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ABA
AMERICAN BAR ASSOCIATION
**General Practice,
Solo & Small Firm
Division**

**Legal Technology for the Rest of Us:
Running on a Mac**

**Saturday, October 17, 2009
11:00 a.m. - 12:00 p.m.**

**2009 Fall Meeting and
National Solo and Small Firm Conference
October 16 - 17, 2009
Millennium Biltmore Hotel
Los Angeles, CA**

JEFFREY ALLEN is a principal in the law firm of Graves & Allen, in Oakland, California. He runs a general practice that, since 1973, has emphasized negotiation, structuring and documentation of real estate acquisitions, loans and other business transactions, receiverships and related litigation. His litigation experience focuses on real estate and business matters, but also includes a variety of torts and personal injury matters. He regularly represents both plaintiffs and defendants. His clients have included banks, savings & loan associations, title insurance companies, real estate licensees, borrowers, lenders, buyers, sellers, landlords and tenants.

Mr. Allen also works as a provider of alternative dispute resolution services as an arbitrator and a mediator. He has served as a member of the Executive Committee of the Alameda County Bar Association ADR Section, a member of the California State Bar Standing Committee on ADR and as the Co-Chair of the Commercial Section of the Association for Conflict Resolution.

Mr. Allen actively participates in the Alameda County Bar Association, the California State Bar and the American Bar Association. He currently serves as Special Issue Editor and writes the Road Warrior column for the Technology & Practice Guide issues of GP Solo Magazine. He also serves as the Editor of the Technology eReport and authors its MacNotes column. Mr. Allen also writes a technology column for Experience magazine and frequently contributes product reviews and articles to other legal publications. He is a member of the Board of Editors of the ABA Journal. He also served as the ABA advisor to the NCCUSL drafting committee for Uniform eDiscovery Rules.

Mr. Allen currently serves on the faculty at the University of Phoenix, and at California State University of the East Bay. He frequently presents at continuing education programs for attorneys throughout the United States on technology-related, technique and California, substantive law and trial practice topics and for mediators on mediation practice and techniques. He has authored numerous articles relating to the use of technology in the practice of law and regularly presents at seminars throughout the United States on the use of technology in the practice of law, and in particular in the context of trial work. In addition to his California license, Mr. Allen is a solicitor of the Supreme Court of England and Wales and a Member of the Rolls of the Law Society of England and Wales.

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Technology eReport – September 2009

MacNotes

iPhone Software Update 3.0

By Jeffrey Allen

Apple recently released a free update to its iPhone software. The price does not reflect the value. Note that if you have an iPod Touch, the upgrade will cost you \$9.99, still a very good buy and easily worth the cost. The upgraded software brings significant new features to the party. For a full list of new features, visit Apple's iPhone website at www.apple.com/iphone/softwareupdate/. In addition to the new features incorporated within the operating system, the upgrade allows you to use the next generation of iPhone apps, designed to take advantage of the new capabilities of the iPhone and its operating system. (In some cases, the upgrade itself is not enough, as some of the new apps will not work on older iPhones.)

Apple released its SDK (software development kit) for the upgrade to app developers some time ago, in order to allow them to develop new apps that could be made available in the App Store at the time Apple released the new software.

Highlights of the new features include:

1. **Cut and Paste.** The upgrade gives you the ability to cut and paste from one application to another. That means you can copy text from one document and insert it into another without having to retype it, a substantial improvement and great time-saver.
2. **Landscape keyboard.** For those of you who have found the portrait-oriented keyboard a bit too narrow for you to use comfortably, the new operating system allows you to rotate the iPhone and get a wider, easier-to-use keyboard in landscape perspective.
3. **Improved Calendar Functions.** In addition to your own calendars, you can now subscribe to the calendars of others in your office, your spouse, children, friends, and so forth and have them update through MobileMe. One of my biggest complaints about the calendar app prior to this upgrade is that my assistant could not get my calendar on her iPhone. She could subscribe to it through MobileMe and get it on her computer; but she could not get it on the iPhone. Now she can, and life is that much better!
4. **Spotlight Search.** Spotlight has come to the iPhone! Just as it does on your desktop or laptop computer, it can search the entire device (including information in your apps). This is a much better way to find a contact, an appointment, or any other piece of information. A very good addition to the iPhone's functionality.
5. **Find My iPhone.** If you have GPS capabilities in your phone, the new system will help you locate a misplaced phone. It is not perfect—if you lose it in your house, it will not tell you that you left it in the bathroom or the kitchen or the garage. On the other hand, if you left it at the office and search for it, it will let you know that it is in the neighborhood of your office as opposed to your house or at the courthouse. To locate the phone, you need to log onto your MobileMe account and tell it to find the iPhone. It will display a map showing the general area where the iPhone is. Once you get close to where you left the iPhone, you can have it play an

alert sound to help you find it. You can also have the display a message on the home screen identifying you and asking that it be returned to you. Most importantly, for data security purposes, you can do a remote wipe of the phone's memory, restoring it to factory settings and a blank memory.

