

Contact: fred.horlbeck@sc.lawyersweekly.com

# Best Law Firm Web Sites & Technology

LAWYERS WEEKLY SPECIAL SECTION



## 1st place South Carolina Small Firms

**DROSE LAW FIRM**  
droselaw.com

### Judge's Comments:

The site starts out with a basic and straightforward opening page — appealing to an audience of potential clients who do not want to be overwhelmed with numerous photos and blocks of text. The simple design and strong image make the site inviting and not overpowering. It is easy to tell the focus of the firm from its initial page, and it is effortless to navigate the site and get clear information.

Images are used well. Research on Web design supports this. Faces on Web pages get the most attention, and this site uses tightly cropped, easy-to-read images. While many other firms overwhelm with numerous small images, this site uses restraint to keep the user focused on the information a visitor will need.

The site is filled with useful information, but the user does not get caught up in sifting through a vast list of menu options. Content is well-organized.

Navigation location is consistent from page to page. Color choices also are consistent and appropriate to the subject matter. There are no unnecessary or distracting



animations. The site is clean, clear and straightforward in all aspects. There are no non-working or incomplete pages. The site's URL is logical and easy to remember.

Drose Law Firm's Web site gets the job done right and leaves the user with a feeling that the firm is competent and trustworthy.

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## 2nd place South Carolina Small Firms

**ROSEN LAW FIRM**  
rosen-lawfirm.com

### Judge's comments:

Rosen Law Firm's Web site packs a large amount of information into a site that a user can navigate with ease. Its opening page is professional and informative, providing the user with clarity about the firm's focus.

The site has a slick, up-to-date feel. Color choices are appropriate for a law office and are used consistently. The images used are those of real members of the firm, which adds to the site's credibility. The search function is an excellent aspect of the site. Rosen Law Firm realizes that, at a time when Web users "Google" everything, its site visitors may be more apt to put a keyword in a search box than sift through menus. Moreover the search function works well and delivers relevant results.

Drop-down menus also are effective, and content areas are arranged logically above them. The site structure allows for information to change and appear in the same area of the page. This design choice helps users to focus on the information they have requested and not be distracted by moving menus or changing designs.

Overall, Rosen Law Firm has created an online presence that reflects favorably on its business.

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# Best Law Firm Web Sites & Technology

LAWYERS WEEKLY SPECIAL SECTION





## 1st place

# South Carolina

# Medium Firms

**JOYE LAW FIRM**  
www.joyelawfirm.com

**Judge's Comments:**  
The home page of this firm's Web site gives the visitor a good preview of what to expect from the site and the firm. It has a variety of very useful information with links to practice area overviews, firm news, legal news, frequently asked questions and its quarterly newsletter. It also provides information about the firm's involvement in the community. It offers a DVD containing panel discussions on auto accidents and workers' compensation. The attorney profiles are very good and go further than merely providing biographical information. The contact information is clear and inviting. There are numerous links to the firm site from various search engines.



## 2nd place

# South Carolina

# Medium Firms

**BARNES, ALFORD STORK & JOHNSON**  
www.basjlaw.com



**Judge's Comments:**  
The firm's Web site shows that you don't have to be fancy to be good. Its home page introduction clearly tells the visitor the firm's focus, goals and philosophy. Its client services section references both its e-newsletter and seminar opportunities with contact information. It has done a good job of personalizing the attorney profiles to provide the visitor a good introduction to each attorney. Its site is very easy to navigate and is linked very well to Internet search engines.

