



# Solo, Small Firms and General Practice News



## Notes From the Editor

The OSBA Solo, Small Firm and General Practice section needs your involvement! During this pandemic, we have become proficient with virtual meetings, so not wanting to travel to Columbus to attend meetings is no longer an excuse. I look forward to greeting you at our next section meeting, regardless of whether it's virtual or in-person.

### *In this issue:*

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**Sharon Nelson** and **John Simek**, the presenters at our section's Solo Institute, provide follow-up information on those nasty ransomware attacks that seem to be happening not just to big oil companies, insurance providers and government agencies, but to small law firms as well. **Pg. 9**

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The "Wellness Corner" will highlight section members' unique talents and methods of de-stressing. Have a hobby or interest that you would like to share? Contact me and we may share it here. And as always, submit your articles for inclusion in the next edition of this newsletter. The deadline is August 13, 2021.

*Lee E. Belardo*

OSBA Solo, Small Firm & General Practice Section Newsletter  
Editor



## Ethical Billing for Solo/Small Firm Lawyers

*By Gretchen K. Mote*

This column is a corollary to the Ohio State Bar Association (OSBA) Member Community discussion thread, [Solo practitioner pricing/charges](#). In addition to the excellent comments in the discussion thread, here are some ethical considerations.

[Ohio Rule of Professional Conduct Rule 1.5 - Fees and Expenses](#) provides the foundation for lawyer billing, stating that a lawyer can't make an agreement for, charge or collect an illegal or clearly excessive fee. The rule then lists eight factors to be considered in determining the reasonableness of a fee. Among those factors are the experience, reputation and ability of the lawyer(s) providing the legal services. As noted in [Disciplinary Counsel v Butters, 159 Ohio St.3d 600, 2020-Ohio-1511](#), Rule 1.5(a) prohibits a lawyer from charging an hourly lawyer rate for nonlegal services.

The next section of Rule 1.5 instructs that the lawyer communicate to the client what the lawyer will do in the representation and how the client will be charged for attorney fees and expenses. It is not uncommon for lawyers to overlook the requirement to explain to the client how and what sort of expenses will be charged.

The rule further recommends that fee agreements be in writing, unless it is a contingent fee, which must be in writing. However, it is strongly suggested that fee agreements always be in writing, no matter the type of fee. Utilizing a written fee agreement

enables the lawyer to confirm the details of the representation in writing, including how the client will be charged and billed. See [OfficeKeeper for sample fee agreements](#).

There are a few caveats on types of fees. Please note that there are two absolute prohibitions: 1) No contingent fee in a domestic relations matter with the payment or amount contingent on securing a divorce or on the amount of spousal or child support, or property settlement in lieu thereof; and 2) No contingent fee for representing a defendant in a criminal case.

Another type of fee is "earned upon receipt," "nonrefundable" or a similar term. This type of fee cannot be used unless the client is simultaneously advised in writing that if the lawyer does not complete the representation for any reason, the client may be entitled to a refund of all or part of the fee based on the value of the legal services actually provided. Consequently, it is advisable that lawyers keep accurate records of the time spent on each legal matter they handle. [See also Ohio Board of Professional Conduct Opinion 2016-1 - Flat Fee Arrangements Paid in Advance of Representation](#).

When seeking the assistance or expertise of attorneys not within the same firm, Rule 1.5 (e) sets the parameters for division of fees by lawyers not in the same firm. The client must give written consent after full disclosure of the identity of each lawyer, that the fees will be divided, and that the division will be in proportion

to the services performed, or that each lawyer will assume joint responsibility. The final requirement is that the total fee must be reasonable. Lawyers in an “of counsel” relationship are considered in the same firm for purposes of division of fees. (See [Ohio Board of Professional Conduct Opinion 2016-11 Division of Fees by Lawyers Not in the Same Firm](#) and [Opinion 2008-1 “Of Counsel”](#).)

