



LEGAL TECHNOLOGY

The newsletter of the Illinois State Bar Association's Standing Committee on Legal Technology

Illinois enacts changes in obtaining search warrants electronically

By David M. Clark

This past legislative session, a revision of the ILCS Criminal Code now provides a way in which a search warrant can be obtained electronically so as to address the concerns of the US Supreme Court as reflected in the following landmark cases:

- *Terry v. Ohio*
- *Miranda v. Arizona*
- *Grant v. Arizona*
- *Riley v. California*

It may be worth a basic review of each of the aforementioned cases in order to see the effect on the Fourth Amendment. First, *Miranda v. Arizona* (*Miranda v. Arizona*, 384 U.S. 436, 1966).

In 1966, in the case famously called *Miranda v.*

Arizona, the Warren Court handed down what it called the "fundamentals of fairness" standard. At both the State and federal level, the Court sent a clear signal to law enforcement and criminal justice officials. Convictions not made in conformity with the "fairness" standard would likely be overturned. Constitutional guarantees of due process for the accused had to be upheld; thereby "Miranda warnings" are recited to every arrestee.

The second case was *Terry v. Ohio* (*Terry v. Ohio*, 392 U.S. 1, 1968).

Terry v. Ohio was a landmark decision by the United States Supreme Court which held that the Fourth Amendment prohibition on unreasonable searches and seizures is not violated when

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Case summaries

By Ethel Spyrtos

nClosures Inc. v. Block and Company, Inc., Nos. 13-3906 & 14-1097 Cons. (October 22, 2014)

In summary, the court was reluctant to find that trade secret misappropriation existed when a design firm for electronic devices did not take reasonable steps to protect its proprietary information. This is despite the fact that the parties signed a confidentiality agreement in conjunction with contract negotiations. In addition, the court did not find fiduciary duty existed where there is no agreement between the parties to characterize their relationship, including specifying the net gain in a profit sharing arrangement.

Plaintiff, an industrial design firm and defen-

dant, a manufacturing company began a business relationship for the manufacture of metal enclosures for electronic tablets, such as iPads. The parties signed a confidentiality agreement at the onset of the relationship claiming the, "Confidential Information received from the other Party shall be used solely for the purposes of engaging the Discussions and evaluating the Objective.." Plaintiff also had a policy in effect not to share its designs, know-how, or market knowledge, with other parties unless pursuant to a non-disclosure agreement. However, during the term of the business relationship, plaintiff did not require other

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Illinois enacts changes in obtaining search warrants electronically

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a law enforcement personnel stops a suspect on the street and frisks him or her without probable cause if they have a reasonable suspicion that the person has committed, is committing, or is about to commit a crime and has a reasonable belief that the person “may be armed and presently dangerous.”

For self-protection, they may perform a quick surface search of the person’s outer clothing for weapons if they have reasonable suspicion that the person stopped is armed. This permitted action has subsequently been referred to in short as a “stop and frisk”. The *Terry* standard was later extended to temporary detentions of persons in vehicles, known as traffic stops.

The Terry Standard is to protect persons from unreasonable searches and seizures aimed at *gathering evidence*, not searches and seizures for prevention of crime or personal protection of police officers.

The third case is *Gant v. Arizona* (*Gant v. Arizona*, 556 U.S. 332, 2009).

The Court wrote in the decision: “In observing that *Miranda* has become embedded in routine police practice to the point where the warnings have become part of our national culture,” 530 U. S., at 443, the Court was referring not to police reliance on a rule requiring them to provide warnings but to the broader societal reliance on that individual right.” (*Gant v. Arizona*, 556 U.S. 332, 2009).

Police may search a vehicle only if the arrestee is within reaching distance of the passenger compartment at the time of the search. The majority included Justices Ginsberg and Scalia whose judicial philosophies have seemed to be opposed in previous rulings of the Supreme Court. The opinion further stated: “When these justifications are absent, a search of an arrestee’s vehicle will be unreasonable unless police obtain a warrant or show that another exception to the warrant requirement applies.” (Ibid).

