

Meet you where you are

WSSFC21
WISCONSIN SOLO & SMALL
FIRM CONFERENCE 2021



October 28-30, 2021

2021 CLE Program Descriptions*

Thursday, October 28

8:30 – 10:00 a.m.

Opening Plenary

If You Aren't Scared, You Should Be: Lawyers and the Dark Web

In today's world, data protection simply isn't an option. You also must be aware that in the unfortunate event that your law firm is hacked and your data is held for ransom, your response could have criminal consequences – even if you're just buying back your data!

In this extremely timely session, you'll learn:

- Why setting up robust data security shouldn't be put off
- How commercial transactions with bad actors could make you a co-conspirator under federal law
- What you can do now to protect your firm's sensitive information

*Moderator: Nerino J. Petro, Jr., The Erickson Group, Rockford, IL
Agent Byron Franz, Federal Bureau of Investigation, Milwaukee
Michael J. Eichacker, IT manager, Ruder Ware, L.L.S.C., Wausau
Jeff Lantz, Esquire Interactive LLC, Tucson, AZ*

10:15 – 11:30 a.m.

Substantive Track

Adding GAL Work to Your Practice

One way to expand your practice and meet legal needs in the community is to accept GAL appointments. This session will provide a primer on how to incorporate GAL work into your practice.

You'll learn:

- How to meet Wisconsin's statutory requirements to accept appointments
- What your role entails as an advocate
- How the process works from appointment through payment

Moderator: Gretchen G. Viney, Distinguished Clinical Professor Emerita, University of Wisconsin Law School, Madison

Karl L. Kliminski, Kliminski Law Office, Fitchburg

Blaine Patino, Patino Law Offices, Wauwatosa

Ryan Shervy, Angela Olson Law LLC, New Richmond

Practice Management Track

When Cash is No Longer King: Structuring Fees and Taking Payments

Clients today want options. They're asking for alternative fee structures such as flat fees, capped fees, and subscriptions, and they want to be able to pay via the method of their choice — cash and checks are increasingly outdated forms of payment. This session will help you continue to make money while adapting to clients' evolving preferences and changing technologies.

You'll discuss how to:

- Offer alternative billing while remaining profitable
- Accept electronic payments
- Properly retain e-payment records

Claude Ducloux, LawPay, Austin, TX

Fatimeh D. Pahlavan, Legal Intelligence To Entrepreneurs LLC, Chicago

Todd W. Schluesche, Schluesche Fields, S.C., Monroe

Technology Track

Client Conversion after COVID: Transforming Your Website, Social Media, and Marketing into A Client Development Machine

An effective online presence can mean the difference between a struggling or thriving law firm. This informative, interactive presentation will show you how to transform your firm's website and social media channels into platforms for success. You'll learn how to:

- Improve your website's conversion rates
- Achieve top web rankings on Google
- Reach potential clients and convey your brand through social media
- Use Google My Business and review platforms to generate business
- Assess whether your website is ADA compliant

A limited number of complimentary 20-minute consultations will also be available to people who attend in person or virtually. More details to follow.

Jeff Lantz, Esquire Interactive LLC, Tucson, AZ

Quality of Life/Ethics Track

Keeping Your Cool in High Conflict Cases

There's no other way to say it — practicing family law is stressful. This session will provide tips on how to provide the best possible representation for your clients while not stretching yourself too thin at work or at home. You'll discuss how to:

- Provide better outcomes for your clients by prioritizing your wellness
- Address secondary trauma
- Have a trauma-informed practice

Laura J. Beck, Law Firm of Conway, Olejniczak & Jerry, S.C., Green Bay

Gregg M. Herman, Loeb & Herman LLC, Milwaukee

12:30 – 1:45 p.m.

Plenary

Lessons from the Pandemic: Part Deux

Last fall, Wisconsin lawyers and legal practice consultants reflected on the lessons they learned in 2020. They discussed how to regain your footing if your practice was still struggling to recover from the “Great Quarantine,” as well as how to position your practice to thrive in the coming months and years.