Although utilizing written fee agreements is a highly recommended best practice, these do not always ensure payment of legal fees. In order to limit nonpayment issues, the Ohio Bar Liability Insurance Company suggests using an “evergreen” retainer. Instead of taking what is usually thought of as a retainer (See Rule 1.5 Comment [6A]) and then billing monthly when that is exhausted, the evergreen retainer keeps an agreed amount of money in the lawyer’s IOLTA, from which the lawyer’s monthly invoice is paid by agreement. This allows the lawyer to address potential nonpayment issues immediately if the client does not replenish the funds in the evergreen retainer. [You can access a sample evergreen retainer here.](#)

Another factor to getting paid is good client communication. The client should be provided with regular written status updates. Monthly updates should be timed to arrive at least a week prior to the lawyer’s monthly invoice so as to avoid any surprises to the client relating to the legal services referenced in the law firm

invoice. Additionally, Rule 1.5(b) requires that the client must promptly be informed of any change in the basis or rate of the fee or expenses. [See OfficeKeeper for sample letters.](#)

Remember to always send a file closing letter and make arrangements, in accordance with your firm’s record retention policy, to give the client their file at the conclusion of the representation. It’s a good idea to send a closed client survey to get the client’s opinion on the services performed. [You can access a sample survey on OfficeKeeper.](#) Following these ethical billing practices should lead to fewer billing disputes, happier clients and more frequent referrals.

## About the Author

Gretchen K. Mote is the director of loss prevention for the Ohio Bar Liability Insurance Company (OBLIC). Visit [OBLIC.com](#) to learn more.







## Felon In Possession: No Man's Land

*By Joseph "Randy" Klammer*

It goes without saying that federal and Ohio state felony convictions carry with them all sorts of collateral consequences. One of the most complicated to understand is the possession of firearms prohibition.

Not all felony convicted persons are prohibited from possessing a firearm under Ohio law. In Ohio the offense is "having weapons while under disability" as proscribed by R.C. 2923.13. The key element is the definition of "disability." R.C. 2923.13(A)(2) prohibits possession if one has been convicted of an "felony offense of violence" and (A)(3) possession if one has been convicted of a felony level drug offense.

So for instance, if one convicted of a felony possession of criminal tools is not prohibited under Ohio law from possessing a firearm.<sup>1</sup> Similarly, misdemeanor domestic violence is not a disability under Ohio law.<sup>2</sup> Although federal law is something different.

This definition of "disability" may create absurd results. R.C. 2923.14 allows a person to apply for relief of disability. Section (A) provides, "[a]ny person who is prohibited from acquiring,

having, carrying, or using firearms may apply to the court of common pleas in the county in which the person resides for relief from such prohibition." In *In re Application of Douglas Wells*, defendant had been convicted of felony five possession of drugs and felony five possessing criminal tools. The 11<sup>th</sup> District Court of Appeals concluded that R.C. 2923.14 only applies to relief of a disability as defined in R.C. 2923.13. While a felony of the fifth degree drug case is a disability for which he could get relief, the fifth degree felony possession of criminal tools was not. Hence, he could only get relief from arguably the more dangerous of the two.

The same awkward result was reached in *Terry v. State*.<sup>3</sup> Mr. Terry was convicted of misdemeanor domestic violence. He had hoped for a concealed handgun license so applied for relief from disability pursuant to R.C. 2923.14. The court reasoned that "Ohio's statutes on being unable to possess a firearm and being unable to conceal a firearm are different, and the inability to obtain a concealed carry permit because of R.C. 2923.125(D)(1)(s) does not equate to a disability under R.C. 2923.13."<sup>4</sup>

A deeper reading of Wells, the court arguably ignored some plain language in subsection (A) of R.C. 2923.14 which refers to a “prohibition” and not “disability.” It reads that it is designed to give relief to persons who are *prohibited* from possessing a firearm.

R.C. 2923.14 previously read that it applied to “[a]ny person who, solely by reason of the person’s disability under division (A) (2) or (3) of section 2923.13 of the Revised Code[.]” That language was expressly removed by HB54 in 2011. The uncodified law explains that:

The General Assembly is explicitly making this amendment to clarify that relief from a weapons disability granted under section 2923.14 of the Revised Code restores a person’s civil firearm rights to such an extent that the uniform federal ban on possessing any firearms at all, 18 U.S.C. 922(g)(1), does not apply to that person, in correlation with the U.S. Supreme Court’s interpretation of 18 U.S.C. 921(a)(20) in *Caron v. U.S.* (1998), 524 U.S. 308.<sup>5</sup>

This is only part of the question as federal law does not use the language “disability” in its felon in possession prohibition at 18 U.S.C. 922. 18 U.S.C. 922(g)(1) prohibits anyone who has been convicted of an offense which carries a potential term in excess of one year from possessing a firearm. It is direct: 18 U.S.C. 921(a)(20) defines what constitutes a crime punishable in excess of one year. And, (g)(20) prohibits possession if convicted of a misdemeanor crime of violence.