6. **Voice Control.** You can now talk to your iPhone and direct it to call a particular contact or play a song from your collection. These features may need a bit more refinement, but they represent a move in the right direction. The iPhone responds to my commands at least as often as my dog does, so things could be worse. I have not noticed that repetition makes any difference, so, unlike voice recognition to text software (or, for that matter, your dog), you cannot train it to get better.
7. **Voice Memos.** You can record your own comments, thoughts, ideas, conversations with others, meetings, classes, and so forth. The iPhone can multitask as the Voice Memo application will continue to record while you do other things, such as check your calendar, send a text message, surf the web, and so forth. You can store the recordings on the iPhone and even edit them with built-in software.

The new software also gives you the potential to use your iPhone as a tethered Internet connection for your computer. For the time being, however, you cannot use that feature in the United States because AT&T does not yet support it. Undoubtedly, that will come in the future, once AT&T figures out the pricing plan for such use. Count on the fact that it will not be in the "all you can eat" plan that now comes with the iPhone.

A feature that you can make use of comes from a new App released by Apple to work with the new system. The iDisk App allows you to access your iDisk from your iPhone and view files that you have stored on your iDisk on your iPhone.

You probably already know that Apple released the 3GS iPhone shortly before the new software came out. I am using the 3GS these days and have perceived an improvement in the GPS functionality. I have not yet determined whether that results from the software upgrade or a hardware improvement in the new phone, or a combination of both. If you have a 3G iPhone, and an upgrade available to you so that you can get the 3GS at the discounted price, you may want to do that. If you don't have the available upgrade, you may want to skip the 3GS and wait for the next iteration. The 3GS offers some improvements over the 3G, but they are not earthshaking. If you have an earlier generation of the iPhone, you may not know it yet, but you *really* want to upgrade to one of the newer models. Many of the new apps coming out will not work with the older models of the iPhone, and the newer hardware is slimmer, lighter, faster, has more available memory, and is just all-around better than the older hardware.

In the rumor department, several readers have asked me about the rumors relating to Apple releasing a netbook. Yes, I have heard those rumors too. While I have joked about the MacBook Air being Apple's answer to the netbook, I have no inside information to share with you about the release of a

smaller, lighter, and less costly netbook. I will, however, share with you the best rumor I heard on the subject (“best” meaning the one that actually made the most sense to me). That rumor was that Apple would release a larger version of the iPod Touch some time prior to the end of the year. The rumor I heard was a 6" screen and a \$599 or \$699 price point. My rumor had no information as to the amount of memory, but if this release happens, I would guess at a minimum of 32GB and possibly as much as 64 GB (or maybe two models with the ability to choose). Now, here’s the deal— if Apple comes out with a new netbook that looks something like what I described, remember, you heard it here. On the other hand, if Apple does not come out with a new netbook or comes with a netbook in a different configuration, remember that I told you not to put too much stock in rumors—especially when they relate to products that Apple supposedly will release.

Jeffrey Allen is the principal in the law firm of Graves & Allen with a general practice that, since 1973, has emphasized negotiation, structuring, and documentation of real estate acquisitions, loans and other business transactions, receiverships, related litigation, and bankruptcy. Graves & Allen is a small firm in Oakland, California. Mr. Allen also works extensively as an arbitrator and a mediator. He serves as the editor of the [Technology eReport](#) and the [Technology & Practice Guide](#) issues of [GP Solo Magazine](#). He also serves on the Board of Editors of the ABA Journal. Mr. Allen regularly presents at substantive law and technology-oriented programs for attorneys and writes for several legal trade magazines. In addition to being licensed as an attorney in California, Jeffrey has been admitted as a Solicitor of the Supreme Court of England and Wales. He is an associate professor at California State University of the East Bay and the University of Phoenix. Mr. Allen blogs on technology at www.jallenlawtekblog.com. You can contact Jeffrey via email jallenlawtek@aol.com.

