

Dear ALASVC Member:

The [ALA SILICON VALLEY CHAPTER Discussion Forum](#) is an online community for Silicon Valley Chapter members. This discussion group is exclusive to chapter members. It is set-up for the sole purpose of sharing information and can be used to solicit best practices, share job openings, and ask legal management-related questions from your fellow chapter members.

Questions related to billing rates, compensation, or other rates are *strictly prohibited* from discussion according to ALA guidelines to avoid violating antitrust/price-fixing laws. Please review the [Antitrust Guide for Members of the Association of Legal Administrators](#).

How to subscribe:

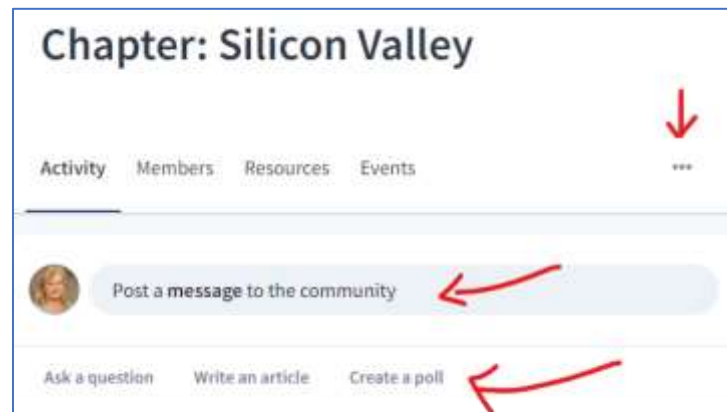


1. Members of the Chapter are automatically subscribed.
2. ALA Members must be a member of both the Association and the Chapter to be subscribed.
3. Log in and select Manage Notification to select the frequency of receiving messages. Realtime, Daily, or Weekly, or to leave the group.
4. You may need to adjust your spam filter Safe Sender list and/or Allowlist in your firewall to allow message from ALA Online Community at notif@ala.tradewing.com.

How to post:



1. Go to community.alanet.org -OR- Go to the ALA website at www.alanet.org and click on the '3 Red Heads' quick access community icon at the top center of the webpage. (For assistance, email HQ at membership@alanet.org.)
2. Log in with your ALA credentials.
3. Type in the box labeled "Post a message to the community," or write an article or create a poll.
4. Use preset #hashtags to assign your post to various categories.





POSTING TIPS:

1. Please note that there is *no longer an email option* on the new (2022) platform. **The previous email address (SiliconValley@commlist.alanet.org) does NOT work to post to the discussion group.** You must post on the website portal.
2. Be sure to provide a meaningful description of your topic in the "subject" line and change the subject line if you switch topics.
3. Refrain from discussing topics that would violate [ALA's Antitrust Guidelines](#). Questions related to billing rates, compensation, or other rates are strictly prohibited from discussion according to ALA guidelines to avoid violating antitrust/price-fixing laws. Please review the Antitrust Guide for Members of the Association of Legal Administrators.



To reply to a discussion thread by email

1. Members will receive a notification email when there is a post in the Silicon Valley Chapter discussion group. Depending on your notification preferences, you may receive an email in real time, daily, or weekly.
2. To respond to the discussion thread, select **GO TO POST** in the email notification which will take you to the website portal, and select **Comment or Like**.
3. If you want to reply only to the person who sent the message, you can select the person's name   select the chat box to the right of the name and type in your comment.
4. Do NOT forward messages to non-members of the group.
5. Please keep discussion threads "on topic" according to the subject line and start a new conversation if the topic changes during the discussion.
6. If you have unrelated or personal comments directed to one person, please reply to the individual privately.

More Tools:

1. [Meet Your New Online Community](#)
2. **ALA HQ ANNOUNCEMENT:** [How to Get Started and Make the Most of Your Experience](#)
3. **ALASVC ANNOUNCEMENT:** [ALASVC Listserve/Online Community: New Platform 2022](#)
4. **How-to video:** [Navigating ALA's Online Community](#)
5. **New Online Community:** [Frequently Asked Questions](#)

Questions:

- For assistance with the ALA Communities portal, please contact the ALA Headquarters at membership@alanet.org.
- For assistance with the ALASVC website, email webmaster at webmaster@alanet.org.