A year later, it's time to check in. This session will offer even more useful practice management and wellness tips from your peers, including practical advice on:

- Critical technologies
- Remote working (or living at work)
- Court appearances
- In-office operations changes
- Prioritizing wellness in stressful times

Lori Dorn, Stafford Rosenbaum, Madison

Jeffrey S. Krause, Affinity Consulting Group, Waterford

J. David Krekeler, Krekeler Strother, S.C., Madison

Gia Pionek, Pionek Valle Law Group LLC, Waukesha

2:00 – 2:50 p.m.

Substantive Track

GAL Appointments in Children’s Court

In CHIPS or TPR proceedings, GALs have the complex task of determining what is in the best interest of the child. If you’ve been considering serving as a GAL for minors, this session will offer insight, guidance, and practice tips for attorneys heading into high-stakes, often emotionally charged situations.

You’ll explore:

- How proceedings work from investigation to disposition to permanency plans
- Whether expanding in this area is right for your practice

Karl L. Kliminski, Kliminski Law Office, Fitchburg

Practice Management Track

Effective Ways to Manage your Workforce Efficiency

You can’t change what you don’t know. Tracking is key to becoming a more informed employer. By knowing utilization rates, you can identify and eliminate where inefficiencies may be lurking, and foster a more productive, profitable office.

You’ll discuss how to:

- Resolve wasted time or resources
- Maintain a productive office
- Incentivize staff through compensation plans

Derek A. Hawkins, Amazon Web Services, Inc., Seattle

J. David Krekeler, Krekeler Strother, S.C., Madison

Technology Track

Get the Most Out of Your Microsoft 365 Subscription: Beyond Word and Outlook

Microsoft 365 not only includes traditional Office software like Word and Excel, but now, it also has robust features such as online storage, group communications, and more. Yet, while Microsoft-365 is one of the most commonly implemented productivity suites in a law firm, it’s also one of the most underutilized tools.

In this session, you’ll discover:

- How to make the most of what you already have and pay for
- Some of the lesser known (but valuable!) applications included in 365
- How to increase efficiency and offer more cost-effective representation

Jeffrey S. Krause, Affinity Consulting Group LLC, Waterford

Bryan M. Sims, Sims Law Firm, Ltd., Naperville

File Retention and Disengagement Considerations

We all have limited space, whether physical or digital. Once you close a file, how long do you need to store it before you can destroy it? This program takes a look into the statute of limitations and parameters for storing files from a malpractice standpoint. Not to mention – you’ll also learn how to free up more space (and save money) in the process!

You’ll review best practices for:

- Keeping files
- Sharing retention policies with clients
- Disengagement letters
- Withdrawing from representation

Thomas J. Watson, Wisconsin Lawyers Mutual Insurance Company, Madison

3:10 – 4:00 p.m.

An Altered Workplace: COVID’s Effect on Employment Compliance and Civil Liability

COVID-19 has dramatically altered the workplace. The way employees work continues to be a fluid situation, with some offices welcoming employees back in person and others embracing a more permanent shift to a remote workforce. In this session, you’ll learn how to advise clients on a variety of employment issues, no matter what kind of hybrid model they’re adopting.

You’ll discuss:

- Complying with state and federal laws when employees return to in-person
- Managing remote workers
- Wage and hour compliance with a remote workforce
- COVID-19 civil liability exemption for employers
- And more!

Kevin J. Palmersheim, Palmersheim Dettmann, S.C., Middleton

Nilesh P. Patel, Associate Director, Human Resources at American Museum of Natural History, New York City

Business Plans – A Practical Perspective

Whether you use Business Model Canvas or another tool, it's important to put a business plan in place. Efficient businesses create plans, implement them, and most importantly, adjust the plans when circumstances change (Hello, COVID!).

This session will discuss how to accomplish all three stages — creation, implementation, and adjustment — so no matter what your business is facing, it's poised to succeed .