18 U.S.C. 921(a)(20) specifically indicates it will be governed by the law of the state.<sup>6</sup> Looking at just the felony question, it specifically reads:

What constitutes a conviction of such a crime shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any conviction which has been expunged, or set aside or for which a person has been pardoned **or has had civil rights restored shall not be considered a conviction for purposes of this chapter**, unless such pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.<sup>7</sup> (Emphasis added.)

Zellers explained that, “[i]f state law has restored civil rights to a felon, without expressly limiting the felon’s firearms privileges, that felon is not subject to federal firearms disabilities.”<sup>8</sup> We look to the whole of state law to determine whether a convicted felon has had his civil rights restored and to determine whether he is entitled to exercise the privilege of possessing a firearm.<sup>9</sup>

The entire purpose of R.C. 2923.14, 18 U.S.C. 921(a)(20), and Zellers is to find a venue to return to convicted persons their “civil rights.” While admittedly in 1994, *Beecham v. United States*<sup>10</sup> concluded that only federal courts can restore rights from a federal conviction, the status is absurd. Congress enacted 18 U.S.C. 925(c) to allow convicted persons to apply for relief from

Federal convictions but there is no process to effectuate the relief.

While 18 U.S.C. 925(c) allows a person to petition for relief from a federal conviction, **“such relief is not currently possible under § 925(c) because Congress has not provided funding in appropriations for the application program.”**<sup>11</sup> (emphasis added) The Bureau of Alcohol, Tobacco and Firearms (ATF) will simply return any application. And “[t]he absence of an actual denial by ATF of a felon’s petition precludes judicial review under § 925(c).”<sup>12</sup> When the ATF simply returns any application without a determination, no appeal is available.

With that, Congress has expressly decided by way of 925(c) that not all felons should be prohibited from owning a firearm. In fact, a procedure is in place to allow a petition for relief, but the absence of procurement to the ATF denied those persons the ability to apply for relief to protect their Second Amendment constitutional right to bear arms. Moreover, the opinions in the Wells and Terry cases make it next to impossible to file for relief for convictions that are not considered a disability under R.C. 2923.13. Hence, even Ohio has decided that some felony convictions are not so dangerous as to cause the loss of the Second Amendment right.

Civil complaints challenging the prohibition as unconstitutional as applied to a specific defendant seem to offer the best path to hope. The 3rd Circuit Federal Court of Appeals in *Binderup v. AG of United States*<sup>13</sup> provides the framework to understand as applied challenges to this framework.<sup>14</sup> The court reasoned that, “[T]he right to bear arms was tied to the concept of a virtuous citizenry and that, accordingly, the government could disarm ‘unvirtuous citizens.’” Ultimately, the court found that Mr. Binderup’s Pennsylvania state misdemeanor conviction for corruption of a minor as a result of a consensual sexual relationship was not the type of conviction contemplated by the felon in possession ban; the court found the ban unconstitutional as applied to him.

In *Miller v. Sessions*<sup>15</sup> the federal District Court for the Eastern District of Pennsylvania found that Miller’s Pennsylvania misdemeanor conviction for possessing and using altered Pennsylvania DOT records did not justify the permanent deprivation of his Second Amendment right. The court concluded that the crime was not the type of serious crime contemplated by the ban; it violated his Second Amendment right to bear arms as applied.<sup>16</sup>

As it stands, there is currently a split among federal appellate courts on how to address these challenges. The United States Supreme Court, just days ago, rejected petition for a writ of certiorari in the matter of *Folajtar v. Rosen*.<sup>17</sup> Most gun rights advocates were expecting the high court to accept the case. Petitioner was hoping the court would settle the as-applied challenge dispute among appellate districts.<sup>18</sup> Therein, Ms. Folajtar was convicted of one count of false tax returns and received straight probation. The district court and the 3rd Circuit