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Technology eReport – June 2009

MacNotes

On Becoming an Appophile

By Jeffrey Allen

Apple’s iPhone has already established itself as one of the most significant and important inventions in the first decade of the 21st century (to say nothing of the new millennium). Although the iPhone works quite nicely as a telephone, a camera, a music player, and a GPS device, we have lots of other telephones, cameras, music players, and GPS devices to choose among. We also have converged devices that, like the iPhone, sport all of those features to one level or another.

We even have phones coming out with touch screens to mimic the iPhone interface.

Apple’s App store, however, and the offerings it contains, makes the iPhone package stand out far ahead of the pack. Even now, as some of the competitors work to develop apps and make them available, the inability of those efforts to compare favorably with the vastness and diversity of the App Store makes the iPhone package that much better. The popularity of the App Store is clear from the number of downloads from the App Store. Apple is already counting the billions. Although a billion may not seem so impressive given our economic situation and the bailout billions, it still represents

an incredibly large number of downloads. By comparison, McDonalds, which displayed the number of hamburgers sold on big signs at their stores, went for several years before getting to a billion.

If you have not recently visited the App Store, pull out your computer (or, for that matter, your iPhone) and travel to the App Store from the comfort of your living room chair or from your desk at work. If you use your computer, the easiest way to get to the App Store is to open iTunes while you are connected to the Internet and then select the App Store inside of the iTunes Store. If you use your iPhone or Internet-connected iPod Touch, just select the App Store App on your home screen. You will find a collection of apps: 35,000 strong and growing. You will find apps that do all kinds of things for you, ranging from keeping your calendar and contact information close at hand to entertaining games, to travel information, to medical information, and on and on and on.

Apple's App Store as seen from my iTunes browser.
Courtesy of Apple Computer, Inc.

Apple has organized the apps in its App Store into a number of categories, which it lists on the left side of the screen, under the heading "Categories." You will find categories for: books, business, education, entertainment, finance, games, healthcare & fitness, lifestyle, medical, music, navigation, news, photography, productivity, reference, social networking, sports, travel, utilities, and weather. You will also find in the center of the page a listing of new apps, highly popular apps, and Apple's staff favorite picks of apps.

The apps in the store range from free up to at least \$40 (I have not seen any more expensive than that yet). On the right-hand side of the screen, you will find a listing of the most popular paid apps and the most popular free apps. If you don't see what you want at first, you can type a key word into the Search iTunes Store button on the top of the iTunes browser page (not shown in image above) and search the iTunes store for things related to that term. The search feature does not limit itself to apps, and it will also return music, video, and podcasts relating to the topic. For example, I will travel to Chicago next week. If I want to see what apps might benefit me while there, I type "Chicago" into the search field. I get a display showing a few of the videos, music albums, Apps, etc. relating to "Chicago."

Apple iTunes Store search as seen on my computer.

Each of the media selections allows me to choose to see all of the choices found in the search. By clicking on that option, my computer takes me to the first of several pages displaying apps that relate to my inquiry about Chicago. I can browse through those apps until I find one I want and then click on it to go to a screen telling me about the app, its features, who wrote it, whether it costs anything, and, if so, how much. It also affords me the opportunity of downloading it to my iTunes App collection for synching to my iPhone and or iPod Touch.

One of the choices tells me about the iTrans CTA (Chicago Transit Authority) and its routes. If I select that app, iTunes takes me to its page and provides me with access to the information about that app, which, incidentally, costs \$1.99. It also tells me what others who have bought the app have reported about it and directs me to selections that others who purchased the app made respecting other apps available in the store. If I choose to purchase the app, I simply click the "Buy App" button, and Apple charges my iTunes account and downloads the app into my iTunes Mobile App collection for me.

Partial first page of response to "See All" selection from apps shown in iTunes search for "Chicago" as seen on my computer.

iTrans CTA App Store App page as seen on my computer.

The world of an appophile is not always easy. Although downloading apps involves little effort, the process of choosing which ones to download can take some time. Besides, downloading the app only starts the process. An appophile has to learn to use the app (not much point in just downloading them and collecting them, although I do know some app collectors who do just that).

Which apps you choose will reflect your needs and interests. One of the truly nice things about collecting apps is the ability to tailor the collection to your particular needs and interests. With more than 35,000 apps to choose from, you should find at least a few that you like.

I do recommend that you pick up a few of the photo apps. They can help you crop, remove noise, change lighting, and otherwise improve some of your pictures. If you like games, you should find some entertaining apps. I particularly like some of the old arcade style games, Scrabble, and some of the card games. They also have contemporary arcade games, adventure games, pinball apps, pool apps, and so forth. You will probably want at least one of the database apps that will let you store and retrieve information in convenient ways.