Jeffrey M. Glazer, Ogden, Glazer + Schaefer LLC, Madison
Kevin J. Palmersheim, Palmersheim Dettmann, S.C., Middleton
Christopher C. Shattuck, State Bar of Wisconsin, Madison

Technology Track

Barbarians are at the Gate: Protecting your Digital A\$\$ets

Each year, ransomware and other cybersecurity incidents increase — both in sheer volume and in costs to remedy the incident. Lawyers need to know what is necessary to protect their data and to comply with ethics rules regarding client data. In this timely session, you'll discuss:

- Why you need 3 layers of security: Software, Hardware, & Education/Training/Policy
- Firewalls with Unified Threat Management (UTM)
- AI-based security
- Two-factor authentication, encryption, anti-virus and anti-malware, and more
- How to create a culture of security in your firm

Michael J. Eichacker, IT manager, Ruder Ware, L.L.S.C., Wausau
James Pearson, The Computer Center, Janesville

Quality of Life/Ethics Track

Legal Malpractice Coverage for Lawyers in Transition

Attorneys frequently change jobs and career paths multiple times after graduating from law school. This program will help lawyers understand and protect against any potential uncovered legal malpractice exposure when making a transition in their practice. Whether you're changing careers, switching firms, hiring or firing an employee, or retiring from the practice of law, you'll come away with a better understanding of:

- Risks of potential ethics violations
- Insurance coverage options
- How to smoothly transition without interruption

Dean R. Dietrich, Dietrich VanderWaal, S.C., Wausau
Joe McCarthy, Wisconsin Lawyers Mutual Insurance Company, Madison
Aiden Tharp, Emerald Valley Law LLC, Hudson

Friday, October 29

8:00 – 9:45 a.m.

Plenary

Tax Facts to Start or Grow a Law Practice

While you don't need an accounting degree to hang out your shingle as a small firm attorney, you do need to understand how your decisions affect the tax requirements for everything from your business structure to hiring employees and buying real estate. Save time and money before consulting a tax pro by learning the basics of tax law yourself.

In this session, you'll discover common-but-overlooked business deductions and credits, tips on PPP funds/SBA loans, and what the law says about:

- Gross versus taxable income
- Deductions versus credits
- Mandatory filings and payments
- Work-at-home employees
- Post-COVID tax changes

Joseph W. Boucher, Neider & Boucher S.C., Madison

10:00 – 10:50 a.m.

Substantive Track

Mergers and Acquisitions for Small Business

2020 was a roller coaster year for businesses, and in the aftermath, conditions may be ripe for merger and acquisition activity. This session will discuss:

- Advising clients in considerations
- Enhancing the desirability of a business for acquisition
- Programs and incentives for buying and/or combining complementary businesses

Amy M. Salberg, Salberg Tuffnell Law, S.C., West Bend

Practice Management Track

Building a Business for Transition

Is your business centered on specific people? Do you really need more than one office space? This session will help you assess what your business needs to be able to withstand transitions without chaos ensuing. Whether your business transitions through succession, merger, or separation, you'll be prepared for a smoother process after discussing:

- Building a sustainable business

- The logistics of transitions — what to expect along the way
- How to best implement changes
- How to identify inefficiencies

Thomas R. Schumacher, Bakke Norman, S.C., New Richmond

Collin Schaefer, Ogden Glazer + Schaefer LLC, Cedarburg

Matthew M. Beier, Wisconsin Lawyers Mutual Insurance Company, Madison

Technology Track

50 Tips in 50 Minutes

A WSSFC favorite and back by popular demand, this highly energetic session is sure to have useful tips and tricks for everyone. Attorneys, legal administrators, and paralegals will all benefit from discovering tidbits about software, hardware, social media, productivity, security, cloud computing, mobile devices, apps, and more!

Presenters to be announced soon!

Quality of Life/Ethics Track

You Received an OLR Grievance – Now What?

You just found out a grievance has been filed against you. Now what? This session will demystify how the lawyer regulatory system works and help you avoid common missteps that lead to OLR grievances or malpractice claims in the first place.

You'll learn:

- Dos and don'ts for responding to an OLR grievance complaint
- How the OLR process works from intake through disposition
- Tips for improving client communications

Stacie H. Rosenzweig, Halling & Cayo, S.C., Milwaukee

11:10 a.m. – 12:00 p.m.

Substantive Track

Fair Use or Fact: How to Advise Your Clients with Regard to Trademark and Copyright

Emails, newsletters, websites, social media...marketing these days can take so many forms. Whether you're advising business clients or you're working on your own marketing campaigns, you need to know when it's okay to use information created by others. From using stock photographs to sharing posts created by others, this session will inform you when — and how — content created by others can be used in marketing.