## The Criteria

**Opening screen:**  
A visitor's first impression — what they immediately sense about the firm and its mission.

**Design style:**  
The site's overall look and ease in reading.

**Quality/quantity:**  
How much info is there? How good is it?

**User friendly:**  
How easy is each Web site to use or navigate?

**Bells & whistles:**  
What unusual and interesting features does each site have?

**Contacts:**  
How easy is it for a visitor to contact the firm or one of its attorneys?

**Web visibility:**  
How easy is it to find a given firm by doing a Google, Yahoo! or related search?

## The Categories

**Large:** 26 or more lawyers  
**Medium:** 6-25 lawyers  
**Small:** Up to 5 lawyers



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# Best Law Firm Web Sites & Technology

## LAWYERS WEEKLY SPECIAL SECTION



### 2nd Place South Carolina Large Firms

**NELSON MULLINS**  
www.nmrs.com

#### Judge's Comments:

This site has the best use of video in its category. Through the videos, which have professional production values, a site visitor can not only learn more about the firm, but he or she can see the attorneys in action. With links from the attorney profile pages to these videos, the firm comes alive, person by person. Coupled with a clean, clear site design and with other innovations like an RSS feed, this site stands out in its category. The only unfortunate thing is that sometimes the navigation gets complex and the text is so light and small to read that those great videos and the other content on the site can be tough to find.

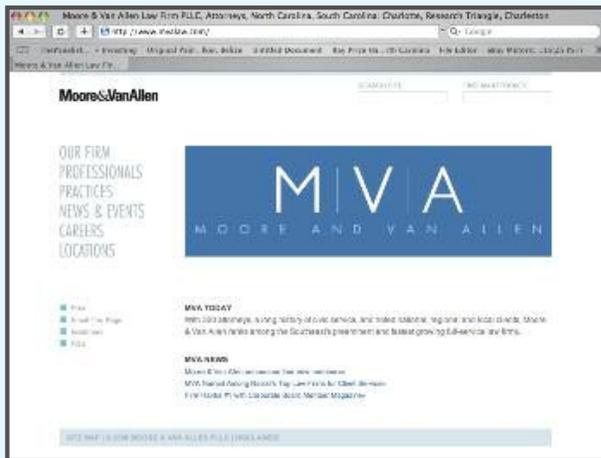


### 2nd Place North Carolina Large Firms

**MOORE & VAN ALLEN**  
www.mvalaw.com

#### Judge's Comments:

This site puts its emphasis on clear, clean navigation and readability. For example, it's the only site in its category that prominently featured a search tool specifically for the purpose of finding an attorney. The site loads quickly and does not distract with extraneous design elements. It is all business. Where it does have bells and whistles, they are in service of the reader. The site's RSS feeds, for example, are a great way of staying in touch with site visitors by pushing content to them long after their site visit is complete.



## Our Judges

### MARSHALL FLETCHER

Marshall Fletcher is the business development director for All-State Legal, a national company providing a comprehensive offering of design services, graphic communications products, legal specialties and general office supplies. His industry experience includes 13 years as an executive director.



A past president of the Association of Legal Administrators, Marshall has been a guest speaker at numerous ALA and ABA events and has written articles for ALA publications.

His experience in the legal industry includes six years as director of corporate legal services for Turner Broadcasting System and seven years as a director of a civil litigation firm in Atlanta.

In addition to his legal background, he has many years of experience on both manufacturing and service business, including the textile, medical, home services and hospitality industries.

### LAURA REUL

Laura Reul is an assistant professor of visual communication and multimedia at the School of Journalism and Mass Communications at the University of North Carolina at Chapel Hill. Before coming to UNC in 2004, she was inaugural director of the Estlow Center for Journalism and New Media at the University of Denver.



Coordinator of the Society for News Design's Best of Multimedia Design competition, Laura has also served as project leader for the Poynter Institute's Eyetrack III research. She is a co-founder of DiSEL, the Digital Storytelling Effects Lab.

Before joining the academic world, she worked for more than 15 years at a number of publications, including the South Florida *Sun-Sentinel*, the Omaha *World-Herald* and the Rocky Mountain *News*.

### RYAN THORNBURG

Ryan Thornburg is an assistant professor at UNC's School of Journalism and Mass Communications. His special interest is online journalism and the future of journalism.



Before coming to UNC, he spent his career in the newsroom, focusing on online journalism.