And lastly, a relatively new Fourth Amendment case, *Riley v. California* decided and published last October 2013, addresses searches of cell phones. (*Riley v. California*, 573 U.S. ___ slip opinion).

Pivotal in the Court’s majority opinion was deciding how the search incident to arrest doctrine applies to modern cell phones. The Majority Opinion states: “A smart phone

of the sort taken from Riley was unheard of ten years ago; a significant majority of American adults now own such phones. Phones are based on technology nearly inconceivable just a few decades ago. Cell phones, however, place vast quantities of personal information literally in the hands of individuals. A search of the information on a cell phone bears little resemblance to the type of brief physical search considered in *United States v. Robinson*, 414 U. S. 218 (1973).” (Ibid).

The Court acknowledges that cell phone data can include text messages, internet search histories, photos and highly personal data that may include financial, lists of contacts and scanned documents. The Court continued: “Modern cell phones are not just another technological convenience. The fact that technology now allows an individual to carry such information in his hand does not make the information any less worthy of the protection for which the Founders fought. Our answer to the question of what police must do before searching a cell phone seized incident to an arrest is accordingly simple—get a warrant.” (Ibid).

The General Assembly of the State of Illinois recognizing that the procedures of obtaining a search warrant through an electronic means to speed the process that may be impacted on the foregoing landmark cases, revised 725 ILCS 5/108-4 enabling law enforcement and judges to exchange information and/or document electronically and to have that communication recorded and preserved electronically and attached to the court record.

The revised statute provides for obtaining a search warrant by oral testimony, and omits the limitations of telephone, fax, or other means to exchange sworn testimony supporting a search warrant, when circumstances make it reasonable to dispense with a sworn affidavit.

The new changes replace deleted provisions with a general provision applicable to any offense allowing a search warrant request to be made by electronic means that has a simultaneous video and audio transmission between the requestor and a judge. The judge may issue a search warrant based upon sworn testimony communicated in the electronic exchange. Lawmakers added a

provision requiring the Chief Judge of the circuit court or presiding judge issuing a search warrant to create, by local rule, a new standard for the filing and/or retention of documents or recordings produced under the search warrant. This amended statute has an effective date of January 1, 2015.

The newly revised statute is below:

98TH GENERAL ASSEMBLY

State of Illinois 2013-2014

AN ACT concerning criminal law.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 108-4 as follows:

(725 ILCS 5/108-4) (from Ch. 38, par. 108-4)

Sec. 108-4. Issuance of search warrant.

(a) All warrants upon written complaint shall state the time and date of issuance and be the warrants of the judge issuing the same and not the warrants of the court in which he *or she* is then sitting and *these* such warrants need not bear the seal of the court or clerk thereof. The complaint on which the warrant is issued need not be filed with the clerk of the court nor with the court if there is no clerk until the warrant has been executed or has been returned “not executed.”

The search warrant upon written complaint may be issued electronically or electromagnetically by use of a facsimile transmission machine and *this any such* warrant shall have the same validity as a written search warrant.

(b) Warrant upon oral testimony.

(1) General rule. *When a search warrant is sought and the re-*

quest is made by electronic means that has a simultaneous video and audio transmission between the requestor and a judge, the judge may issue a search warrant based upon sworn testimony communicated in the transmission. When the offense in connection with which a search warrant is sought constitutes terrorism or any related offense as defined in Article 29D of the Criminal Code of 2012, and if the circumstances make it reasonable to dispense, in whole or in part, with a written affidavit, a judge may issue a warrant based upon sworn testimony communicated by telephone or other appropriate means, including facsimile transmission.