You can find any number of reference apps for the iPhone. I have an app that contains the California Evidence Code, another that provides the Federal Rules of Evidence, and a third that gives me the Federal Rules of Civil Procedure. I also have apps that contain the U.S. Constitution and a variety of other historic documents.

You can find several readers apps. Some let you read PDF files, and others read proprietary file formats. You can also find apps that come with a good-sized library of books for your enjoyment. Recently, Amazon decided to get into the app game, releasing a Kindle App available at the App Store at no charge. The Kindle App allows you to acquire books from the Kindle Store and download them to your iPhone/iPod Touch. If you already have a Kindle and have bought books for it from the Kindle Store, it also allows you to redownload the books to your iPhone/iPod Touch.

The iPhone and the iPod Touch each allow you access to the same number of apps: nine pages of 16 app icons, or 144 apps. Although you can synch more than 144 apps to your iPhone or iPod Touch, you will only see the first 144. Others will reside in memory, unavailable to you until they appear on the App Menu pages. A hidden app will appear only after you delete enough apps ahead of it to get it within the first 144 apps and then cycle your device off and back on again.

While 144 apps may sound like a lot to you, if it does, that means you have not yet morphed into an appophile. A true appophile will eventually acquire many more than 144. When that happens, you enter into the realm of app management. A true appophile must learn to manage apps to maximize the appophile's benefit and the utility of the collection. For example, my personal app collection numbers 341 as of today (I am sure that it will grow larger before you read this column). Of that 344, maybe 100 reside on my iPhone on a continuous basis. I sub others in and out freely depending on my planned activities or needs. For example, if I am traveling, I may switch out a dozen or so apps. I have a number of apps that I will always take when I travel (such as those that tell me about airport delays, Zagat, and a couple of other restaurant-rating apps, and a taxi locator app). I also have a number of destination-specific apps that will change when I travel to various locations. These apps contain information about local transit routes and schedules, local sites to see, and other travel information about the area. If I travel out of the country, I will also take a phrase translator along in case I need to

communicate in more languages than I can on my own. The more you travel, the more destination-specific travel apps you will likely want to download.

I do have one issue with app management for which I have not yet found a satisfactory solution. I would like to keep my apps organized by categories or groups so that I know about where to look for any particular app. The current operating system lets you move apps around on a page and even from page to page, but you have no control over the full consequences of a move. For example, if I move an app from one page to another page that already has 16, the OS will kick one of the 16 apps off of the page and move it to another page. I have no ability to control which app gets relocated or the page to which it moves. Apple has announced the impending release of a new operating system for the iPhone and iPod Touch. The new system should come out in June. We can only hope that it corrects this design oversight.

The true appophile will pay attention to memory usage. Apps take up memory. Some apps take up more memory than others as they accumulate information and grow. The Kindle App, for example, will store your downloads as part of the app. Accordingly, as you download more books the app grows in size. You will need to pay attention to the memory allocation when you synch your device. I have already had to remove some of my music to allow for the storage of other things (not just apps: I actually removed a few gigabytes of music when I wanted to add a movie to the iPhone for travel. Although Apple has not yet announced new hardware in the iPhone/iPod touch category, you can count on the fact that Apple will have new models for us in the not too distant future. I would happily bet on the proposition that new models will have significantly expanded memory capacities to accommodate music, photographs, videos, and, of course, apps and their related data.

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Technology eReport – March 2009

MacNotes

On Becoming an Appophile

By Jeffrey Allen

The last several months have proved quite interesting in the Apple world. Apple refreshed its laptop and iPod line and announced new versions of iWork and iLife. Apple also announced plans not to participate after 2009 in MacWorld, the iconic all-Mac computer show in San Francisco. Steve Jobs'

(Apple's answer to Sun Tzu, P.T. Barnum, and Houdini) health has become more suspect. Rumor has it that he will play a reduced role on the Apple campus, at least for the near term. In a move reflective of a reduced role for Jobs, Philip Schiller, a senior VP at Apple, gave the keynote at MacWorld instead of Steve Jobs.

Apple released most of its upgrades prior to MacWorld to take advantage of the holiday shopping season. It saved only iLife'09, iWork '09, and the rebuilding of the 17" MacBook Pro for MacWorld.

Cosmetically, the MacBook Air benefited the least from the refreshing of the line. In fact, it served as the model for the appearance of the new MacBook and MacBook Pro laptops (each of which looks pretty much like chubby MacBook Air). Don't take that comment wrong, I really like the way the new line looks. Cosmetically, the MacBook benefited the most from the upgrading as it shed its black plastic case (you can still get a white plastic case) for the same silver-gray aluminum housing as the MacBook Air and Mac Book Pro.