Most recently, he was the managing editor of USNews.com, the online arm of *U.S. News & World Report*. He also served as a managing editor for *Congressional Quarterly's* Web site and was the national/international editor for the *Washington Post's* Web site.

Ryan's work in online media contributed to several professional awards, including seven EPpy awards for his work with washingtonpost.com. The EPpy Awards competition honors Internet sites affiliated with the media industry.

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# Best Law Firm Web Sites & Technology

LAWYERS WEEKLY SPECIAL SECTION



**Best in Contest**

**WOMBLE  
CARLYLE  
SANDRIDGE  
& RICE**

www.wcsr.com

**Judge's Comments:**

From the first moment a visitor steps onto the site, it's clear that this firm understands the power of online communication. The site balances functionality and clear navigation with tasteful animation and innovative formats like blogs and podcasts. The site has prominent and powerful search features, and it nicely balances its emphases on fresh content and evergreen information about its attorneys and their areas of expertise.

While many of the other sites in the competition had strong design elements, or clear navigation, or nifty bells and whistles, Womble Carlyle was the site that clearly excelled in all areas, integrating form with function and using technology not just for its own sake, but for the benefit of the site's audience.

**Why Womble Carlyle won Best in Contest:** This is a tough choice in a contest with so many attractive, innovative and useful Web sites, but Womble Carlyle stands out from the pack for its volume of original content, its innovative online techniques and technologies, and its clean, professional and inviting design.

Before anything else, a Web site must be easy to use by its target audience. For a law firm the size of Womble Carlyle, it is no easy task to organize a site in a way that people can find what they're looking for. At wcsr.com, this usability starts with a prominent search engine, continues through clear and consistent navigation and continues into the main area of the home page, which nicely and cleanly separates feature content. Users can see that there is a lot of information, but they can also easily find some of the most important areas of the site like attorney profiles or contact information.

WCSR is also on the cutting edge of using the Web to communicate on the medium's unique terms. And that's saying a lot in a contest that had incredibly innovative and multimedia sites at firms of all sizes. RSS feeds allow users to passively monitor news from the firm, while blogs give the firm's attorneys an opportunity to dynamically demonstrate their expertise and personality.

Of course, what would the site be without its mascot, Winston? Many sites use animation to draw a user's attention, but this animation was incredibly well done, is mindful of a user's bandwidth and doesn't interfere with the primary task of seeking and acquiring information from the WCSR site.

Congratulations to all the entrants for their attractive, multimedia and highly functional sites. And a special congratulations to Womble Carlyle for a site that stands out above the rest.



**Best of S.C. Large Firms**



**Best of N.C. Large Firms**

The screenshot shows the Womble Carlyle Sandridge & Rice website. At the top, there's a navigation bar with links for 'About Womble Carlyle', 'Our Lawyers', 'Practice & Industry Expertise', 'Our Offices', 'News & Events', 'Career Center', and 'Contact Us'. Below this is a main content area with a search bar and a 'WINSTON' dog mascot. The page features several sections: 'Womble Carlyle Sponsors 2008 Biotech Conference', 'In the News' with recent articles, 'POPULAR PAGES' listing various legal news items, and a 'Pro Bono' section. At the bottom, there's a 'LEX MUNDI' logo and copyright information for 2004-2008.

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LAWYERS WEEKLY SPECIAL SECTION

## How you can find your clients' ESI

*Digital paper trail can lead to many hiding places for electronically stored information*

BY VINCE NALIN

### Dolan Media Newswires

When I tell my daughters that they can't use the phone or computer or go anywhere until their room is clean, it's amazing how fast I get results.

Within 20 minutes, the floor that was once covered with clothes is suddenly visible, the trash has made its way into the can and books are back on the shelf.

But where did those clothes really go? They weren't in the dirty clothes hamper, nor were they in a dirty clothes pile next to the washing machine. And they certainly weren't folded and put with the clean clothes.