- (2) Application. The person who is requesting the warrant shall prepare a document to be known as a duplicate original warrant and shall read the such duplicate original warrant, verbatim, to the judge. The judge shall enter, verbatim, what is so read to the judge on a document to be known as the original warrant. The judge may direct that the warrant be modified.
- (3) Issuance. If the judge is satisfied that the offense in connection with which the search warrant is sought constitutes terrorism or any related offense as defined in Article 29D of the Criminal Code of 2012, that the circumstances are such as to make it reasonable to dispense with a written affidavit, and that grounds for the application exist or that there is probable cause to believe that they exist, the judge shall order the issuance of a warrant by directing the person requesting

the warrant to sign the judge's name on the duplicate original warrant. The judge shall immediately sign the original warrant and enter on the face of the original warrant the exact time when the warrant was ordered to be issued. The finding of probable cause for a warrant upon oral testimony may be based on the same kind of evidence as is sufficient for a warrant upon affidavit.

- (4) Recording and certification of testimony. When a requestor initiates a request for search warrant under this Section caller informs the judge that the purpose of the call is to request a warrant, the judge shall immediately place under oath each person whose testimony forms a basis of the application and each person applying for that warrant. If a voice recording device is available, the judge shall record by means of the device all of the communication call after the caller informs the judge that the purpose of the call is to request a warrant, otherwise a stenographic or longhand verbatim record shall be made. If a voice recording device is used or a stenographic record made, the judge shall have the record transcribed, shall certify the accuracy of the transcription, and shall file a copy of the original record and the transcription with the court. If a longhand verbatim record is made, the judge shall file a signed copy with the court.
- (5) Contents. The contents of a warrant upon oral testimony shall be the same as the contents of a warrant upon affidavit.
- (6) Additional rule for execution. The person who executes

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the warrant shall enter the exact time of execution on the face of the duplicate original warrant.

- (7) Motion to suppress based on failure to obtain a written affidavit. Evidence obtained pursuant to a warrant issued under this subsection (b) is not subject to a motion to suppress on the ground that the circumstances were not such as to make it reasonable to dispense with a written af-

fidavit, absent a finding of bad faith. All other grounds to move to suppress are preserved.

- (8) ~~(Blank). This subsection (b) is inoperative on and after January 1, 2005.~~

- (9) ~~(Blank). No evidence obtained pursuant to this subsection (b) shall be admissible in a court of law by virtue of subsection 8.~~

(c) The Chief Judge of the circuit

court or presiding judge in the issuing jurisdiction shall, by local rule, create a standard practice for the filing or other retention of documents or recordings produced under this Section. (Source: P.A. 97-1150, eff. 1-25-13.) ■

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Case summaries

Continued from page 1

employees of defendant to sign additional agreements in order to access design files. Furthermore, the companies never agreed on a written contract, but instead reached an oral agreement on the terms of their relationship. The business terms were minimal. Defendant would manufacture the enclosures and sell the units to plaintiff at a certain price. Plaintiff was also permitted to sell some of these units to its customers and some units to defendant at an increased price. Later in an e-mail, defendant referred to this arrangement with plaintiff as a "License fee". Defendant then terminated its relationship with plaintiff and plaintiff subsequently filed a suit against defendant alleging among other claims, trade secret misappropriation and breach of fiduciary duty. The suit arose out of defendant beginning to manufacture its own enclosure devices and allegedly used designs supplied by plaintiff.

The record showed that plaintiff did not engage in reasonable steps to protect the confidentiality of its proprietary information, including by obtaining additional confidentiality agreements from individuals who had access to said designs. Consequently, the court found that plaintiff did not have an enforceable confidentiality agreement in effect for the protection of its designs. The District Court also found that plaintiff could not maintain a breach of fiduciary claim; where, although parties may have shared profits generated by defendant's manufacture of plaintiff's enclosure devices, the record did not show that parties had engaged in other

activities that suggested existence of partnership that was required to support any breach of fiduciary claim. In particular, there was no agreement between the parties to describe the net gain in a profit sharing arrangement.

In an appeal, the U.S. Court of Appeals for the Seventh Circuit confirmed the District Court's granting defendant's motion for summary judgment.

