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iPractice or iReject?

The legal administrator's guide to tablet implementation

Your connection
to knowledge, resources and networking



iPractice or iReject?

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Is Your Firm Ready for Tablets?

If you're not drinking the Apple-Aid yet, you're behind the crowds who have flocked to Mac stores to get their hands on the iPad. The tablet is light as a cloud, with an easy-to-use touch screen and tens of thousands of app options. But should lawyers join the swarm in adopting this new technology, or is it just another fad with too many risks?

The iPad has "become a great business tool," said Janet Altman Principal and Marketing Director of Kaufman, Rossin & Co. (Kaufman's joint venture Lit Software, LLC created the iPad app *TrialPad*). "The key benefits to the law firm would be efficiency, productivity in terms of billable time and the success that the lawyers will see with juries and other situations because the exhibits are so simple to understand," she said.

But law firms need to think carefully about implementing iPads and whether they fit the firm's technological needs. "It has a place in a law firm, but a firm really needs to understand what that place is rather than saying 'iPads for everyone,'" said Tom Mighell, Senior Manager with Contoural, Inc. and chair-elect of the ABA's Law Practice Management Section. In making this determination, firms should consider the iPad's utility and benefits in legal practice as well as the potential risks.

IPAD APPS TO ENHANCE YOUR FIRM



My RealPractice: As the only legal practice management iPad app, My RealPractice helps attorneys to gain clients, create websites, manage billable hours, invoice clients, and perform other management tasks. “The key component is it helps [lawyers] to get more clients in addition to managing the clients they already have,” said Cooper.



LawStack: LawStack offers access to important legal reference data like the Constitution, Federal Rules of Civil Procedure, Federal Rules of Evidence and more.



TrialPad: Through TrialPad, attorneys can organize and annotate documents and present exhibits at trial and depositions. According to Altman, “Electronic exhibits have become increasingly important,” and Trial Pad provides a portable, economical way for attorneys to use them.



Fastcase: With Fastcase, attorneys can perform legal research on their iPads.



JuryTracker: JuryTracker allows lawyers to record their observations of a jury by selecting certain smiley faces or gestures, which then can be time-stamped to “relate to real-time,” said Cleaves. “Jury Tracker has made a way of consistently and concisely [taking] notes of what the jury is doing,” he said.



Dropbox: Dropbox provides free file storage in the cloud, allowing users to access their files wherever they are (law firms and attorneys should make sure they understand the potential risks of cloud computing, particularly to the firm’s confidential client information).



GoodReader: GoodReader allows users to read and annotate files, such as PDFs.



LogMeIn Ignition: Through LogMeIn Ignition, users can access their computers remotely.



GoToMeeting: GoToMeeting allows users to host meetings and make live presentations.



Worldox iPad App: The new (and free) Worldox iPad App increases accessibility to documents, delivering secure work files.

PRACTICE IPAD

When it comes to new technology, attorneys want one thing: a tool that makes their lives easier. With its compact design, easy-to-use features and productivity-enhancing apps, the iPad may provide just that.

- **Portability**

One of the iPad’s biggest draws is its portability – it is lightweight and slim, making it an easy companion for travel or everyday commuting. “It gives attorneys portability and flexibility and a convenience,” said Nicole Black, Of Counsel at Fiandach & Fiandach and author of the blog Legal iPad. The iPad can tag along to client meetings, depositions, court appearances and just about everywhere else, allowing lawyers to quickly access it any time.

- **Simplicity**

The iPad’s overarching benefit is its “ease of use,” said Mighell. Not only is the iPad ready to use straight out of the box, but the apps are also user-friendly. Its simplicity is particularly valuable for attorneys because “many of us still bill by the hour [and] basically doing things with our time is all about making choices,” said Joshua Barrett, Partner at Black Heltterline LLP and author of the blog *Tablet Legal*.

- **Enhancing Practice**

The iPad may prove most useful for attorneys in their everyday practices. Between lugging around stacks of documents, heavy books, and cumbersome laptops and firing up an iPad, the choice seems obvious. Various apps allow attorneys to organize their files, annotate documents, perform legal research and review statutes and legal procedure. Connecting via email is a cinch, and the iPad is equipped with two cameras, which facilitate video conferences. The tablet’s small size also makes it an easy tool for in-person interviews.

- **Promote Client Service**

Clients demand efficiency and quick responses from their attorneys. With enhanced connectivity and access to documents through the iPad, attorneys may be even more attuned to clients’ needs. “Our business is client service, and sometimes that comes in the middle of the



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night, or sometimes that comes at inopportune times. So we need to be responsive and take care of our clients,” said Barrett. The iPad provides “more ways to do that,” he said.