This adventure would take me into places I never knew existed and never really wanted to know, but it certainly earns the kids marks for creativity.

As attorneys are being held to task when electronically stored information is not being turned over as it should, understanding the locations that can contain potentially relevant ESI is becoming more critical.

Through the above exercise with my daughters, I learned that unused drawers, that space under the bed, and even an unassuming suitcase in the closet can provide shelter in a pinch. It's those suitcases and unthought-of spaces that the opposing side will think of if you don't.

For corporate IT departments, keeping track of all the potential places where information could be stored is becoming more and more of a challenge. For the attorneys who represent them, it's almost impossible to understand all these potential hiding places. It's not necessarily that every corner of the datacenter and communications closet needs to be examined immediately, but reporting to the courts that no backup tapes exist — only to have a federal agency come out with boxes full — can make for a bad day.

### The Search Begins

The list of relevant custodians has just come in, and as outside and inside counsels confer, the assignments are divided.

Human resources has to check on which custodians are still employed and on the dates of termination for those who are no longer with the company. They also need to determine which facility they worked in and if they ever moved between facilities.

The IT department takes the divide-and-conquer approach. The desktop support team, which allocates desktops and laptops, has to

begin tracing the steps of those users who are still employed and search for which user was assigned the computer when the terminated custodian left.

With e-mail becoming the main form of communication these days, the messaging team is requested to locate e-mail for custodians of interest. A team of storage architects — network administrators who are responsible for making sure that the network attached storage or storage area network has plenty of capacity and is backed up — receives its assignments, too (more on NAS and SAN follows).

In some organizations, there could be many people gathering this information. In others, only one person could be handling it all. In either case, leaving no stone unturned, especially early on, is critical.

### Covering Your Bases

To begin outlining the potential storage locations for ESI, starting with a custodian's primary computer is generally best.

These days, it's not unheard of to have a computer on your desk and a laptop when you travel and to use your home computer at times. That opens the possibility that a user could have three potential sources of ESI right off the bat. It does not necessarily mean that all are being utilized or contain any relevant data, but worth noting just in case.

Many a "home" computer has turned up evidence that otherwise would not have been found. A "forensic image" of the hard drives from any or all of the computers will provide a point-in-time, block-by-block copy of the contents of a hard drive. The professionals who create forensic images should be able to demonstrate a sound process and use of technology that will stand up in court for the collection of the data.

### What Else Is There?

Thinking about how the movement of data in your office works, there are really two



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scenarios. There's data stored on my computer that you as a user can create, delete or edit, and there is data that is stored "on the network," of which the IT staff or department is ultimately in control. Turning first to the data that an individual user has control over, two key questions become important:

- Is there anything to indicate that any removable media device (iPod, thumb drive, CD, DVD, memory card, digital camera) was attached to the computer and utilized?

- Is there anything that prohibits the use of devices such as these by way of technology or policy?

The first question may have to be answered by someone who specializes in computer forensics, but the second should be handled the information technology staff.

The great thing about asking questions is getting answers to arm you with more questions. If the answers to both questions are no, does that mean that there is no way any data left this computer? Absolutely not, but continuing to investigate will no doubt be an economic and strategic decision. To answer questions about alternatives possibilities to the second scenario, you must turn to those within the technology part of the organization.

### What Does Big Brother Have?

The best place to start is the retention policy. Many law firms are becoming more involved in assisting their clients to draft retention policies, and it serves as a good starting point for getting a handle on the ESI within an organization. Many companies also are using current litigation matters to begin drafting what will become a retention policy in the future.

The primary goal of the retention policy is to outline where data exists, how long it's been there and what specific types of data are to be kept in adherence to the policy. There can be a large number of people or a single individual responsible for different

areas of the retention policy and, subsequently, the ESI. One important area worth noting is backup-and-disaster-recovery plans. But whether there is anything formal is not as important as finding out who is responsible and how this activity occurs.