Michael Kienitz v. Scennie Nation, LLC and Underground Printing-Wisconsin, LLC, No. 13-3004 (7th Cir. Sept. 15, 2014)

In summary, the Seventh Circuit opined on fair use where a photo on a website was downloaded and printed on t-shirts for profit. The key issue on appeal was whether the defendants had a valid fair use defense for its modified version of a copyrighted photograph. The Seventh Circuit was reluctant to adopt the Second Circuit's approach to fair use, including focusing on whether the defendants' use of the image was "transformative," a part of the first fair use factor, to find the defendants' use of the photograph was fair. Instead it reviewed the statutory factors, and affirmed the District Court's decision, agreeing that defendants' use of the photograph constituted fair use.

This case originates from a photograph Kienitz took of Mayor Soglin of Madison, Wisconsin, at his inauguration in 2011. Soglin, (with Kienitz's permission), had posted it on the City's Web site. Scennie Nation and

Underground Printing-Wisconsin, LLC, later downloaded a copy and printed it on t-shirts with modifications to the photo including adding the phrase, "Sorry for Partying."

A week after becoming aware that defendants used the photograph on t-shirts, plaintiff registered a copyright of the portrait. He then sued defendants for copyright infringement. The District Court found fair use existed and granted summary judgment for defendants.

The test for fair use under §107 of the Copyright Act consists of four general factors: 1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; 2) the nature of the copyrighted work; 3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and 4) the effect of the use upon the potential market for, or value of, the copyrighted work.

The District Court and parties debated whether the t-shirts are a "transformative use" of the photo which is not one of the statutory factors. According to the District Court, the Second Circuit ran with the suggestion and concluded that "transformative use" is enough to bring a modified copy within the scope of § 107 citing *Patrick Cariou v. Richard Prince*, 714 F3d 694, 706 (2d Cir. April 25, 2013).

However, the Seventh Circuit court was skeptical of the *Cariou* approach because that effectively replaces the list in §107 and could override 17 USC §106, which protects

derivative works. Sticking with the statute, the Circuit Justice instead listed the four fair use factors and made a short list of plaintiff's position on each. As to the first factor (purpose of the use), the Court noted that while defendants sold the t-shirt for a small profit, they chose the design "as a form of political commentary"; therefore it weighed in favor of defendant's position. The second factor (nature of the work) was, "unilluminating" according to the Court, and nonetheless, *Kienitz* did not assert that defendants' actions reduced the market for this photograph, which he had already licensed to Soglin for no royalty and which is posted on a public Web site for viewing and downloading for free. The third factor (amount used), was also met since so much of the original's detail did not reach the copy. What was left, is an outline of a face, which cannot be copyrighted. Finally, the fourth factor (market effect) also favored the defendants because *Kienitz* did not say that defendants disrupted a plan to license this work for apparel. This particular use does not reduce the demand for the photograph or any future use of it.

The Circuit Court Judge mentioned that plaintiff may have had other viable claims that he did not assert in the case, but nonetheless affirmed the District Court's conclusion that the work by the defendants was properly deemed to be fair use without copyright infringement.

Instant Technology, LLC v. Difonzo, Rehn, Marker, Meek, Bauer, Katz, Katz and Connect Search LLC, No. 12 C 491 (May 12, 2014)

In summary, where the plaintiff an information technology staffing firm, failed to prove a near-permanent relationship with any of its clients, and did not show that the defendants gained access to non-public, confidential information during the course of their employment, the court found that by a preponderance of the evidence, plaintiff's non-solicitation covenants with the defendant employees were not greater than required to protect its legitimate business interest. As such, the court held that plaintiff's restrictive non-solicitation covenants are invalid and unenforceable. Additionally, the court found plaintiff couldn't sustain a claim under the Illinois Trade Secrets Act. Plaintiff failed to prove that any of its purportedly confidential information is actually secret and not readily ascertainable by its competitors or the public at large.