Court of Appeals considered the as-applied challenge, but found the \$250,000 in taxes a serious enough crime to find her an “unvirtuous citizen.”<sup>19</sup>

Congress made its statement too that not all felons are undeserving of relief when it enacted 18 U.S.C. 92925(c). That provision expressly allows a person to petition for relief from a federal conviction, but again, “such relief is not currently possible under § 925(c) because Congress has not provided funding in appropriations for the application program.”<sup>20</sup> The Folajtar court reasoned that the legislature should fill that void. So too has Ohio decided by R.C. 2923.13 and 14 that not all felons should be denied their Second Amendment right. Unfortunately, there are convicted persons with no simple method of finding relief from the prohibition.

## Endnotes

<sup>1</sup>*In re Application of Douglas Wells*, 2015-Ohio-2606

<sup>2</sup>*Terry v. State*, 2017-Ohio-7805

<sup>3</sup>*Id.*

<sup>4</sup>*Terry v. State*, 2017-Ohio-7805, ¶ 9

<sup>5</sup>Ohio Rev. Code Ann. § 2923.14 (West)

<sup>6</sup>*U.S. v. Zellars* 334 F. App'x 742, 744 (6th Cir. 2009)

<sup>7</sup>18 U.S.C.A. § 921 (West) There remains a question as to whether this 18 U.S.C. 921(a)(20) state law provision applies to misdemeanor crimes of violence such that state relief would remove the federal disability.

<sup>8</sup>*United States v. Cassidy*, 899 F.2d 543, 546 (6th Cir.1990)

<sup>9</sup>*Id.* at 549 and 334 F. App'x 742, 744 (6th Cir. 2009)

<sup>10</sup>*Beecham v. United States*, 511 U.S. 368 (1994)

<sup>11</sup>*Keyes v. Lynch*, No. 1:15-CV-457, 2015 WL 13594907, at \*9 (M.D. Pa. Nov. 9, 2015)

<sup>12</sup>*United States v. Bean*, 537 U.S. 71, 123 S. Ct. 584, 584, 154 L. Ed. 2d 483 (2002)

<sup>13</sup>*Binderup v. AG of United States*, 836 F.3d 336, 339 (3d Cir. 2016) (en banc)

<sup>14</sup>*Binderup* explained: In *United States v. Marzzarella* we adopted a framework for deciding facial and as-applied Second Amendment challenges. 614 F.3d 85 (3d Cir. 2010). Then in *United States v. Barton* we held that the prohibition of § 922(g)(1) does not violate the Second Amendment on its face, but we stated that it remains subject to as-applied constitutional challenges. 633 F.3d 168 (3d Cir. 2011). *Binderup v. Attorney Gen. United States of Am.*, 836 F.3d 336, 339 (3d Cir. 2016)

<sup>15</sup>*Miller v. Sessions*, 356 F. Supp. 3d 472 (E.D. Pa. 2019)

<sup>16</sup>*Id.*

<sup>17</sup>*Folajtar v. Rosen, Acting A.G., et al.* 20-812

<sup>18</sup>*Folajtar v. Rosen, Acting A.G., et al.*, 980 F.3d 897, 899

<sup>19</sup>The United States Supreme Court also days ago rejected the certiorari in *Holloway v. Attorney Gen. United States*, 948 F.3d 164, 168 (3d Cir. 2020). Therein the question was whether PA's D.U.I. at the highest B.A.C. a first-degree misdemeanor that carries a maximum penalty of five years' imprisonment, see 18 Pa. Cons. Stat. Ann. § 1104; 75 Pa. Cons. Stat. Ann. §§ 3802(c), 3803(b)(4), constitutes a serious crime that requires disarmament.

<sup>20</sup>*Keyes v. Lynch*, No. 1:15-CV-457, 2015 WL 13594907, at \*9 (M.D. Pa. Nov. 9, 2015)





## Do you Task?

By Randa Prendergast

*"The value of your practice is in your systems"*  
– Michael E. Gerber, The E-Myth Attorney

When I approach the subject of task, my boys' voices ring through my head and I want to say "do you even task, bruh?" I know, not a professional tone (they are only 7 and 10), but I am so in love with task and task lists (aka your workflow) that I honestly believe having task lists or not having task lists could make or break your law firm, and that's what prompts my fun tone (I'm nicely saying, get with the program).