When users store information on what is often referred to as a "network drive," they are most often storing that information on a centralized storage device. In small companies, it could be an NAS, and in large organizations it could be an SAN. There are many storage options between these two and even encompassing both, but creating a centralized location for storage of files is critical to planning for back up and disaster recovery.

### Facing The Digital Decide

In this time of corporate inbox overload, where to store e-mail often meets somewhere between user creativity and information technology mandate. As regulatory, compliance and litigation policies often force "outside-the-box" solutions, the data still has limited locations.

Most electronic mail implementations allow users a certain amount of storage on the e-mail server, and once your mailbox reaches a certain limit, then the decision process begins. Some choose to store it locally on their computer and others may utilize the "network drive."

The most important facet of e-mail is to understand the various possibilities should collecting and analyzing the ESI become necessary.

### Checklist Is Key

Creating an ESI checklist is the most critical step to leaving no stone unturned in the search for potentially relevant data. Having someone combine ESI references from multiple cases into a single document, locating a template on the Internet or requesting one from your local vendor is a great way to get started.

Be mindful of, but not limited by, the list. It's always a work in progress, and mine, for example, changes with every deposition, deposition prep and case type I encounter.

**Editor's note:** Vince Nalin is a senior solutions analyst for Atlanta-based eMag Solutions and has more than 10 years of experience in IT, network administration, project management, and supervising production facilities in the electronic discovery arena. Contact him at vnalin@emagsolutions.com.

## How businesses can combat spam: A few simple strategies

BY BEN ISLA

### Dolan Media Newswires

There are all of the common security measures that should be in place on the mail servers, but users really need to be aware of what they are doing online, including:

1. Do not provide your e-mail address to pop-open browser windows that say you can win something if you put your e-mail address in.

2. Do not respond with a "remove me from your sender's list." Doing this just confirms that your address is active and you will increase the amount of spam that you get.

Instead, contact your IT staff or consultant and have them contact the company or individual who is hosting the mail server where the message originated and report the messages as abuse. You can also add the sender to your e-mail filters "black list" and have the mail filter block it before it reaches your inbox.

3. When you sign up on message boards, be sure to check the box that alludes to "keep my e-mail address

private." This prevents bots (automated programs that search the Web for information) from locating your address off of a Web page and then placing it into a spammer's known e-mail database.

4. Do not put your e-mail address on a Web forum or review page (or anywhere public on the Internet). The spammer's bots will search the Web for e-mail addresses on pages and then add them to the spammer's known e-mail database.

5. Create an account using a free e-mail service (there are many available, so take your pick) and use that when registering on forums or in places where you need to provide an e-mail address for communication. Use this account to communicate online where you do not need to keep in close contact.

A good example of this is if you are signing up on a message board or registering for another service that requests your e-mail address. If you need to communicate with someone about something serious (business relationship, family, etc.) provide them with your actual e-mail account but only after you are sure you can trust them.

If this free e-mail account is spammed,

you can simply delete it and create a new account and start over.

6. Know what you are agreeing to when signing up for a service. Read the entire acceptance and agreement policy that is stated. Look out for language suggesting that your e-mail address may be resold or shared with others. If it is, or even seems like it might be, do not sign up.

### What's New In Spam Filters

Spam filters have changed over the past few years. Today, the most common method is the Bayesian filtering method. Essentially, it filters spam based on the statistical probability of certain words that it finds in the e-mail being spam-related. The more these words show up in the mail, the more likely it is that the e-mail is spam. Spammers attempt to circumvent these filters by adding in large phrases of words that are more likely to be contained in a legitimate e-mail. This skews the probability calculations, and the possibility of the spam message not being caught increases.

Embedding the spam message in an image and then placing that into the e-mail also can be used as a method of bypassing the filter; however, one can adjust the filter

to not permit e-mails with only images in the body. In the future, the more certain way to know if a message is spam or not is for the filter to actually read the e-mail and then decode whether the message is spam or not. Obviously, this raises privacy concerns.