HOW TO in the Online Community

Your Profile



All ALA members have a basic profile in the Online Communities, created by membership data on file. Your ALA profile on the alanet.org website is where you will control/edit most of this information and serves as the master record. Within the Online Communities, however, you are able to add/edit additional profile data, including:

1. Photo
2. Social media information
3. Honors/awards
4. Personal website
5. Biography
6. Your Signature for Community Posts (email posts will use email signature)

To edit Online Communities profile information, make sure you are logged in. Click on MY OPTIONS at the top of the Communities home page, and select MY PROFILE. Use the toolbar that appears on the left to edit the items on the above list, or link out to your main ALA profile to make updates.

Customized Signature for Community Posts

1. In the upper right area of the Community, find your name. Right below it, you will see "My Options". Select it, and next, select "My Profile".

2. Find the toolbar on the left side of your Profile page. Choose  (EDIT Online Community Profile). Scroll down to "User Signature" and enter your designed text there > Click OK. You can preview it by clicking on the  icon.


3. If too much space appears between the lines of your signature, view and edit the HTML code. To do this, click on "<>" icon (which is Source Code) to reveal the HTML code. Note that </p> is a paragraph mark and
 is a line break. Here is an example of code resulting in single spacing:

```
<p><br />Teena T. Austin<br />Sr. Manager, Member Services<br />Association of Legal Administrators<br />taustin@alanet.org<br />direct: 847.267.1382</p>
```

Adding a Picture to Your Profile

1. Go to the community: <http://community.alanet.org> or click on the Online Communities link from ALA website.
2. If you are not logged in, click on "log in" in the upper RH corner.
3. Click on "My Options" and then select/click on My Profile
4. On the right side of the page, under "Options," you'll see a list of choices and one of those is My Picture. Select it, and follow instructions to upload or edit your picture.

Joining Communities and Managing Subscriptions

1. First, log into the community: sign in to www.alanet.org and select the Communities icon at  the top center of the home page.
2. The easiest way to subscribe to various communities of interest is to hover over MY OPTIONS at the top of the page until the drop-down menu appears. Next, select MY SUBSCRIPTIONS.
3. You are directed to your Subscriptions page, where you can see/manage all your subscriptions, add new ones using the + sign to the far left, change your notification preferences, and even set your account to vacation mode if you're going to be away.
4. A second option is to click on COMMUNITIES in the green navigation bar, and explore the different communities offered. When you encounter a community you want to subscribe to, select FORUMS in the burgundy header (on the right), and then select the envelope icon in the toolbar on the left that appears on the next page.
5. If you simply want to add the community to your favorites list to keep up with the latest happenings, you can select the 'heart' symbol to the left on the community page, and add it to your favorites.

Posting to a Community Forum

1. Navigate to the community desired. In the burgundy Community header, you will typically see links to FORUM and FILES in the upper right corner. Select the FORUM.
2. You will see the list of discussion 'threads' created by users. To respond to an existing thread, click on that thread and select the return arrow icon in the toolbar at the bottom right of the post. You can respond to the original post, or any of the other added posts.
3. Use the vertical toolbar on the left to add a new thread, selecting the "+" icon.
4. Grab the lower right corner of the text box to make it larger for ease of use.

5. To edit your post, open it, and select pencil icon at the bottom right.
To delete it completely, email membership@alanet.org.
6. Set up email subscriptions to receive and respond to postings by email. Please be courteous and strip out redundant posting copy from your email reply before sending/replying to the group.
7. See previous information on how to create an auto-inserted signature block.

My Network: Connecting and Following

There are a couple of ways to connect with people. First, you can see who is in your network by clicking on MY NETWORK under MY OPTIONS at the top of the community page. This is where you can manage those connections.

The way to invite someone to follow you is to follow them first. You can do this easily by searching for the person you want to connect with by selecting MEMBERS in the green bar. Find the person(s) you want to connect with and click on the person – you will be taken to their 'MY PAGE.' On the left side, you'll see this icon:



Click on it, and you can either 'connect' or 'follow' them. If you connect and they accept, you are connected. If you follow, they are given the opportunity to follow you too.

Another way to connect with people is within the Forums. If you see a post by someone you want to follow, click on the post and under the poster's name, you will see an option to 'follow' this person. This also triggers an option for them to choose to follow you.

