

If this is a path you want to go down, start small, with local civil groups or your bar association and work your way up to the big tent. You’ll know soon enough if this is a form of marketing that works for you. And for heaven’s sake, if there is a reception or dinner following your speech, always stay and maximize your impact by talking to the audience members. Give away knowledge freely – it will endear you to them – and often result in hearing from them later. Even though we frequently suffer from “speaker fatigue” (heck, we keep our suitcases in our bedroom because we are always unpacking and repacking, we summon the energy to go on the road again knowing this is the best form of rainmaking we’ve found.

## **Gravitational Pull**

Developing what marketers call “gravitational pull” takes time. You want to be unselfish, compassionate, and generous – and to seem all those things to the people you meet. If it’s all an act, it will show and it simply won’t work. But you can learn how to take your best qualities and let them shine without seeming phony or overbearing.

You’d be surprised at how many people have said “I prefer doing business with someone I like and trust.” So you have to project integrity (which you hopefully have) and be truly friendly and likeable. We won’t go as far as Will Rogers and say that we never met a man we didn’t like – there are a few sour apples in the barrel. But honestly, most lawyers we know are good folks – and very nice. Some are better than others at projecting a lively intellect, charisma and kindness. Once again, we suggest you carefully watch the successful rainmakers and see how they work their magic. Magic, once understood, isn’t magic at all – though it sure can appear that way.

## **An Excellent Resource**

There are too many really good books on in-person marketing to mention, but we recently discovered the 25<sup>th</sup> anniversary edition of *How to Work a Room* by Susan Roane. Friends were terrifically impressed by seeing her in person at an ABA meeting and many bought her book – which has the added benefit, in the updated edition, of including “electronic” rooms. So you get a dose of digital marketing tips as well.

The book includes tons of practical tips and tells engaging stories of real encounters. The advice is dispensed in digestible bits – we found ourselves marking up passages (yes, this is one to buy in print so you can make annotations).

She recommends never using your smartphone in a room you are “working” – and we agree. If you have to take a call, leave the room. Be “in the moment” – something that technology has

made us forget to do. The siren song (or vibration) of the smartphone is not helping us – it’s hurting us. Disconnect for the duration of the event unless there is an impending professional or personal crisis and devote yourself to the people in the room.

As Roane notes, you have at least one thing in common – the roof over your heads – so at the very least, you can talk about the event.

Like us, she preaches about being nice, sincere and charming. No acting. And you will discover more charm in yourself than you knew you had! As she says, sincerity is the glue that helps to build a relationship. Roane herself has lectured on this topic for decades – and to Fortune 500 companies and their executives. She is an excellent source of hard-earned wisdom.

Audiences tell her that her best tip is to move from thinking of yourself a guest to thinking of yourself as a host – greeting other people, introducing people you know to others, making everyone feel comfortable, offering food and drink, projecting a welcoming atmosphere, talking to spouses or children, noting anyone who seems to be alone and making a special effort to speak to them. We agree with her on all counts – and if you make a special effort to speak to someone on the fringes of the event, they are already grateful to you – before you even begin the conversation.

## Conclusion

We certainly don’t mean to downplay electronic marketing – it is here to stay and it is a valuable part of your overall networking plan. But we do mean to say that you cannot cocoon yourself in the ether and expect to get clients. The practice of law, by its very nature, is a relationship-based business.

Your very best shot at getting new clients and referrals from your colleagues is to get out there and press the flesh. There is a reason that politicians do this – it works.

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