The MacBook and MacBook Pro each got a slick new glass multitouch trackpad. It takes a little getting used to, but it does make control of the computer easier. The trackpad has no buttons to push: you can click anywhere on the pad.

The MacBook and MacBook Pro both got speed upgrades, graphics processing improvements, and display improvements (the new displays really look good). Disappointingly, the MacBook no longer has any FireWire ports, and the MacBook Pro lost its FireWire 400 port, but kept a single FireWire 800 port.

The 17" MacBookPro is bigger, heavier, faster, and more costly than the 15" MacBookPro, but as 17" laptops go, this one looks and feels pretty svelte. It has three USB ports, but otherwise, the same port configuration as the 15" MacBook Pro. Apple claims a charge will last for 8 hours of work on the 17" MacBook Pro.

The MacBook Air looks pretty much the same as before, but now comes with a far more usable 128GB flash drive or 120GB SATA hard drive. The Air remains the lightest, slightest member of the family, but it has not become a cheap date. The least expensive MacBook Air costs \$1,799. Apple has reduced the price differential between the MacBook Air versions. You can now get a MacBook Air with 2GB of memory (not upgradable), a 1.86 GHz Intel Core 2 Duo processor, and a 128 GB solid-state (flash) drive for \$2,499. Apple claims a 4.5-hour use per charge for the Air, which continues to preclude a battery swap on a long trip. The Air continues to have no built in optical drive and only a single USB Port.

The Air weighs in at 3 pounds, the MacBook at 4.5, the 15" MacBook Pro at 5.5 pounds, and the 17" MacBook Pro at 6.6 pounds.

All of the new Mac laptops use the Mini Display Port, so if you upgrade to a new model, you will need new adaptors for larger monitors or use with projectors.

As for recommendations, the 17" MacBook Pro makes a good desktop substitute. The 15" MacBook Pro makes an excellent workhorse computer for business use. The 13" MacBook works brilliantly for a home laptop, for travel, or as a second computer. The MacBook Air continues to as a showpiece, but, in truth, unless you are just dying to have people see you with one, you don't have any need or desire to travel with an optical drive and the weight differential makes a difference to you, the MacBook makes a better choice and gives you better value for your dollars.

In its iPod line, Apple has improved the line's performance and tried to continue to offer something for everyone.

Apple has redone the iPod Touch, giving it more features, a thinner profile, and less weight. The Touch now has a built-in speaker, a 3.5" display with 480 x 320 pixel resolution, measures 4.3" x 2.4" x .33" and weights a hair over 4 ounces. It comes in 8, 16, and 32GB versions costing \$229, \$299, and \$399, respectively. Apple claims longer battery life—up to 36 hours of audio or 6 hours of video play.

The new iPod Classic comes in black or white and with a 120GB memory for \$249. It does not have the large touch-screen display of the iPod Touch or the ability to run applications from the App store. It will play music and video quite nicely and can also serve as a USB storage drive. It has a 2.5" display with 320 x 240 pixel resolution. It measures 4.1" x 2.4" x .41" and weighs in at 4.9 ounces.

The Nano has a 2" display with a 320 x 240 resolution and measures 3.6" x 1.5" x .24". You can get it in your choice of nine colors with either a 8GB or 16GB memory for \$149 and \$199, respectively. I particularly like the Nano's design.

The Shuffle comes in a 1 and 2 GB version. You can choose from among five colors. The Shuttle measures 1.07" x 1.62" x .41". It has no display.

In the software department, Apple has announced substantial upgrades to iWork and iLife '09. Apple released iWork right after the product announcement, and you can order it from the Apple Store for immediate delivery. Apple announced the release of iLife '09 and will take orders for it in the store. By the time you read this, Apple should be delivering iLife '09. It has not been available as of the preparation of this column.

Apple continues its policy of not having an upgrade price, but offering the software for a total price of less than what most developers charge for a major upgrade. Apple sells single copies of each suite for \$79. It also makes a family license available (5 single users) for \$99. If you still need to upgrade to Leopard, Apple has announced its “Box Set” of Leopard, iWork '09, and iLife '09 for \$169 for a single user and \$229 for family pack licenses.

iWork continues to include three programs in its suite: Pages (word processing), Numbers (spreadsheet), and Keynote (presentation). All of the programs are Microsoft Office friendly, in that they can open Office files and save as Office files, so that Office users can open them on both Mac and Windows platforms.

Apple's website lists the following new features of iWork:

Pages '09:

40 new Apple-designed templates (more than 180 total).