Erin R. Ogden, Ogden, Glazer + Schaefer LLC, Madison

Melissa Spindler, Smith Keane LLP, Hartland

Practice Management Track

Hiring, Firing, Retiring: Managing a Hybrid Workplace

Onboarding. Training. Terminating. What are the best ways to handle these processes when you're not in the same physical room as your employees? In light of the learning curve provided by 2020, this session will discuss new (and not so new) considerations for managing staff, so your practice doesn't miss a beat even during unforeseen circumstances.

You'll discuss:

- Best practices for acquiring, managing, and letting go of staff members
- Supplying remote workers with necessary office equipment
- Retaining ownership of office property in the event of termination
- Delegating tasks and ensuring things are done well (and safely)

Jane D. Clark, Lake Effect HR & Law LLC, Madison

Tricia Perkins SPHR, SHRM-SP, Lake Effect HR & Law LLC, Madison

Technology Track

Cyber liability Insurance – What It Is, and Why You Need It

The question isn't if your firm will suffer a cybersecurity incident — it's *when*. With data breaches and cybercrimes increasing each year, it's more important than ever to have plans in place to protect your clients' most sensitive information and the reputation of your firm – not to mention to prevent overwhelming financial losses.

Cybersecurity policies can vary greatly. From cyberattack prevention to incident remediation and response, this session will inform you:

- What you need to insure against incidents
- What to look for when reviewing policies
- What to expect from your cybersecurity policy

Moderator: Thomas J. Watson, Wisconsin Lawyers Mutual Insurance Company, Madison

Matthew M. Beier, Wisconsin Lawyers Mutual Insurance Company, Madison

Katherine H. Campbell, Godfrey & Kahn, S.C., Milwaukee

Quality of Life/Ethics Track

Ethics, Jeopardy-Style!

Who said learning ethics can't be fun? In this high-energy session modeled after a classic game show with a twist, you'll hear details from real ethics cases. Test your knowledge to see if you know what happened, score some points, and most importantly, learn how to stay out of ethics *jeopardy* in your own law practice.

Michele L. Perreault, DeWitt LLP, Madison

1:00 – 1:50 p.m.

Substantive Track

Real Estate Sign of the Times

The COVID-19 pandemic created many challenges and opportunities in the housing market. Amidst a sea of change, this session will help you make sense of emerging conditions in real estate buying and selling.

You'll receive an extensive update on the status of evictions, as well as discuss the housing markets in Wisconsin and implications for your practice in regards to:

- Low interest rates
- Shrinking residential inventories
- Changing commercial needs
- Economic uncertainty
- Government programs to help businesses and consumers

Jessica M. Kramer, Kramer, Elkins & Watt LLC, Madison
Cori M. Lamont, Wisconsin Realtors Association, Madison

Practice Management Track

A Legal Research Resource Already at Your Fingertips: Fastcase

Fastcase is a comprehensive 50-state and federal case law database that rivals the biggest legal research companies. Best of all, State Bar of Wisconsin members have unlimited access to this online research service at no extra cost — it's included with membership. In January 2021, Fastcase acquired CaseMaker and has been quickly adding even more features and capabilities.

In this session, you'll learn:

- How to access Fastcase
- Features you should know about
- How this free member benefit can make your legal research easier

Nina Steinbrecker-Jack, Fastcase, Washington, D.C.

Technology Track

Revisiting “Reasonable Efforts” with Remote Working Technology

Issued January 29, 2021, new Wisconsin Ethics Opinion EF-21-02 provides updated guidance on what constitutes “reasonable efforts” in connection with remote working technology. It's critical that attorneys working remotely understand what constitutes an ethical use of technology in order to comply with ethics rules and adequately protect clients' sensitive information.

In this session, you'll go into detail on:

- New ethics opinion, EF-21-02
- The current state of ethics guidance
- Technology and the ethics of working remotely

Brent J. Hoeft, FirmLock Consulting LLC, Madison
Aviva Meridian Kaiser, Ethics Counsel, State Bar of Wisconsin

Quality of Life/Ethics Track

Coping With Unprecedented Circumstances

Over the course of the pandemic, WisLAP has seen an uptick in calls. The past year has been challenging on multiple fronts, and understandably, many people are struggling with mental health and addiction issues. If you're also having a hard time — or have noticed someone in your life who could benefit from talking to someone — WisLAP has ways to help.