Showing/Hiding Information in your Community Profile

It is possible to hide some, or all, of your contact information from other Community members. To view and change your settings:

1. Select "My Page" in the "My Options" dropdown menu located below your name at the top right of the Community page.
2. Click on the ellipsis to the far left and select Edit Visibility Settings.
3. Select Hide for anything you would like to hide.
4. It is not possible to hide your name, but you may hide anything else or customize who may see it.

Adding Files to a Community

1. Navigate to the landing page of the ALA Online Community where you wish to upload files.
2. Within the Community header, on the right you should see links to FORUMS and FILES. Select FILES.
3. This will take you to the file management area. Select the "+" sign to add a file. A dialog box will appear.
4. Complete REQUIRED fields. Last, click 'Add' to browse, select and upload file.
5. More information available here: <http://community.alanet.org/p/do/sd/sid=552>

Community Etiquette and Rules of Engagement:

- Don't attack others or ALA. The discussions on the community platforms are meant to stimulate conversation, not to create contention.
- Don't post commercial messages. Contact people directly with product and service information if you believe it would help them.
- Messages should not contain promotional material, special offers, job offers, product announcements, or solicitation for services.
- Avoid discussing price, compensation, commission, compensatory benefits or other specifics that may violate [antitrust guidelines](#). Use caution when discussing products; opinions are subjective. Content should not be posted if it encourages or facilitates members to arrive at any agreement that either expressly or implicitly leads to price fixing, a boycott or agreement not to use a specific business, or any other conduct intended to illegally restrict free trade, and/or which may violate antitrust guidelines. Content that encourages or facilitates an agreement or establishes a benchmark related to the following subjects are inappropriate: prices, discounts, or terms or conditions of sale; salaries; profits, profit margins, or cost data; market shares, sales territories, or markets; allocation of customers or territories; or selection, rejection, or termination of customers or suppliers. If any inappropriate posting is brought to ALA's attention, appropriate action will be taken.
- Comments are subject to libel, slander, and antitrust laws.
- All defamatory, abusive, profane, threatening, offensive, or illegal materials are strictly prohibited and may be removed.
- Do not post anything that you would not want the world to see or that you would not want anyone to know came from you.
- Please DO share resource documents, links, etc. with the entire group, if appropriate and not in violation of antitrust or other guidelines.
- ALA has the right to reproduce postings to demonstrate ongoing relevant discussions.



- Be courteous. Please ask participants for permission to republish anything elsewhere (especially if elsewhere would be a publicly viewable setting).
- Contact ALA staff (taustin@alanet.org or membership@alanet.org) with problems, questions or for situation-specific advice.



Antitrust Guide

For Members of the Association of Legal Administrators

Professional associations such as the Association of Legal Administrators (ALA), although well recognized as valuable tools of American business, are subject to severe scrutiny by both federal and state governments.

The single most significant law affecting professional associations is the Sherman Antitrust Act, which makes unlawful "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce..."

A professional association by the very nature of the fact that it is made up of competitors is a combination, thus satisfying one of the elements in proving an antitrust violation. Section 5 of the Federal Trade Commission Act is also applicable to professional associations; it makes unlawful the same types of conduct that are prohibited by the Sherman Act. Furthermore, almost all states have enacted antitrust laws similar to the Sherman Act.

There is no organization too small or too localized to escape the possibility of a civil or criminal antitrust suit. The federal government has brought civil or criminal actions against such small organizations as Maine Lobstermen, a Virginia audio-visual association, Bakersfield Plumbing Contractors, the Utah Pharmaceuticals Association, and local barbers associations.

The government has brought approximately five civil and ten criminal cases a year against professional associations. It is thus imperative that every professional association member, regardless of the size of the association or the size of those comprising the membership, refrain from indulging in any activity which may be the basis of a federal or state antitrust action.

There are four main areas of antitrust concern for professional associations: price fixing, membership, standardization and certification, and industry self-regulation. The area of greatest concern, for it is the area where individual members are most likely to violate the law and the area where the government appears most concerned, is price fixing. The government may infer a violation of the Sherman Act by the mere fact that all or most of the members of the professional association are doing the same thing with respect to prices. It is not required that there be an actual agreement, written or unwritten, to increase prices. Rather, price fixing is a very broad term which includes any concerted effort or action which has an effect on prices or on competition.

