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Taking the Leap: Essential Technology for the New Law Practice

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Acknowledgement: This manuscript was prepared in reliance on the excellent, and essential, book by Sharon Nelson, John Simek and Michael Maschke, The 2008 Solo and Small Firm Legal Technology Guide. This book should be among the first on your bookshelf when you open a new law practice.

1. HARDWARE

1.1 Computers

The centerpiece of the technology scheme for your new law practice is your computer. It seems like a simple decision to make – you walk into Office Depot and pick a machine, right? There are, in fact, a dizzying array of options to choose from: bargain priced or cutting edge, laptop or desktop, which brand, Mac or PC, and an alphabet soup of technical specifications garbled enough to make a lawyer long for legalese.

Bargain Priced or Cutting Edge?

We have all seen the advertisements for PC's for as low as a couple of hundred dollars, but is this the best choice for your new law practice? Or are you better off breaking the bank and getting all the bells and whistles that make the salespeople at Best Buy green with envy (or is that green with a sales commission)?

The question is really two parts: what can you afford and what do you need? For any new business, including law practices, cash flow is the lifeblood of your business. Purchasing the latest and greatest computer system with all the bells and whistles won't matter much if you go out of business. So the first step is really a non-technological consideration: establish a budget and stick within it. Plan on keeping your machine in service for 36 months if it is a laptop or 48 months if it is a desktop.

That said, in computer acquisition as in so many other things in life, moderation is the key. There is a sweet spot between the bargain basement and the cutting edge where you can pick up a machine that will be advanced enough to serve you well for a long time yet not so expensive that you break the bank. As a price point, around \$700 for a desktop or about \$900 for a laptop will get you into the sweet spot for most manufacturers. Of course you may spend more for all the bells and whistles and be on the cutting edge. The real question is will the extra features and power be worthwhile, or just a status symbol.

Laptop or Desktop

After you establish your budget, the next consideration is whether to buy a laptop or desktop machine. Once you start looking at the technical specifications, desktop machines offer a better performance to value ratio than laptops. However, they are big and bulky and take up a lot more space in your office and keep you chained to your desk.

As you consider which machine is right for you, ask yourself how often you will likely work at your machine away from your office? That is the primary consideration for choosing a laptop over a desktop. If your laptop is going to sit on your desk and never move, then you are better off choosing a better performing and less expensive desktop.

For most attorneys, though, the ability to work remotely in courthouses and coffeehouses provides enough of an advantage to make the higher price of a laptop worth every penny. Even if you are unsure of whether or how much you may work remotely, start out with a laptop over a desktop.

Which Brand?

There are many premium and discount brands of PCs available. When outfitting your office for the first time, choose a premium brand: Lenovo, Dell, Acer, or HP. Users tend to develop loyalties to a manufacturer over time, but fundamentally, you can't go wrong in choosing from among these brands. Brand hawks will tout differences in value and specifications between various models and brands, but in opening a new law practice choosing a computer is only one of a million different decisions you need to make. Make it simple on yourself and choose one of the marquis brands and move on.

Mac or PC?

It used to be far more difficult to run a law practice on a Mac than a PC. With the advent of the ability to run windows on a Mac, the increase in Mac market share and the growing movement toward software as a service, it has become a lot easier and an increasingly popular choice. There is not enough time in the confines of this program to fully discuss the Mac vs PC debate, but suffice it to say that there is now a real choice to be made between the platforms. In general, if you are a Mac user already, there is no reason not to build your office on Mac. If you have never used a Mac before and are curious about what all the fuss is about, buy yourself a used one for your home and experiment with it. You may become a convert yourself.

Technical Specifications: The Sweet Spot

As memory becomes cheaper and processor speeds improve, the sweet spot keeps moving. A \$1,500 machine today is a more advanced machine than a \$1,500 machine last year. Comparison shopping between brands can be somewhat difficult as well – each manufacturer uses different

sourced parts with different names. Comparing apples to apples can be challenging – suffice it to say there is debate about which processors perform better in which tests, etc.