You aren't alone — nor do you have to be "in crisis" to benefit from this session. Attend to discover:

- How to recognize signs of unhealthy coping habits in yourself or in others
- WisLAP resources available to you as part of your State Bar of Wisconsin membership
- Practical suggestions for reducing your stress load right now

Presenter TBD

2:25 – 3:15 p.m.

Plenary

Gadgets, Gizmos, and Widgets

A true WSSFC tradition, this fun, high-energy session is back and more beneficial than ever. Presenters will shower you with technological and practice management tips. From ways you can save a few dollars to hacks for making the most out of tools you use every day, this session will enable you to destress and enjoy life more.

You'll discover:

- How to get more from your favorite gadgets and office equipment
- New gizmos that can streamline your work processes
- Product recommendations for improving and maintaining your office technology

Jeff Lantz, Esquire Interactive LLC, Tucson, AZ
Nerino Petro, The Erickson Group, Rockford
Bryan Sims, Sims Law Firm Ltd., Naperville

Saturday, October 30

8:00 – 9:00 a.m.

Plenary

Substantive CLE at Sunrise

Whether you have a specific or general law practice, you need to be familiar with a range of substantive law issues — and know when it’s necessary to refer out clients with needs that fall outside of your practice area. Thanks to this fast-paced, rapid-fire primer, you’ll leave with enough information to help you confidently field the inevitable, “Hey, you’re a lawyer, right?”

In this panel session, presenters will cover some of the most popular hot topics and share what you should know about:

- Legal ways to act for others
- Nursing home neglect cases
- Wisconsin’s Lemon Law
- Construction liens
- Landlord-tenant law and evictions

Kathleen A. Brost, Legacy Private Trust Co., Neenah

Nathan E. DeLadurantey, DeLadurantey Law Office LLC, Brookfield

Jonathan P. Groth, Groth Law Firm Accident Injury Attorneys, Brookfield

Teresa K. Kobelt, Bartelt Grob, S.C., Middleton

James L. Robinson, Jr., Attorney at Law, Milwaukee

9:15 – 10:05 a.m.

Substantive Track

No Will But Still a Way: Estate Planning with Nonprobate Transfers

Wisconsin continues to expand the ability of clients to distribute their assets upon their death using joint account status or beneficiary designations on bank accounts, life insurance, retirement accounts, and even on real estate.

As more and more assets are transferred outside probate and a will, this session will address:

- How to accomplish estate planning with nonprobate transfers
- The positives and negatives of nonprobate transfers
- How to transfer assets like LLCs or stock interests.

Alexander L. Ullenberg, Ullenberg Law Offices, S.C., Fond du Lac

Michael D. Kaiser, Kaiser Holahan LLC, Hartland

Practice Management Track

Your Firm Has IP. What Are You Doing With It?

Innovation is very much alive and well, especially during the global pandemic. While you talk to your clients about protecting their intellectual property, have you given much thought to your own intellectual property?

In this session, you'll discuss how to:

- Identify your firm's intellectual property
- Protect your trademarks, copyrights, and trade secrets
- Know when protections need to be updated due to changing technologies

Garet K. Galster, Smith Keane LLP, Hartland

Erin R. Ogden, Ogden, Glazer + Schaefer LLC, Madison

Technology Track

Upping your Remote Office Game: Prepping your Firm to be Flexible

The pandemic forced law firms to examine their ability to provide quality legal services no matter where attorneys are working from. Firms that had already implemented remote working tools and cloud-based applications prior to 2020 had an easier transition to make.

But, if you felt like you were caught off guard or are still struggling to understand the multitude of technologies on the market, then this session is for you. You'll discuss the array of private and secure communication tools that are available for a remote law office, including:

- Messaging
- Video and teleconferencing
- VPN
- RDP
- Encryption
- Cloud backups
- Client portals
- Web-based practice management software

Brent J. Hoeft, Firmlock Consulting LLC, Madison

Christopher Shattuck, Law Practice Assistance Manager, State Bar of Wisconsin, Madison

Quality of Life/Ethics Track

Harmony is Possible: How to Successfully Sync Your Professional and Personal Lives

"Work-life balance" may be a popular catchphrase, but it can be an impossible standard to maintain. By shifting your perspective from "balance" to "harmony," your practice can change dramatically and you can enjoy life more. Discover how your professional life and personal life can exist harmoniously by learning:

- The power of mindful breathing

- How to change your view on the “practice” of law
- The importance of professional boundaries

Sarah L. Ruffi, Ruffi Law Offices, S.C., Wausau

10:25 a.m. - 11:15 a.m.