- Full-screen view
- Dynamic outlines
- Mail merge with Numbers
- Insert equations with MathType 6 (sold separately)
- Create bibliographies with EndNote X2 (sold separately)
- Open, save, and email Microsoft Word files from within Pages

Numbers '09:

- Easily create formulas, using visual placeholders with plain language text
- Perform calculations using more than 250 functions
- Organize your data instantly using Table Categories
- Check your calculations at a glance with Formula List view

Create two-axis charts and combine line, column, and area series in a single mixed chart

- Choose from twelve new Apple-designed templates (30 total)
- Open, save, and email Microsoft Excel files from within Numbers

Keynote '09:

- Create sophisticated animations with Magic Move
- Add dramatic object and text transitions using new visual effects
- Visualize your data with new styles and animations for 3D charts
- Dramatically reduce file size without compromising quality
- Create dynamic flowcharts and diagrams using connection lines
- Choose from eight new Apple-designed themes (44 total)
- Open, save, and email Microsoft PowerPoint files from within Keynote

Apple's website lists the following new features in iLife '09

iPhoto '09

- Use Faces to find photos of people
- Use Places to explore your photo library
- Create slideshows using animated titles and multiphoto layouts
- Publish photos directly to Facebook and Flickr
- Create travel-themed photo books with custom maps

iMovie '09

- Fine-tune movies with the Precision Editor
- Use enhanced drag-and-drop to edit projects
- Use automatic video stabilization to smooth clips
- Apply themes to a project
- Add animated maps to travel videos
- Animated titles, new transitions, and cinema-quality video effects

GarageBand '09

- Learn to play piano or guitar with interactive lessons
- Learn how artists play their songs and practice them
- Play and record with new guitar amps and stompbox effects
- Jam with virtual instruments in a full-screen view that allows mixing, playing along, and recording

iWeb '09

- Add YouTube videos, RSS feeds, iSight videos to your web pages
- Manage multiple websites
- Built-in FTP publishing
- Link your web site to your Facebook account

iDVD '09

- Apple-designed themes with animated menus
- Author-customizable DVDs
- Combine videos and photos

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Technology eReport – November 2008

MacNotes

Keeping Safe from the Bad Guys

By Jeffrey Allen

I am flying home from Santa Fe, New Mexico, where I attended the GPSolo Division's Fall meeting and taught two classes in the National Solo and Small Firm Conference. I developed the idea for this column while presenting there at a session that focused on the question of whether one can successfully run a law office on a Mac. Of course, we all know the answer to that question: *Yes!*

You may not know that New Mexico considers itself the land of enchantment. I am not exactly sure why, but they do. (Maybe it is all the artists and galleries.) While I did not think the class was enchanting, I considered our program on the Mac law office the class of enlightenment, in recognition of the light bulb that goes off when attorneys finally realize that they can, indeed, run a law office quite handily on the Mac platform and, even better, that they can do so, in most cases, without the necessity of their own IT department, making it ideally suited for the small firm or sole practitioner. A brief survey revealed that about half the attendees at the class had already reached a level of enlightenment, as they used Macs in their practice. They attended to get some ideas about how they could utilize their Macs more effectively. The other half came to the class seeking enlightenment. I actually had several attendees come to me before the class and tell me that they were ready to be convinced to switch to the Mac and that they came for the purpose and with the intent of becoming convinced that they could run their office on a Mac. (I love an easy sell!) At the end of the class, several people told me that they intended to get Macs.

We held the event at the Hotel Santa Fe. The hotel has a free and unprotected Wi-Fi network for the convenience of its guests. I had a MacBook connected to a projector for the program. As I talked, I looked at my MacBook's screen and discovered that the "shared" section of the Finder Window listed a number of computers (Mac and PC) that shared the open network. I noticed that a MacBook Air belonging to a friend of mine appeared on the list (I knew it was his because he had named it after himself). I clicked on his computer, instantly opening it up. As it only showed other folders, I projected it on the screen at the front of the room, knowing I would not reveal any confidential information. I did that to make a point. I believed that most of the people on the network had simply opened their computer up to everyone else on the network, as my friend had, without thinking about it or, perhaps, even knowing that they had done so. I suspect that I reached the right conclusion as, when I started to talk about the exposure, I saw a look of concern on the faces of many in the audience (likely a number of which faces belonged to some of the other computers showing on the network as several people in the room had laptops open on their tables).

While much of the information on our computers may not have any confidentiality issues, because we are attorneys, undoubtedly some of it does. Some of the information may reflect our own personal matters, accounts, and activities that we would rather not share with others. Moreover, if we allow others open access to our computers, they have the ability of adding something to the computer that we likely do not want in our computer.