For your new law practice, though, keep it simple. For a new desktop, look for a machine that:

Form Factor: has a mini-tower or other space saving shape on your desk

Processor: has a core duo or quad core processor with at least 2.33 GHz

Memory: has at least 2GB of RAM

Hard Drive: has at least 250GB, 7200 RPM

Optical Drive: DVD R/RW

Operating System: Windows XP Preload (note: Not Vista)

Warranty: 3 year parts/labor on-site

The Lenovo ThinkCentre M Class and Dell Optiplex 7 series are excellent choices in this field.

For a laptop, look for a machine that:

Form Factor: 15”

Processor: has a core duo or quad core processor with at least 2.33 GHz

Memory: has at least 2GB of RAM

Hard Drive: has at least 160GB, 5400 RPM

Optical Drive: DVD R/RW

Other: integrated mobile broadband and wireless card

Operating System: Windows XP Preload

Warranty: 3 year parts/labor on-site

1.2 Monitors

As with computers, there are many choices available for monitors. The days of the bulky Cathode Ray Tube monitors are over – you should limit your choices to flat panel LCD monitors. Similarly, there are now high definition monitors available, just like high definition

televisions. While these monitors have come down in price and do have a certain “cool” factor, they are not essential gear for a new law practice.

The big questions in monitors are how big and how many? Brands are less significant here than with computers, though be aware of package deals when you purchase your PC. Comparison shopping for monitors is fairly straightforward as well, so go for the best price you can get for the screen size you want.

How big?

In monitors, supposing you have the physical space, bigger is better. The best balance of price and size in monitors is the 19” flat panels which can be had for under \$200. Widescreen monitors offer even more screen space, though generally at a price increase of around 50% to move up to a 22” screen.

How many?

Once you have started working with two side by side monitors you will never want to go back. It takes a little getting used to in the beginning, but assuming you have purchased a machine with enough RAM to run several programs at the same time it is particularly convenient to be able to work across multiple screens. (This manuscript is being written, for example, with Word open on one monitor and Firefox on the other as we research current prices.)

If you have the space, running two monitors will cost you a couple of hundred dollars but you will be able to field email, write documents and multitask far better than you ever could be toggling back and forth between programs.

Dell monitors are well-reviewed and are a good place to start your shopping.

1.3 Peripherals

You need more than a CPU and a monitor to make your computer work. The other little pieces of technology that help you use your machine are called peripherals.

Mouse

Mouse technology has improved over recent years. If you are still using a mouse with a roller ball (one which periodically needs to be removed and cleaned in order to keep working!) you are in luck. Current mouse technology involves an LED (light emitting diode). An LED mouse can be used on almost any flat surface (except clear glass), so you can throw away your dirty old mousepad.

If you are wire-phobic, also consider a Bluetooth wireless mouse. Roam freely around your desk without a cord tethering your mouse to your computer. The freedom of the wireless mouse is great but comes at a cost: wireless mice run on battery power and do not draw power from your computer. So, if you plan to go wireless, keep a handy store of batteries nearby.

A wireless mouse will cost you around \$30 and there are good options available from Logitech Microsoft and various other manufacturers.

Keyboard

In the event your computer did not come with a keyboard, you have a golden opportunity to see if one keyboard fits you better than others. There are various ergonomic keyboards available which provide wrist supports and angles that are more conducive to typing. Choosing the right keyboard depends primarily on how you type and hold your arms, hands and wrists. Different keyboards will fit different people. For around \$30 you could really improve your comfort when typing. The Natural Ergonomic Keyboard is a good choice for some people – however, if you (like me) have a, shall we say, unorthodox typing style, you may find the design unwieldy.

Similar to a mouse, there are also cordless Bluetooth versions available. Subject to the same battery life limitation, you can really free yourself from some cords with a Bluetooth keyboard.

In any case, a new wireless keyboard from Dell or Logitech will run you about \$100.

1.4 Printers

The big questions in choosing a printer are: color or black and white, single function or multi-function, stand alone or networked and volume.

Color or Black and White?