Substantive Track

What Non-Bankruptcy Lawyers Need to Know About Bankruptcy

With the moratorium on evictions, foreclosure sales, and suspension of student loan payments ending soon, a “pandemic” of bankruptcy filings could still happen. The implications of bankruptcy filings can be far-reaching to creditors, debtors, and even seemingly uninvolved parties. This session will cover how to advise clients who may need bankruptcy protection, including:

- When to recommend they consult with a bankruptcy attorney
- What they should do – and NOT do – to prepare for a bankruptcy filing
- What to do if they receive notice that a customer or vendor has filed bankruptcy

Plus, since any attorney’s practice could be affected by the rise in bankruptcies, you’ll review how to get paid for non-bankruptcy work when clients becomes involved in a bankruptcy and how to keep what you’re paid.

Eliza M. Reyes, Steinhilber Swanson LLP, Madison
Eric A. Ristau, Laffey Sebranek Auby & Ristau, S.C., Sun Prairie
Jennifer M. Schank, Fuhrman & Dodge, S.C., Middleton

Practice Management Track

Why Cultural Humility Should Be Part of Your Practice

We live in a multicultural society. That’s a given. But are you aware of how different backgrounds and cultures affect assumptions, and in turn, how those assumptions can affect the outcome of your case?

This session will help you develop your ability to work with different cultures, so you can foster a more inclusive practice. After attending, you’ll be better prepared to:

- Identify how your approach can impact client relationships
- Expand your client base
- Maintain better relationships with clients

Annette Miller, EQT by Design, Madison

Odalo J. Ohiku, Law Office of Odalo J. Ohiku, Milwaukee
Michael Seung-Hyock Yang, MY Law Office LLC, Madison

Technology Track

The Power of PDFs

PDFs are one of the two main document types used to generate and share electronic documents on a daily basis. But are you taking full advantage of PDF software? Elevate your law firm and bring it closer to a paperless office by knowing the power of today's PDF software — from Adobe Acrobat to other hot alternatives.

This session will help you become more PDF-literate by sharing what tools you should be using now and what you need to know in regards to:

- Document sharing
- Security
- Scanning
- Fillable forms
- And more!

Bryan M. Sims, Sims Law Firm, Ltd., Naperville

Quality of Life/Ethics Track

How to Advise Clients and Manage Judicial Holds and Discovery with Social Media

This session outlines how to properly advise your clients about the risks and liabilities when they use social media networks. We will also discuss using social media as evidence and understanding judicial holds. Based on recent ethics opinions, lawyers are required to understand the basics of how social media platforms functions. In reality, if you want to effectively advise your clients on the impact of their behavior, you need to have a clear understanding of how social media platforms work. Also, if you are going to trial, you may need to be able to communicate about various social platforms.

After this session, you will be able to guide your clients more effectively, communicate clearly regarding issues surrounding publishing on social networks and know which possible areas should be avoided for ethical reasons. From the client to the courtroom, this course covers it all.

Mark Homer, CEO of GNGF, a marketing firm for lawyers, Cincinnati, OH

11:30 a.m. – 12:45 p.m.

Closing Plenary

Most Common Ethics Mistakes Lawyers Make in Marketing Their Practice

What does it take to establish a successful online marketing presence without coming under the watchful eye of the OLR? This session will show you how to boost your firm's online prowess without violating Wisconsin's Professional Rules of Conduct.

You'll learn how to use tools like Google, AVVO, social media, plus discuss what needs to be considered when setting up:

- Websites
- Reviews and solicitations
- Online directory listings
- Social media and blog posts

Mark Homer, CEO of GNGF, a marketing firm for lawyers, Cincinnati, OH

***(subject to change)**