### What is a task and why should you use them?

Tasks are "to-dos" in your case management software. Tasks can work as a failsafe to make sure you are not forgetting to complete certain steps on a case and to make sure you are meeting deadlines. Essentially, tasks help you move from being reactive to proactive. Tasks also help you and your team communicate effectively. By assigning tasks to yourself and to others on your team, you can create a clear picture of where the case is and what needs to be done. Tasks can also provide a workflow for your cases, naturally pushing your cases forward. Lastly, tasks keep your to-dos in a shared space. Individual notepads, sticky notes or non-firm calendars for your to-dos are not helpful to the other members of your team because they can't see them. Also, you should not be in the habit of working out of your emails (you get so many already) or out of your Slack messages.

### How can you use tasks?

There are two ways to use tasks: You can add a one-off task to your case management software or you can create a task list or workflow. A task list is a template of predetermined tasks assigned to a particular person and it's set to populate at a particular time. For example, you can create a task list called "File Opening" that is comprised of 3-7 (give or take) individual tasks to be completed in a certain order by a specified person. You can then assign this list to each new matter that is created in your case management software.

### What information should go into a task?

Tasks normally have a subject or name. You want to be descriptive in the subject or name but being straightforward is important, i.e., whatever tells you what you (or someone else) will be doing, like, "Call the Client." You then add information on how to complete the task in the description. The description of the task is the most important. This is where you want to add as much detail as you can, especially when assigning a task to another person in your office. You want to be sure you are avoiding that person coming back to you with a bunch of questions. For example, name of the task: Call the Client; Description: 1) Complete the Estate Planning questionnaire 2) Set a signing meeting with the client by using this Calendly link: [you can include a link here] 3) Request a copy of the client's current will and/or trust.

Adding a lot of these details can also aid in training new employees. The details direct new people to what your process looks like and how tells them how to do the task.



## What information should go into a task list?

When developing your task lists, you want to look at your overall process. How do you do your job? Most times we take steps in our process and we don't even think about it because we are so familiar it feels like second nature. But there is a problem with that. How are you going to step away for a day or two if your staff doesn't know every step of the process? How are you going to show that new paralegal what he/she needs to be doing? If you don't capture every step of your process, task lists won't work. For an example of a basic task list, let's assume you have an estate planning firm that has a managing attorney, an associate attorney and a paralegal and you want to capture how to draft estate planning documents. This is what the tasks in the task lists should look like (keep in mind, all the tasks will hold all those same details I mentioned before).

- **First Task:** Draft living will and list of client's assets – Paralegal,
- **Second Task:** Draft trust & pour-over will – Associate attorney
- **Third Task:** Review initial drafted estate planning docs (1. Living will 2. List of client's assets 3. trust 4. Pour-over will) – Managing attorney.

Something that seemed straightforward, becomes a little more spread out and gives everyone direction. The task list wouldn't end there, you would also need a task to send the final estate planning documents to be reviewed and all appropriate follow-up tasks to follow up with your client.

## Will you task?

I hope you have found value in tasks and task lists. Capturing your process could be one of the most important things you can do for yourself and your firm. Task lists help you go from being reactive to proactive, aid in training new staff, remind current staff of details they may overlook, allow you or your employees to take time off (everyone knows what to do and by when) and task lists can even show you where you can improve other areas of your practice. Setting up task lists and workflows does take time but it will add so much value to your firm. Soliciting a consultant to help would be your best bet, but not necessary. Including your support staff in the process of developing the task lists will be important, after all, they complete the daily to-dos day in and day out.

## About the Author

Randa Prendergast is an experienced paralegal, intake specialist and task list developer extraordinaire. She has a legal background working with boutique law firms, solo practitioners and virtual settings. She maintains excellent client and business relations skills with well-versed office and project management experience. She offers professional support and guidance while you grow your firm and/or take your firm virtual. She can be reached at [Randa.Prendergast@yahoo.com](mailto:Randa.Prendergast@yahoo.com)





## Small and Midsized Law Firms Slammed by Ransomware

*By Sharon D. Nelson, Esq. and John W. Simek*

### A Warning for Law Firms

The first of the quarterly 2021 surveys appeared in April, and the news isn't good for small and midsized law firms. Note these ominous words from Coveware, a highly regarded aggregator of global ransomware and cyber extortion data, which published the Coveware Quarterly Ransomware Report (Q1 2021):

"The most notable change in industries impacted by ransomware attacks in Q1 was the professional services industry, specifically law firms. Small and medium sized law firms continue to succumb to encryption ransomware and data exfiltration extortion attacks. Unfortunately, the economics of many small professional service firms do not encourage or enable adequate cyber security."

