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HOW TO CHOOSE A LAWYER

Are there non-obvious ways to choose a lawyer? The first two ways that come to mind are asking a friend and asking Google. We tend to go to these because we trust them, right? Should we? Although this is a good place to start, there are more sophisticated ways to consider hiring counsel that fits your needs.



ASHLEY LIKENS, JD

public media (radio, billboards, magazines, newspaper), because they don't need to gain business that way. Even if they aren't marketing to you in an advertisement, the law firms that pay the most for search engine optimization are the ones that appear on the first search results page on Google. After all, most people don't go to the second page of Google search results. It's important to look beyond

marketing.

Knowing what kind of lawyer you need is an especially important step in finding the right lawyer. Most lawyers these days are not general practitioners who deal with all the common legal issues. The vast

Advertisements and marketing connect the public to the profession. Seeing someone's ad everywhere doesn't necessarily mean they have a better reputation than other lawyers. Firms decide how much money is allocated to marketing plans. Some law firms do little to no marketing through

majority of attorneys only practice in an area or a few areas of law. This allows them to focus all of their time on that one area. So, knowing what to call these attorneys by doing some research online or by phone will lead you to the right place. You can also call your local bar association and ask for a referral. Many bar associations have a lawyer referral service where lawyers must be pre-screened in order to be a part of the service. You can give the Columbus Bar Association a call at (614) 221-4112 if you are looking for a lawyer in central Ohio.

Look into the lawyer's background. Go to the firm's website and search the attorney bios. Or call and ask for their resume. One way lawyers can separate themselves from others in the profession and prove their knowledge on a larger scale is through speaking engagements. If they are comfortable speaking in front of an audience, it likely translates to the

courtroom. Speaking engagements are almost always listed in the attorney's bio or on the firm's website.

If you have a lawyer in mind, you can also go to the Supreme Court of Ohio's website: <https://www.supremecourt.ohio.gov/attorneysearch/#/search> to check whether the lawyer has a disciplinary history. The lawyer's profile will show if they have had any disciplinary actions against them for violations of the Ohio Rules of Professional Conduct for Attorneys.

Once you think you have found a lawyer, talk to him/her about your situation. Think about your comfort level in being open with this person; does the lawyer have time for your case; ask questions about the lawyer's experience and your case. You should feel confident leaving the initial consultation that the attorney is able to advocate for you. ■

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IS THE PERFORMANCE REVIEW DEAD?

In 2018 Inc. declared that the performance review is dead. General Electric said as much in 2015.

They're partially correct. The annual performance review, a holdover from the mid-20th century, is a relatively ineffective tool to communicate an employee's performance. Nearly a year between check-ins is...ridiculous.

Everybody hates performance reviews. For employers, it's an annual ritual to dig up performance wins, concerns, and generic goals; for employees, it's a stressful process to sit through to rehash things that happened ages ago and they've moved on. The performance review has lost its effectiveness for employers and employees, but it's still a necessary part of the employer-employee relationship. It just needs to be done differently.

For the employee, the performance review process should be:

- An indicator of what they're doing well and on what they need to improve.

- A tool that sets out goals for the coming review cycle.
- An opportunity to develop a relationship with their direct manager.
- Expectations and accountability for their role and professional development.

For the employer, the performance review process covers many of the same benefits as noted above, and:

- It creates a vehicle for documentation that can protect an employer from wrongful termination claims.
- It forces managers to step out of their technical role and develop their management and leadership skills, which you want as an employer.

This all sounds idealistic, but it's actually realistic. To improve the process, consider these changes:

- Discuss the process from day one, letting employees know how it works and what to expect.
- Ditch the annual review and opt for a

quarterly review (at minimum) cycle. This ensures that performance that is discussed happened in a more time-adjacent period and is more accurate.

• Approach performance discussions as two-way conversations rather than a one-way verbal vomiting of everything and the kitchen sink.

• Ensure discussion items are relevant to the employee's job and something within the employee's power to influence.

• Don't promise what you can't, or don't intend to, deliver.

• Use them to manage performance, not raises.

• Limit the items discussed to three to five per session. While research indicates people can recall up to seven items, this reduced number will help improve retention of discussion points and engagement in the process.



SHARON DELAY,
GO-HR

• Ensure each party thoroughly understands all points of the discussion. Perceptions can vary drastically, so clarification is key.

• Be consistent in conducting these check-ins.

• Provide opportunities to capture comments from all participating parties. Failure to do so appears almost as if you intentionally don't want the employee to weigh in.

• Document every conversation. Send an email on the same day to the employee outlining the key discussion points, take-aways, and due dates. Invite them to confirm or clarify to ensure all parties are on the same page.

If performance discussions become actual performance management rather than performance punishment or something to check off the list, it becomes a more useful tool that should tell a more accurate and rounded employment story. ■

COLUMBUS BAR ASSOCIATION
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Nancy Rapoport

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