This is an easy one. This manuscript is about essential technology and while having a printer is essential in a law office, a color printer is not. Choose a black and white laser printer and print your color copies and FedEx Kinko's. If you start needing enough color printing that it becomes a line item in your budget (the prices for printing in color and copy shops are scandalously high), then review your printing strategy and see if you really do need a color printer. At the outset though, go with black and white. It's cheaper, has longer lasting ink cartridges and will cover 99% of the printing needs of most offices.

Bruce takes a slightly more liberal position when it comes to color. With high quality color laser printers coming down in cost, it often makes sense to make use of color without having to leave the office to go to a copy center. Lawyers forget that they can use color to better serve their clients. Embed the picture of the accident or injury directly into the text of the demand letter. It makes far more impact than "see attached Exhibit D" in the middle of the letter. Bruce recently purchased a fully networked HP 3600n color laser for under \$250. One tip is to make sure that the color printer has a separate cartridge for black as that's the one which will be used the most.

Single Function or Multi-function?

First, there is a difference between desktop multi-function machines (printer/scanner/fax) and high end model multi-function copiers and printers. The former are generally not worth the

money as they rarely accomplish any one of their functions well enough for an office environment. The latter can be wonderful machines but come at a high cost – sometimes too high for the new law practice. If you are opening a multi-person office it may be worth looking in to leasing a high end multi-function printer and copier. You can, of course, purchase one outright instead of leasing but since these machines run into the many thousands of dollars, most users choose to lease.

Stand Alone or Networked?

Stand alone printers connect directly to one computer and can not be accessed from any other machine. Networked printers are placed within the network – the primary purpose of which is to allow multiple users to efficiently share printers. It reduces hardware and maintenance costs.

If you are starting a solo practice and have no employees other than yourself, this is an easy question. Stand alone printers are cheaper than networked printers and if you are the only one who needs to print to it, go with a stand alone printer and save the money up front. You can always upgrade to a networked printer when you add staff. (Fundamentally, the cost of adding a networked printer is negligible compared to the cost of adding staff members.)

You can pick up a solid LaserJet printer (such as the HP Laser Jet P 1006) for under \$100. A printer at this price point can print up to 17 pages per minute and handle a recommended volume of up to about 1500 pages per month.

If you are starting out with more than just yourself, or if you are otherwise committed to creating a network, the cost increase for a networked printer is not much and will help prepare you to grow in the years to come.

The HP LaserJet P2015 can print up to 27 pages per minute and handle a recommended volume of up to 3000 pages per month. It also allows printing using multiple paper trays and two sided printing – both handy features within a law practice environment.

Volume

You probably won't have any idea how much printing you will do in a given month. As you can see from the foregoing specs, though, volume is a key consideration in choosing a printer. To be on the safe side, buy a little more printer than you think you might need at the outset. The increased cost is not great compared to purchasing a printer that does not fully meet your needs and then running out to purchase a new printer 3 months later.

1.5 Scanners

If there is one piece of technology too many new law practices skimp on (or avoid altogether) it is a scanner. Scanners are simply devices that take digital pictures of pieces of paper. The key considerations in purchasing a scanner are: do I need one, flatbed or sheet fed, and volume.

Do I need a scanner?

It is still possible to operate a law practice without a scanner. That said, it is also still possible to operate a law practice without a cell phone, but almost nobody chooses to do it. Why? Cell phones are useful. So are scanners.

The primary reason for including scanners in your law practice set up is to convert hard copies (paper) into soft copies (digital) to allow greater accessibility to documents and to reduce storage costs. In a paper intensive law practice (and really, is there any other kind?) it will not take too many years of closed case files before you are spending time, energy and money trying to figure out what to do with all the paper.

Do yourself a favor and start out on the right foot. You don't need to commit to turning your entire practice paperless, but purchase a scanner and start looking for ways to integrate it into your practice. If you simply scan incoming correspondence and email the scan as an attachment to your clients (rather than paying for the stamp, paper and envelope to mail it) you will save yourself upwards of \$0.50 each time. Might not sound like much, but when you consider a solo practitioner with an active case load might mail out hundreds of documents a week, it doesn't take long for that savings to really add up.

Flatbed or Sheet-fed?