### Sobering Statistics from the First Quarter of 2021

- The average ransom payment was \$220,298 (+43% from Q4 2020)
- The median ransom payment was \$78,398 (+59% from Q4 2020)
- The average number of downtime days was 23 (+10 from Q4 2020)
- 77% of ransomware attacks include a threat to leak the stolen data (up from 70% in Q4 2020).
- Most ransomware-as-a-service (RaaS) affiliates now purchase network access (often for a nominal sum) from someone else, then use the data they can now steal to leverage payment from the victim.

And a new and disturbing trend in 2021: Attackers are taking to disrupting business after an initial attack while the firm is trying to recover – and stealing more data or relaunching ransomware.

### What Law Firms Should Assume

Ransomware is no game, but if it were, boy have the rules changed. The first thing a law firm should assume is that any of its data stolen by attackers will not be destroyed by the cyber criminals, even if a ransom is paid. It may well be traded to others, sold, or even held for a second extortion attempt. Those re-extortion attempts are becoming a growing phenomenon. Also assume that multiple parties held your data and that the data was not necessarily secured and may have been compromised. Also, any of those parties may have made copies for prospective extortion in the future.

It is increasingly likely that data will be published, often called "naming and shaming," before you can even respond to the ransom demand. This ups the ante and puts pressure on the law firm to pay.

### Where Does the Danger Come From?

The most common ransomware attack vector is compromised remote desktop protocols, which so many lawyers working from home use to connect to the law firm network. This is followed by phishing emails, which continue to get better and better at fooling your employees. Employee security awareness training should take place at least annually (more often

is better) and running phishing simulations periodically is a good idea. Employees simply forget over time so repetitive training is critical.

## **Why are Small and Midsize Law Firms So Vulnerable?**

As the Coveware report notes, 24.9% of ransomware attacks target professional services firms, especially small and midsize law firms. So, what are the firms doing wrong? In part, they are hobbled by the modesty of their budgets for cybersecurity. On the other side of the coin, they generally want to maximize profits and distribute income to the partners at the end of the year. Cybersecurity doesn't make the cut when distributions are discussed.

Their clients tend to be smaller and may not demand security assessments as larger clients are prone to do. Sometimes they get to bask in obscurity because attacks on smaller firms often do not make the headlines.

Smaller firms can get in a world of trouble because most of them do not have incident response plans (IRPs) and therefore, they have a “headless chicken” response to attacks, which they generally don't properly handle. To make matters worse, small and midsize firms may not attend to remediation of the vulnerabilities that caused the attack. And you know what happens then? They get re-attacked.

An example of sheer stupidity from our case files: A firm had an incident response plan (IRP). Good for them, right? Except they didn't print it out or put it on a device never connected to the network. So, their IRP was encrypted in the ransomware attack. Doh.



## **Don't Think That Paying the Ransom Will Guarantee You Get Your Data Back**

Sophos, a highly regarded cybersecurity vendor, issued its “The State of Ransomware in 2021” report. Scary stuff. Their survey found that only 8% of entities get back ALL of their data after paying a ransom. Of those who paid the ransom, 29% got back no more than half of their data.

Not only is there no honor among thieves, but there are no refunds for partial performance. In addition, there is no customer service department where you can file a complaint.

There was some good news in the report – sort of. There was a decline of entities hit by ransomware from 51% in 2020 to 37% in 2021. On the face of it, that's a good thing.

But the report also notes a very worrisome trend. Attackers are now moving from automated attacks to highly targeted “hands-on-keyboard” hacking. Why is this causing such alarm? Because the potential damage is much greater from these more complex attacks, with more than double the remediation costs, from approximately \$761,00 in 2020 to \$1.85 million in 2021.

Oh, and to add to the merriment, remediation costs are now 10 times greater than the average ransom payment.