Plaintiff, an information technology staffing firm sued five of its former employees and one of its competitors alleging among other claims, breach of employment agreements and violations of the Illinois Trade Secrets Act. In plaintiff's business, although most of its clients sign a Master Services Agreement, the MSA does not guarantee plaintiff will earn revenue from any particular client. Clients want to fill their IT needs as soon as possible and solicit candidates through multiple IT staffing firms and through a number of different online job boards. Plaintiff and its competitors also provide the same product, IT candidates. Neither plaintiff nor its competitors enjoy a reputation for providing higher quality candidates than the rest of the IT staffing industry, partially because the staffing firms market and provide the same candidates.

In or about August, 2011, Plaintiff was not meeting its target numbers and subsequently stripped the managerial responsibilities from its Executive Vice-President, Sales and Operation employee, and then later fired her for, among other reasons, "undermining" certain supervisors. This led to the firing of two additional employees and subsequently two other employees quit. Each of these five had joined a competitor recruiter after their termination or resignation from plaintiff.

Plaintiff claimed breach of defendants' restrictive covenants in the employment agreement since plaintiff alleged, the former employees solicited and placed candidates previously serviced by plaintiff. The court considered the length of employment of the five former employees. It ruled that their restrictive covenant were unenforceable because three of the former employees worked for plaintiff for less than two years and no other compensation was exchanged. The Court considered whether the covenants were enforceable against the other two employees who worked for plaintiff for more than two years. It ultimately did not enforce their restrictive covenants, referencing the lack of a legitimate business interest. Plaintiff did not have a near-permanent relationship with any of its clients. The court reasoned, the IT staffing market is highly competitive, and is non-exclusive by its nature and practice.

Plaintiff also claimed that defendant violated the Illinois Trade Secrets Acts by actual or threatened misappropriation of its "confidential information." The Court found, none

of the clients or candidates' information maintained by plaintiff is secret. The identity of plaintiff's clients, the clients' hiring needs, and the qualifications of plaintiff's candidates is information that is: (1) often available publicly, (2) provided to plaintiff's competitors by plaintiff's clients, and (3) provided by plaintiff to potential candidates that plaintiff would like to place. The court further noted that, under Illinois law, where information is generally known to others who could benefit from using it, the information is not a trade secret. The court held that there was no proof presented at trial of any unauthorized disclosure and, consequently, no misappropriation occurred by the defendants. ■

It's Campaign Season for the 2015 Election

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- BOG:
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 - Area 3 (Circuits 12, 13, 16, 21 and 23) (1)
 - Area 4 (Circuits 10, 14 and 15) (1)
 - Area 6 (Circuits 7, 8 and 9) (1)
 - Area 8 (Circuits 3 and 20) (1)
- Assembly:
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See the Notice of ISBA Election and get your Candidate Packet on the Web at www.isba.org/elections.

Filing of Petitions begins on January 5, 2015 and ends on February 2, 2015.

Highlight on Clio: Review of affordable cloud-based practice management software

By Jessica C. Marshall

It goes without saying that technology has changed the way that we interact with our clients. E-mail has allowed us to interact with clients much faster. They no longer have to wait for us to return to our office and call them, nor do they have to wait for our correspondence via “snail mail.” Our clients expect to be given direct, timely, and secure access to us as their counsel. Technology has built a world for us all where instant gratification seems to be the new normal. We can have anything delivered to our front doorstep in a matter of a day, including everything from books and clothing, to groceries. For those of us that use digital platforms for music, multimedia and reading, we no longer need to go to the store to make these purchases, or wait for them to be delivered. We can buy movies, books, television shows and music immediately on our smart phones or tablets. How does this instant gratification translate to us as legal counsel, and how do we do our part to keep up with client expectations and the technological curve we are presented with on a daily basis?

Looking at our practice management software is a good place to start. With all of the new technology that is available to attorneys, searching for up to date practice management software can be a hassle. These technological advances are meant to make our lives easier as modern attorneys, not more difficult. Enter Clio, a Web/cloud-based all-inclusive secure platform that allows attorneys to interact with clients, manage their cases, send out bills, and access the practice remotely when necessary, all for a very reasonable monthly per-user cost.