### When And Why Filters Fail

Spam filters can fail to filter junk because of falsified subject lines, false to/from headers and falsified sending domains and by using images in the body of the e-mail instead of text.

Spammers know this and take advantage of these loopholes.

Many companies combat this by installing spam filtering and blocking software on their mail servers or by installing a dedicated filtering appliance or device in order to examine the incoming mail for spam and other malicious files or content before the mail is placed in the user's inbox.

**Editor's note:** Ben Isla is the network engineer at Gem State Communications, a Boise, Idaho, Internet services provider. He provided the following information via e-mail about how businesses can avoid opening the door to spammers.

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# Best Law Firm Web Sites & Technology

LAWYERS WEEKLY SPECIAL SECTION

## You've got spam — and now some answers to your questions about it

By JOHN C. JOHNSON

Dolan Media Newswires

**Q:** What's new in spam filters?

**A:** The most interesting development is the ability to detect spam based on to whom it is being sent and the content of the message.

If you have several reference e-mail accounts, some of which you know receive a lot of spam and some of which you know receive very little spam, then you can analyze an incoming message based on to whom it is being sent. A message being sent mostly to e-mail accounts known to receive a lot of spam is likely spam itself, while a message destined for recipients that typically receive less spam is more likely to be legitimate.

This is a new method, and not yet in wide use, but could increase accuracy in spam detection by a magnitude.

Spam filters need to change constantly in order to keep up with spammers trying to get around them. Besides continually improving on current methods, developers are finding new ways to analyze the content of spam based on certain words and their proximity to other words that generally characterize spam.

Image scoring based on some analysis of the pictures contained in a message became a possibility last year when image-based spam peaked as the most common way to get around spam filters. PDF spam has also become a popular method to try to evade spam filters, and methods to detect this type of spam more accurately are under development.

**Q:** Is the amount of spam increasing? Do businesses receive more spam than personal e-mail accounts?

**A:** The amount of spam is increasing. During the holidays last year, spam accounted for well over 90 percent of all e-mail sent.

Spam comes in many forms from marketers, online pharmacies, penny stock scams, phishing scams and adult sites.

Spam is typically not targeted toward a particular person or group. It is just sent to as many addresses as possible, so businesses mostly get the same e-mails that home users see. Most e-mail providers employ spam filters, so the e-mail provider deals with the bulk of the problem rather than passing it onto customers, whether business or residential.

Businesses may have some additional exposure to targeted phishing attacks, where someone sends unsolicited e-mail to the e-mail addresses of a particular business in an attempt to get user names and passwords or other valuable information from a specific business, but these types of attacks are not an everyday occurrence.

**Q:** How do spammers operate?

**A:** Spammers generally use computers infected with a Trojan (a common type of virus) to send their e-mail. Computers get infected with these Trojans when users download e-mail attachments from people they don't trust or visit Web sites with malicious code.

The users often don't realize that their computer is infected and that someone else has access to their computer. Spammers group large numbers of infected computers together into what is known as a "botnet," or group of infected computers under the control of a single person. They use these botnets to send their spam.

Spamming is a very profitable business, which is why there is so much spam. It costs spammers a few pennies to send millions of spam e-mails out. The money they make from that amount of spam can be thousands of dollars. Advertisers, pump-and-dump stock scams, and online pharmacies account for much of spammers' income, but the spamming economy is constantly evolving.

**Q:** What makes spam filters fail?

**A:** Last year, the biggest way spammers got around spam filters was by attaching the spam to an e-mail in a PDF attachment. While e-mail filters have had the capability to scan e-mail attachments for a while, scanning PDFs is more difficult because the format of the attachment is more like an image than a binary or text file. Images directly attached to an e-mail also had some success in bypassing spam filters.

**Editor's note:** John C. Johnson is the Internet business manager at Cable One of Boise, Idaho. He answered the following questions via e-mail, with information provided by Cable One Internet Engineering of Phoenix.



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