## **Final Thoughts**

Not much joy in this article, to be sure. One of the things it proves definitively is that threats from attackers are constantly morphing. As these threats evolve, so must our defenses. Busy attorneys understandably have trouble keeping up with cybersecurity. But when they can, they should try to stay current through reading reputable blogs and articles online and taking cybersecurity CLEs at least once a year – and more is better. Batten down the hatches – we're in for a bumpy ride for years to come.

## **About the Authors**

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## Ernie's Corner: Tech Tips for Attorneys

By Ernie Zore

### Eight Cutting Edge Tips

These suggestions and feature descriptions assemble eight Edge browser features that I believe law offices will find helpful.

#### 1. PDF Reader

This one is easy to like. It will read a PDF aloud, and it does a darn good job of it. We think it would be great if you were occupied and wanted to listen to the PDF file while you did something else. When we opened a PDF file in Edge, a button asked whether we wanted to have Edge read it aloud. If that's not there, you should be able to right-click and choose Read aloud from the popup context menu.

#### 2. Be Updated

Click Settings, About Microsoft Edge. "Read'em and weep," as the cardsharp says. Right now, I have Version 90.0.818.66, and a notice tells us Microsoft Edge is up to date.

#### 3. Passwords

To make the most of Edge's security options, go to Settings, Passwords, and make sure these options are turned on: Offer to save passwords, Show the alerts when passwords are found in an online leak, and Suggest strong passwords. Suggest strong passwords is particularly interesting because it allows Edge to suggest strong (aka complicated, unmemorable) passwords for new accounts.

#### 4. Stale Cookie Disposal

Go to Settings, Cookies, and site permissions, See all cookies and site data. You may be shocked at what you see. Without taking the time to count, I'm guessing there were hundreds of cookies on my computer. One for every site I ever visited? Maybe... and then some. The list includes the guilty domain name, byte size, and the number of cookies – some sites aren't satisfied with just one cookie (not the kind of bingeing that appeals to cookie-lovers). Edge's manager lets you delete any of them, but sifting through hundreds of sites is a daunting task.

#### 5. Collections

If you regularly visit many sites and want to group specific ones for easy access, try Collections. Go to Settings, Collections (or press Ctrl+Shift+Y) to display a panel on the side of your screen. You can create and name collections. They appear in the Collections panel, and when a particular "collection" is selected, its component web pages are thumbnailed in the panel. When you visit a website you want to add to a collection, click on the Add current page link, and a thumbnail of that site will appear in the currently selected one.

#### 6. Favorites

Another way to streamline access to websites is using the Favorites menu. Click on the shooting star icon to the right of the URL input box (the shooting star icon, not the star icon),



and a menu appears listing every website you've added to your Favorites list—that's the purpose of the star icon (the star icon, not the shooting star icon). It's not as bad as it sounds. For me, using the add function is more important than the menu because I always have the Favorites bar displayed anyway, and its contents are identical.

## 7. Extensions

Extensions are little "programs" that integrate with Edge to give it capabilities that Microsoft did not initially include. I probably need to do an article about this feature itself because it opens the door to an astonishing array of functions. Click on Settings, Extensions to get started. The Extensions page provides access to a store where you can see what's available. Two extensions we use regularly are Grammarly and Invisible Hand. You must purchase some extensions, but many are free.

## 8. Full-Screen PDF Viewer

If you regularly read PDFs of statutes, IRS instructions or other legal-related materials, try this. Press F11. The PDF page you're looking at will appear full screen, and the toolbars and browser menu will disappear. Press F11 again to restore the browser for normal viewing.