Clio is unique in that it allows all of your clients to register for their own web-access to Clio upon invitation. The clients enter a username and password that is unique to them, and they have a Web page unique to them for viewing. On the backend, the attorneys can send documents securely through Clio to the client. The client is notified via e-mail that there is a document waiting for them. They login, and they can review the document. Billing works the same way. All of the documents that you share with a client through Clio are available to them upon sim-

ple login. You no longer need to send and resend these documents over and over again, as they have instant access. This is wonderful for sending court orders, correspondences, discovery, pleadings, and of course, bills. Even better, if you sign up with one of the authorized payment processing providers that are built into the Clio platform, the client can make payments to you through their Clio portal with the click of a button.

Clio also offers integration directly with drop box, and is beginning to offer automatic document generation for drafting of routine pleadings, correspondence and motions. There is a timer feature, so that you can keep track of your time, as well as a button that allows you to copy all e-mails directly into an individual case’s Clio file, to keep track of all old e-mails. A “search” button allows you to search through all communications for key words, rather than reading through loads and loads of all old e-mails.

Clio can be logged into on your smart phone or tablet, from the court house. If you have misplaced a document or do not have your entire file with you, you simply can login on your smart device and pull up any document that you have in the case file. This is much less stressful than running back to your office or calling an associate or paralegal to find out the contents of an old correspondence, or whether or not a response was filed to a petition. Your practice is literally in the palm of your hand.

Finally, Clio had a conference in Chicago just this past month. One of the partners from my firm attended and said it was out of this world. They have many new features they will be introducing, and they truly took care of the attendees. (I was told that one day breakfast was provided via “Food Trucks” parked outside the conference and everything was complimentary, and that there were also Smoothie bars set up in the afternoons for all attendees, to name a few of the perks.) Clio was on site to answer any questions users may have, with one-on-one attention, and to receive feedback. Clio hosted sessions where they taught users how to use new features of the program. They will be having another conference next year, and early bird registra-

tion has begun.

Our firm’s experience in using Clio has been very positive, and the client feedback has been the same. Further, we have had clients who have called Clio with questions and they have not only been very responsive to them, but they have notified us of the phone call so that we can correct any issues that have arisen on the back end. Now that is customer service! And, if you are not already convinced, members of the Illinois State Bar Association receive a 10% lifetime discount on Clio in addition to a free trial, live 1:1 web demonstrations and unlimited access to live customer support training.

With many firms moving towards “cloud-based” practice management software, Clio is ahead of the curve. The platform is user-friendly and easy to learn. Clio is highly recommended if you are looking to bring your practice management software up to date. ■

This article was originally published in the October 2014 issue of the ISBA’s *The Catalyst* newsletter.



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The power of Google

By Nicole Sartori

The power of Google is undeniable. An average of 5.9 billion searches were completed daily through Google in 2013. See: <<http://www.statisticbrain.com/google-searches>>. To increase your chances of being found when a client is looking for your firm, and without costing you any money, the firm should have a Google+ page. Created in 2011, Google+ is a social and identity network powered by Google. It has circles instead of “friends” but the idea is similar to Facebook. While the number of users is much smaller than Facebook, it is still worth the time to create and maintain one. Once created, it should be maintained and supplemented with new content frequently. Your Google+ page will pop up to the right of the Google search page when someone googles your firm name. In order to make a Google+ page for your firm, you will need a Google email account (known as a Gmail account). If you do not have one, it is not difficult to create one.

Once you have an e-mail address, go to this Web site: <<http://www.google.com/+brands/thebasics.html>> and click on the blue “Create a Google+ page” box on the top right corner of the page. You will begin to enter information for the profile. Pick which type of business it is: service, retail, etc. You will add the address, phone number, your website URL and hours of operation. You can also add photos and videos. In order to show up on Google maps or searches, you will need to verify the address as the business owner. Google will mail a small postcard to the business at the address listed with a pin number, you will need to log in to your Google+ page and enter the pin number so it will be verified. They may also call the phone number listed during business hours to verify the business. You should link your Google+ page through your firm website with the infamous orange “G+” icon. The most powerful aspect of the Google+ page is the review section. You can invite clients that have Gmail accounts to leave reviews for the firm based on a 5 star rating and comment section. The number of reviews, average star rating and phone number will be under the firm name on the Google+ preview on the right of the Google home page and when accessing Google maps.