We spent several minutes addressing the security issue, and I thought it might prove a useful topic for this column. Now that you know how we got here, let's talk about how we protect against inadvertent disclosure of information or some bad agent adding something to or deleting something from our computer. Fortunately we have a number of solutions that can make things a bit safer for us. Unfortunately, virtually all of them introduce a level of inconvenience to our computing experience that, at times, will make us want to disengage all of them. No matter how tempting it may feel to do that, resist the temptation or run the risk of computer invasion.

Staying off of public Wi-Fi networks and any unprotected network will reduce your exposure. Now we deal with some inconvenience. If you need Internet access on the road and want to stay off of unsecure networks, you need to acquire a cellular modem of one or another style and an Internet access account. That requires the payment of a monthly fee. You will learn that presents a mixed blessing. Having the card means something else to carry and, depending on how and where you travel, may increase your expenses. On the other hand, having the cellular modem may decrease your expenses if you stay in hotels that charge \$10 or \$15 a night for Internet access. Additionally, the card gives you Internet access almost everywhere a cell phone works. Note that some cards will not work in foreign countries, and, with others, even though they do, you will pay a premium for bandwidth outside of the United States.

Sometimes you don't have a choice. If you want Internet access and you find yourself in a place where your cellular modem does not work, you have to use what you can find or do without, even if that means an unprotected public network.

Presumably, you have already set up a password to protect access to your computer. If not, please drop everything you are doing and set one up right now! You should use a "strong" password. A strong password consists of a mixture of at least six characters, not in an obvious order (such as your name or your birth date). Random collections provide the best protection and the least convenience, as they can prove difficult to remember. Mixtures of alphabetical and numeric characters provide better protection than just letters. If you want to make it even stronger, venture beyond a simple alphanumeric password and use a symbol or two. It strengthens the password.

You will probably want to write the password down some place so that you can access it if you forget it. Although a password gives you some privacy and protection, you do not want to lock yourself out of your own computer with it. Do not leave it electronically in your computer, as that will defeat the purpose of the backup. Do keep it separate from your computer. I have seen some people remove the battery and write it in the battery compartment or on some other part of the computer or computer accessory. I do not advocate that approach. I consider it comparable to using the rhythm method for birth control. If you are lucky it works. If not, oh well . . .

By the way, if you decide to get a cellular modem, think about getting one that connects through the USB port rather than one that resides on a PCMCIA or Express 34 card, even if your current laptop has a slot for such a card. I make that recommendation to you for several reasons. First, not all computers have such a slot. In fact, more and more laptops lack such connectivity. Your next computer may not have the slot, and virtually all computers made today have at least one USB port. Second, if you use more than one computer and one has a slot while the other doesn't, the USB connection lets you easily shift from one computer to another and share the access while paying only one monthly fee. Third, you can separate the USB connecting device from the computer by using a USB connection cable rather than plugging the device directly into the computer. As the signal may work better with elevation or with the device on a windowsill than next to the computer, that can prove a significant advantage. Note that an increasing number of computers offer a built-in cellular card for Internet access as an available feature. These will restrict you more than any other approach if you have more than one laptop, as you cannot readily use the access account with other computers. You really don't want to have multiple accounts when one suffices.

On another note, if you have not yet heard, Apple has refreshed its entire laptop line as well as most of its iPod line. Stop by www.apple.com or your local Apple store and check out the new equipment. We will have more to say about it later.

Jeffrey Allen is the principal in the law firm of Graves & Allen with a general practice that, since 1973, has emphasized negotiation, structuring, and documentation of real estate acquisitions, loans and other business transactions, receiverships, related litigation, and bankruptcy. Graves & Allen is a small firm in Oakland, California. Mr. Allen also works extensively as an arbitrator and a mediator. He serves as the editor of the *Technology eReport* and the Technology & Practice Guide issues of *GPSOLO Magazine*. He regularly presents at substantive law and technology-oriented programs for lawyers and writes for several legal trade magazines. In addition to being licensed as an attorney in California, Jeffrey has been admitted as a Solicitor of the Supreme Court of England and Wales. He holds faculty positions at California State University of the East Bay and the University of Phoenix. You can contact Jeffrey via email at jallenlawtek@aol.com. Mr. Allen blogs on technology and the law at www.jallenlawtekblog.com.