- **Depositions and Trials**

The iPad may be particularly useful for trial attorneys. Rather than carrying trial bags filled with documents and exhibits, attorneys can transport all of their important exhibits on their iPads. And with various apps dedicated specifically to exhibits, jury selection and jury assessment, trial attorneys may launch many of their trial tools from one machine. In fact, certain iPad apps may make it easier for individual attorneys to perform tasks at trial, without assistance from litigation support. “It would be a lot easier for me to train [an attorney] how to use the iPad to call up the documents and use her finger to highlight and zoom than to teach her how to use the trial presentation software [on a laptop],” said John Cleaves, supervisor of trial support consulting for Latham & Watkins LLP and developer of the iPad app *JuryTracker*.

- **Level the Field**

For smaller firms and solo practitioners, the iPad may provide more equal footing with larger firms that have bigger budgets and more resources. The iPad makes “the technology that people use in the really big cases available at all levels of practice so that a trial lawyer who is trying smaller cases but has exhibits and has their clients to support can use the tools that are working with today’s juries,” said Altman. And the fact that the iPad is easy-to-use makes it a valuable tool for “smaller firms [which] don’t have a lot of that overhead support to manage the non-lawyer aspects of practicing law,” said Barrett.

MAKE IT A U-PAD

While it’s important to consider a firm’s bottom line when deciding whether to implement iPads, a law firm should also consider the You-factor: its attorneys. The iPad may help maximize attorneys’ time and productivity. “Some of our lives are increasingly demanding, and time gets slivered into little bits,” said Barrett. “Being able to take advantage of those little bits from time to time in a low friction way to get small bits of work done or stay in touch with clients or contacts is important, and the iPad helps get that done efficiently.”

And there is the appreciation factor. Proskauer Rose recently offered iPads to its attorneys, and around 500 attorneys signed up. “There were cheers in the conference rooms when we made the announcement about the iPad,” said Proskauer Partner Steven Kayman, who chairs the firm’s Technology Committee. The firm seeks “to give our lawyers the tools that allow them to deliver the kind of excellence and efficiency that clients have the right to expect,” he said.

THE DRAWBACKS

The iPad may provide tremendous benefits to your law firm’s practice, but it may have some significant drawbacks, as well.

- **Threats**

Due to the confidential and privileged nature of legal work, security is of utmost importance. In addition to the risks of an iPad being lost or stolen, firms must also be prepared for cyber security threats. In its recent 2011 Threats Predictions, McAfee Labs stated,

“The popularity of iPads and iPhones in business environments and the easy portability of malicious code between them could put many users and businesses at risk next year and beyond.”



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We anticipate threats of data and identity exposure will become more pronounced. The lack of user understanding regarding exposure on these platforms and the lack of deployed security solutions make a fertile landscape for cybercriminals.”

Law firm administrators have the responsibility to engage their IT departments to ensure that they are fully aware of all security risks and prepared for any threats. They should consider security measures such as strong passwords, VPN access requirements, remote swipe and local swipe capabilities and iPad tracker abilities. Firms can consult the security materials on Apple’s website, but they should also develop their own rigorous security measures.

- **New Technology**

The iPad and its apps are still evolving, and firms should explore how the technology’s development may impact practice. “These apps haven’t been perfected,” said Black. Technological glitches may negatively impact productivity – an important consideration if efficiency is one of your goals. While a few hiccups may not cause significant disruption to an attorney’s every day practice, it could prove to be especially problematic in high-pressure situations like trial, depositions or presentations.

Firms should also be wary of the iPad’s “coolness” factor. “Don’t get them because it’s ‘cool,’ or else you may just end up with a ‘nice toy,’” said Brad Cooper, Senior Vice President and General Manager at RealPractice (which developed the iPad app *My RealPractice*). Instead, a firm should ensure that an iPad will fit into its practice, “making sure that there is that need and evaluating the use of it before you implement them or get them for the firm,” said Cooper.

REPLACEMENT OPTION?

If you are hoping to replace desktops or laptops, the iPad may not be your go-to tool. “For a long time,

we’re going to need desktops and laptops for content creations,” said Black, who doesn’t believe the iPad replaces smart phones or laptops. Mighell echoed this idea: “An iPad is a supplement to the laptop,” he said. It is “a practice enhancement tool that allows people to stay in touch with the office in a more convenient way.”

While the iPad may not be a law firm’s sole gadget, many agree that it is valuable for attorneys – especially those who are often away from the office. “It’s a tool, and it’s a very useful tool that isn’t going to replace desktops or laptops entirely but provides an alternative way of storing data and of accessing the Internet and of communicating with clients and adversaries and courts and colleagues. It’s an enhancement to what we’ve already been offering and an important one,” said Kayman.

And the iPad’s importance in the legal field will just continue to grow. “I think in the world of litigation that the iPad will become consistently more and more useful,” said Cleaves. “In about a year or two, everyone’s going to have one, and it’s going to be expected that lawyers have these,” said Black. As for now? “I’m not sure if it would be worth the investment unless [firms] were doing it simply because it was the wave of the future,” she said.

But staying competitive may be reason enough to introduce iPads. “Very shortly, it’s going to be a necessary tool because in order to be competitive with other firms, I think it’s invaluable,” said Cooper. So, are you ready to take a bite of the Apple? ✨

About the author



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