In addition to a firm Google+ page, you should also utilize a different free service from Google. Does your firm have a website? Whether it is one that you designed yourself or paid a lot of money to design, set up, and maintain, do you know if it’s working? Do you know how many unique visitors are looking at it? Do you know the age or gender of the users? Do you know what words they are typing into Google to find your firm’s website and clicking on it?

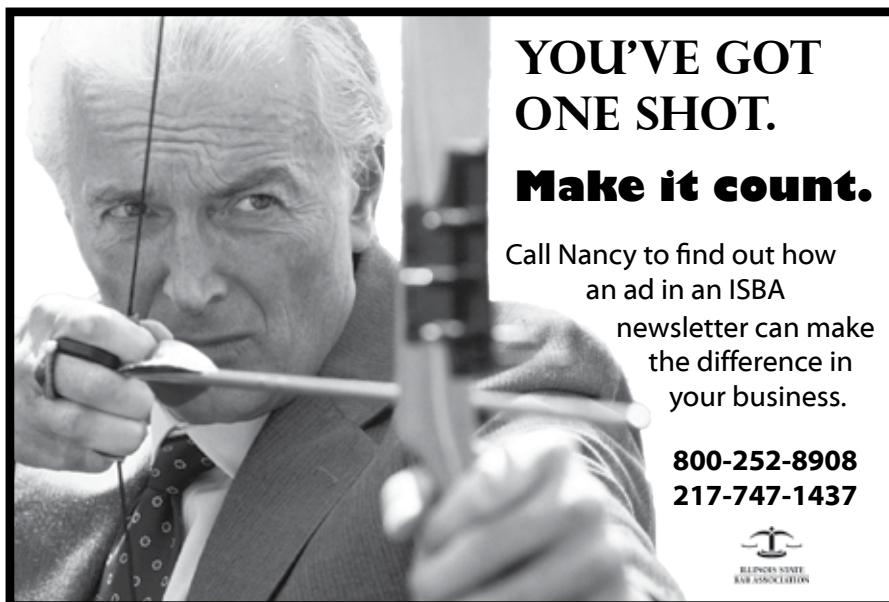
You can access all of this information by utilizing Google Analytics. According to Wikipedia, Google Analytics is a service offered by Google that generates detailed statistics about a website’s traffic and traffic sources and measures conversions and sales. In order to install Google Analytics for your Web site, you need a free Gmail account. Go to <www.google.com/analytics/features> and click on the right hand corner that says “create an account.” You will need to create a profile and add the website you want to track to the profile. Once an account is created, you can log in through your Gmail account and see a wealth of information. You can see if website traffic has picked up during a marketing blitz. You can customize what period of time you are reviewing. The default is the last thirty days but you can change the time frame from the date you installed it to the present. You can also see how people are finding your page: are they typing in the name of the

site directly, accessing it through an organic Google search, Facebook, or through other marketing sites such as AVVO or YP.com? You can also see what keywords are being typed into Google in an organic search when they click through to the website. This can be very useful if you also do search engine marketing (SEM) through Google. Google offers Ad Words and Ad Words Express as their SEM vehicle. It may also be very useful if you also have your Web site optimized for searches, known as search engine optimization (SEO).

Neither Google+ nor Google Analytics will mean anything if you do not take the time to utilize them. Learn to set a few minutes aside every 30 to 60 days to look at both features. Consistently, take a few minutes to promptly send happy clients Gmail using the link to the firm’s Google+ and ask for a review of the firm when your representation ends. Google values the new content and new potential clients love reading the reviews. It may make the difference between whether or not they even pick up the phone to make an appointment. ■

Nicole Sartori has been practicing criminal defense in the suburbs surrounding Chicago since 2007.

This article was originally published in the September 2014 issue of the ISBA’s Law Office Management & Economics newsletter.



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