## My Favorite Hardware Bargains

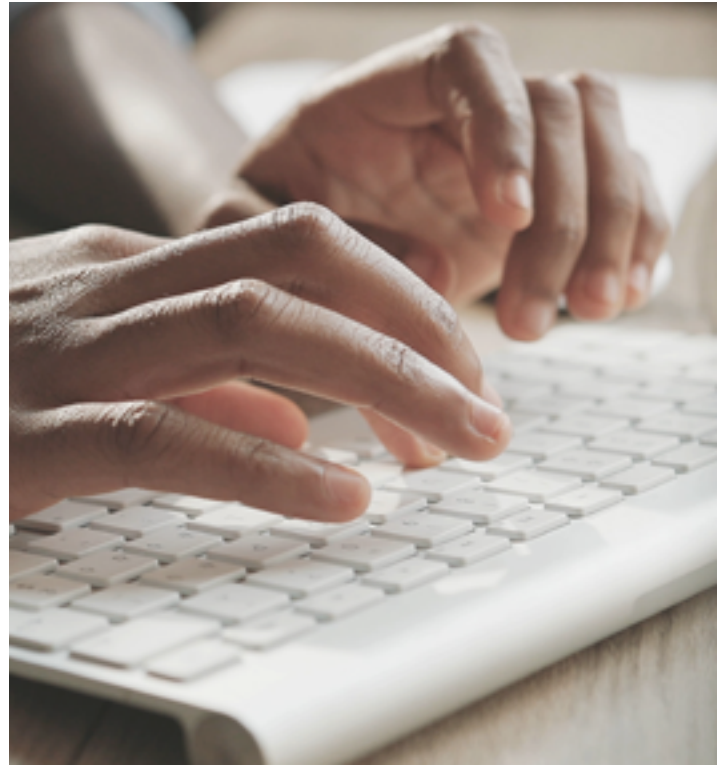
Over the years, there have been certain pieces of hardware that combined two characteristics I find desirable. They were inexpensive, and they served a useful purpose. Here are four that I'm keen on.

### USB Splitter

Our newest computer was priced competitively but was short on USB ports. It had four. The keyboard used one. The mouse used another. The Magic Jack telephone line used another. The OEM detachable camera used the last. I needed at least two more. One for the external backup drive (a necessity) and one for random occasions when I needed to plug in my memory stick. The splitter was the solution. We removed the Magic Jack device and plugged in the splitter, which added four more ports – one for the remaining items and one to spare. Cost: \$10.99.

### USB Fan

I've had two computers that ran hot, so much so that they would shut down to protect themselves from overheating. Solution: a fan that plugs into the USB port. The alternatives were to pay a repair bill that would probably exceed the computer's value or retire the computer and buy a replacement. It was a good computer; it simply ran too hot. I attached the fan using painters masking tape and got four more years out of it. Cost: \$13.25.



### USB External Drive

This drive, about the size of a pack of cigarettes, has two terabytes of memory. By today's standards, that's more than adequate. We like that you simply plug them into the USB port. No special knowledge or expertise is necessary. Plug and play, as they say. Remember, if you're backing up, this is your lifeline and worth every penny when things turn sour. Cost: \$69.38.

### Creative Labs Soundblaster

Computer speakers don't compare well to the ones on your stereo system. You could connect the two systems via wires, but that's a hassle and usually a mess. Instead, we use Soundblaster's transmitter/receiver system. We plug the Soundblaster transmitter into our computer's USB port and the receiver into the stereo system's right and left aux inputs. Now we can enjoy downloaded music on our million-dollar, high-fidelity sound system. Cost: You may need to do some investigating. We recall buying it for \$50, but it seems the price has risen to \$130 for the transmitter and \$70 for the receiver. We're glad we got it when we did.

Once again, I thank the Ohio Bar Association for giving me the opportunity to share my thoughts with you via the Solo, Small Firm and General Practice Section Newsletter. My sincere thanks also go out to you for giving me a bit of your limited reading time. If you have any questions, suggestions, or comments, contact me at [ernie@puritas-springs.com](mailto:ernie@puritas-springs.com). Have a safe and healthy summer.

## WELLNESS CORNER

### *Did You Know?*

The OSBA is invested in supporting each of our members as they cope with the inherent stresses of the practice of law. To that end, the OSBA Wellness Advisory Board has created a one-stop resource page to help you grow on your wellness journey.

Visit [OhioBar.org/Wellness](https://ohiobar.org/Wellness) to learn more and meet the OSBA Wellness Advisory Board.

As you use these resources, we welcome feedback about your experiences and the kind of content you would like to see from the OSBA. With your engagement and support, we can create a future of healthy and happy legal practitioners.

*And remember to submit your interest or hobby that helps you stay well, and we may include it in this newsletter!*



## About *Solo, Small Firms and General Practice News*

*Solo, Small Firms and General Practice News* is produced by the Ohio State Bar Association Solo, Small Firms and General Practice Section.

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