You can pick up flat bed scanner for next to nothing. Even at this price, it's not worth it. Your use of the scanner will jump dramatically if you can simply lay a few pieces of paper in a sheet feeder and press a button. If you have to open and close a lid for every piece of paper you ever scan, you will never scan. Try using a copy machine next time without the sheet feeder and you'll get the idea.

Go for a sheet fed scanner.

Volume

As with printers, the volume of your monthly scanning is a key variable in picking the right machine. Unless you have either already been using a scanner extensively or are committed to operating your practice with as little paper as possible, you probably want to make a conservative estimate on your first scanner.

One of the most highly regarded low volume scanners is the Fujitsu ScanSnap S510, which is available for either PC or Mac. It scans 18 pages per minute and has a sheet feeder that can hold up to 50 pages. It has a small footprint and can sit on your desk right next to your computer where you can easily feed documents into it. The ScanSnap costs \$395 but can easily be found with rebates of up to \$50.

If you already know that you are going to need a high volume scanner, take a look at the Fujitsu 5530C2. It has a similarly small footprint to the ScanSnap and can scan up to 4,000 pages per day from a sheet feeder that is more than twice as fast and has twice the capacity of the ScanSnap. All this comes at a price though – the 5530 is currently selling for around \$2,500.

1.6 Servers

If you are going to have more than one person working in your new law practice, you are going to want a network. With the declining cost of proper “servers” it likely will make sense for you to include one in your budget or at least to consider it.

A common work-around, especially for small firms, has been to create a peer to peer network, in which all computers are tethered but none acts as a central place for data storage. The primary disadvantage of maintaining a peer to peer network is that without centralized data storage, backing up data can be tedious and difficult.

An in depth discussion of servers is beyond the scope of this manuscript, so instead, we will just provide the questions you need to consider before purchasing a server.

- What is the purpose(s) of the server?
 - Centralized data storage
 - File sharing
 - Printer sharing
 - Email hosting
 - Website hosting
 - Database hosting (including case management software)
- What is your budget?
- Which of these purposes/functions can you efficiently outsource?

Unless you are a techie at heart, setting up a server and network is going to be a task you will want help with. Find a qualified IT person to help you make the right decision and perform an efficient implementation.

1.7 Smart Phones

Given that you almost definitely own a cell phone there is scant reason any longer to not trade that phone in for a Smart Phone. Smart phones are the breed of cell phones that include what used to be called PDA (personal digital assistant) and add the functionality of email, calendar, contacts, web browsing, etc.

The two heavy weights in this battle are Apple’s iPhone and RIM’s Blackberry. Each will work with an exchange server to deliver your email, calendar and other information and each also has a separate hosted service that users without networks can purchase; for Apple it is called MobileMe and for Blackberry the service partner varies depending on which wireless service provider you have chosen. Palm also still has a contender product in the Centro. Palm just upped the ante by announcing a new version, called Pre, which is touted to be frontal assault on the iPhone.

Whichever device and operating system you choose; the message is that it is time for you to have a smart phone. The cost is offset by the productivity picked up from being able to field emails in places like airports and courthouses where you formerly would have dead time. Which device to choose is largely a matter of personal preference, though each camp has its adherents. Try them out and see which one you like.

One other word of advice: choose your wireless provider first and make sure you have good coverage. The coolest smart phone in the world doesn't matter if you can't use the phone portion of the device.

2. Software

2.1 Office Suite

What is it?

Office suite software is a term that comprises software that handles word processing, spreadsheets, presentations, calendar, contacts, email, and task management.

What to use?

This is an academic choice for a huge portion of lawyers. Microsoft Office comes bundled with most of the machines used in law offices and it is still the gold standard. There are different versions of Microsoft Office available. Most new law practices will find that Office Small Business or Office Professional will include the basic software they care most about: Word, Excel, PowerPoint, and Outlook.

Corel WordPerfect still has many fans among lawyers. If this is your word processor of choice, by all means continue using it. That said, you need to be able to provide (and receive) documents from Word (2003 and 2007) and WordPerfect.

Open Office is a free software suite that runs on both Mac and PC. It is an open source alternative to the Corel and Microsoft suites.