Accordingly, professional association members should refrain from any discussion which may provide the basis for an inference that the members agreed to take action relating to prices, production, allocation of markets, or any other matter having a market effect. The following topics, while not the only ones, are some of the main ones which should not be discussed at regular meetings or member gatherings:

1. Do not discuss current or future billing rates, fees, disbursement charges or other items that could be construed as "price." Further, be very careful of discussions of past billing rates, fees or prices.
2. Do not discuss what is a fair profit, billing rate or wage level.
3. Do not discuss an increase or decrease in price, fees or wages, or disbursement charges. In this regard, remember that interest charges are considered an item of price.
4. Do not discuss standardizing or stabilizing prices, fees or wages, or disbursement charges.
5. Do not discuss current billing or fee procedures.

6. Do not discuss the imposition of credit terms or the amount thereof.
7. Do not complain to a competitor that his billing rates, fees or wages constitute unfair trade practices. In this context, another law firm (or even a corporate legal department) may be considered a competitor.
8. Do not discuss refusing to deal with anyone because of his pricing or fees.

Do not conduct surveys (under the auspices of ALA or informally) relating to fees, wages or other economic matters without prior review by antitrust legal counsel. Any survey should have the following characteristics: a) participation is voluntary and open to non-members, b) data should be of past transactions, c) data should be collected by an independent third party, such as an accounting firm, d) confidentiality of each participant's data should be preserved, and e) data should be presented only in a composite form to conceal data of any single participant. If these criteria are met, an association can collect and disseminate data on a wide range of matters, including such things as past salaries, vacation policies, types of office equipment used, etc.

However, care must be taken to ensure that the purpose of any survey is to permit each firm to assess its own performance. If a survey is used for the purpose of or has the effect of raising or stabilizing fees, wages, disbursements, credit policies and the like, it will create serious antitrust problems.

Within this same legal framework applicable to surveys, an association can make presentations or circulate articles regarding such educational matters as establishing sound office procedures, etc., provided it is clear that the matters are educational, and not a basis for law firm uniformity or agreement.

Inasmuch as association antitrust violations can subject all association members to criminal and civil liability, members should be aware of the legal risks in regard to membership policy and industry self-regulation. Fair and objective membership requirement policies should be established. Membership policies should avoid:

1. Restrictions on dealing with non-members.
2. Exclusions from membership, especially if there is a business advantage in being a member.
3. Limitations on access to association information, unless the limitation is based upon protection of trade secrets.

The Association of Legal Administrators has a code of ethics, which sets forth parameters of ethical conduct. However, to ensure that the Code of Ethics does not create any antitrust problems, ALA must continue to ensure that its Code does not have arbitrary enforcement procedures or penalties.

The penalties for violating federal or state antitrust laws are severe. The maximum criminal penalty for violating the Sherman Act was increased in 2004 from \$350,000 to \$1,000,000 for an individual and from \$10,000,000 to \$100,000,000 for a corporation. Pursuant to the Sentencing Reform Act, alternative maximum fines could be increased to twice the pecuniary gain of an offender or twice the loss to another person.

Individuals and corporate officers who are found guilty of bid rigging, price fixing or market allocation will virtually always be sentenced to jail pursuant to the Sentencing Guidelines; community service cannot be used to avoid imprisonment. The minimum recommended sentence is four months; the maximum is three years.

Additionally, there are civil penalties such as injunctions or cease and desist orders which could result in government supervision of association members, restricting the association's activities or disbanding the association.

Civil suits may be brought by consumers or competitors. Civil antitrust actions result in treble damage awards and attorneys' fees. Thus, if association members are held liable to a competitor for antitrust violations which resulted in \$500,000 worth of lost business, the verdict may exceed \$1,500,000.

The government's attitude toward professional associations requires professional association members, as well as professional associations themselves, to at all times conduct their business openly and avoid any semblance of activity which might lead to the belief that the association members had agreed, even informally, to something that could have an effect on prices, fees or competition. Thus, it is important that members contact the association headquarters or legal counsel for guidance if they have even the slightest qualms about the propriety of a proposed activity or discussion.

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