We are beginning to see more lawyers explore Software as a Service (SaaS). Tools such as Google Apps are gaining traction. However, there are some ethical concerns which need to be evaluated when addressing client confidentiality issues.

2.2 Case Management Software

If there is one thing that solo and small firm attorneys could do with technology that would have the biggest impact on their practices it would be to start using case management software.

What is it?

Essentially, case management (or practice management) software collects all of the relevant digital information about a given case in one place. It creates a digital case file to augment (or better yet, replace) your paper file. It allows you to integrate your conflicts, contacts, email, calendar, tickler, draft documents, scanned documents, notes, research, and anything else related to a given case all together.

Most of us wouldn't dream of practicing law without at least maintaining a semblance of organized paper files, yet we think nothing of having digital information critical to our cases spread across the landscape.

Some of the options

There are dozens and dozens of case management software programs out there. Some that are worthy of your consideration are PracticeMaster, TimeMatters (now called Lexis Front Office), and Amicus Attorney. There are also a growing number of Software as a Service options, including RocketMatter and Clio.

Whichever you choose, make sure that it integrates with your email program.

Versions

Most of the case management programs come in various versions, with more advanced versions bringing in additional features, networking capability and the ability to suit higher numbers of users.

Most of the case management software programs have a compatible billing program that must be purchased separately.

2.3 Time and Billing

Time and billing software is the place that most lawyers are already likely to have a solution. As previously stated, nearly every case management program will have a corresponding time and billing program. While many of these are cross-compatible, it reduces a lot of possible friction and headaches to choose a single vendor for both front office and back office solutions. If possible, evaluate the case management and time and billing functions as a single practice management solution.

Products

All of the case management software programs mentioned above have a corresponding billing component: Tabs3 for PracticeMaster, Lexis BackOffice for Time Matters and Amicus Accounting for Amicus Attorney.

Another popular choice for billing software is actually software designed for accounting: Intuit's QuickBooks. Once you open the door to billing software not associated with a case management software program, however, the dozens of options multiply into the hundreds. Keep it simple

though – don't tear your hair out looking through dozens of programs. Stick with the practice management software suites and find a front and back office combined solution that works for you.

2.4 Document Management

One of the most underutilized types of software in a law practice is a document management program. For some reason, we often think that if we just name and file our documents carefully that a proper document management program will be unnecessary. It is open to debate whether document management software indeed constitutes an essential technology for a new law practice, but most of the people who have gotten used to using document management wouldn't live without it.

Even if there are fairly few employees in your firm, take a look at WORLDOX, which costs around \$400 per concurrent user. In addition, consider using a desktop search utility as part of your document management system. Google Desktop, Copernic and X1 are the market leaders here and all can help search your machine when you have misplaced, misfiled, or mislabeled a critical document. It's not a substitute for a good document management program, but it is a nice safety net to have.

2.5 Backup

With all of the foregoing emphasis on both hardware and software technologies for your law office, we would be remiss to conclude without a final word about backup. It should be self-evident that more and more important information in the practice of law is getting digitized. And all this digital information lives on our hard drives and servers. Most IT professionals will tell you, there are only two kinds of hard drives: those that have failed and those that will fail. It's simply crazy to move into the digital domain with scanners and case management software and not protect that information by backing it up.

There are two main methods of backup worth your attention: external hard drives and online backup. External hard drives are cheap and offer tons of space; they typically need to be connected by a cord to back up the data though (Apple's recent Time Machine and Time Capsule are an exception) so if you are on the road or forget to attach your laptop and back it up you can be in deep trouble.

Online backup, from vendors like SugarSync and CoreVault, is a little more expensive but has the virtue of allowing your data to be backed up automatically and on a schedule without the necessity of you remembering to do it. Additionally, since online backup services are not located in your office building, in the event of a natural disaster your data can still be safely accessed from its distant location.

The bottom line is that if you practice law and you use a computer you need a backup plan that is done regularly, ideally every day. Choose external hard drives or online backup as you prefer, but make sure the data gets secured.

Conclusion

It's a lot of information to cover – particularly when technology is only one tiny sliver of all the things you need to figure out when starting a new law practice. We hope this manuscript is helpful to you as you gather the essential technologies for your new practice.