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Technology eReport – September 2008

MacNotes

iPhone 3G

By Jeffrey Allen

Apple released its second-generation iPhone in July 2008. I have never seen such a reception for a telephone device, not even the original iPhone. For more than two weeks after its release, buyers stood in lines four and five hours long to buy their iPhones. Several days after the release, I walked by the San Francisco Apple store and saw a line that stretched the length of the block, around the corner, and

well down that block. Apple stores refuse to take orders, and you cannot get the phone online from Apple. If you want to buy it from Apple, you have to go to an

Apple store and wait in line, as they will only sell it on a first-come, first-served basis. As with the original, Apple released the new phone through a partnership with AT&T. You can get iPhones through AT&T, but when I checked with the local AT&T stores, they never had any available in inventory. AT&T will take orders, promising delivery in as little as three weeks.

Part of the problem with the long lines results from the decision to require instore activation rather than the activation on your own process used in connection with the first iPhone release. The activation process takes about 20 minutes and, at least at first, had a number of hiccups that made the process longer and more onerous. Even after Apple resolved the problems, the in-store activation process continued to delay delivery and lengthen the wait in line. To accommodate the inventory issue, Apple actually created a feature on its website allowing you to check the available inventory at your local Apple store after 9:00 PM in the evening. You cannot determine the quantity of available phones on the site, but it does tell you what models you can buy at each store the next day.

Amazingly, Apple reported more than a million of the new iPhones sold within the first few days following its release. Inevitably, the lines will ultimately disappear, enabling you to go to an Apple store and get one without a long wait. Alternatively, you can order one from AT&T, wait a few weeks, and take delivery when it arrives, avoiding the long lines.

The new iPhone version, like the original, comes with AT&T service only, but this version promises much faster Internet access because of the use of AT&T's 3G wireless system. The new iPhone does everything the original version did, only better. Like the original, the new version offers you a combination PDA/smart phone/iPod/Internet appliance with a camera.

The new phone comes with a subsidized price arrangement (if you qualify), allowing you to purchase the 8 GB version of the iPhone for \$299 and the 16 GB versions for \$399. Apple did not offer the phone in a 32 GB version, despite having that technology available and in place with respect to the iPhone's sibling, the iPod Touch. The iPhone comes in 2 flavors, black (8 and 16 GB) and white (16 GB only). The new iPhone has a similar size, but slightly different shape than the original, so slip-in cases that work with the original will likely work acceptably with the new version. Form-fitted cases designed for the original will not work properly with the new version, requiring you to acquire a new case for your new phone.

The new iPhone comes with a plastic case instead of the metal case used on the original. I preferred the looks and appearance of solidity and strength of the metal case. Time will tell how the new plastic case reacts to use and how easily it will scratch. As a precaution, I will encase mine with one of the industrial strength clear plastic covers that protect it against such damage.

Although Apple did not improve the camera in the new version, almost everything else works better or faster. In addition, the new iPhone includes a fully functional GPS device, improving on the location and direction features of the original that worked off of a triangulation process keyed to cell towers. The iPhone can provide a highlighted route or turn-by-turn directions, making it harder than ever to get lost when visiting a new city. The iPhone maps feature gives you several perspectives, including satellite views. The iPhone also gives you traffic information along your route.

Several months prior to releasing the new iPhone, Apple released the iPhone SDK (software development kit). The kit allows developers to create applications downloadable to the iPhone and usable on the phone, even when you do not have Internet access. Apple then modified the iTunes store to include an application division (the App Store). You can access the App Store from your iPhone or from your computer and download numerous programs and applications to your iPhone. You can get many excellent applications free. You can purchase others for various prices. See the App Store by accessing the iTunes Store through the new version of iTunes (a free download that you must have to coordinate with the new iPhone).

For those of you working in larger firms, the new iPhone offers exchange server compatibility and increased and improved security designed to attract the attention of the IT departments of larger businesses and to obtain the approval of those departments for use by employees.

For those of you who already have iPhones, Apple released a new version of the iPhone's firmware/software. The upgrade to version 2 costs nothing for iPhone owners. Those owning iPod Touch devices may upgrade them to the new software for a fee of \$9.95. The software upgrade does not give you GPS or 3G Internet access speed, but it does make available most of the other features of the new iPhone.

Although some companies have recently offered phones shaped similarly to the iPhone and using similar touch-screen technology, no phone we have found does everything the iPhone does as successfully or as elegantly.

Should you get the iPhone? If you want the 3G Internet access and or the GPS, absolutely, but I would not spend time waiting in line for one. Either order it from AT&T or wait until the lines disappear. Apple will still have iPhones to sell, and you can save your time. If you already have an iPhone and don't care about the speed or the GPS, certainly upgrade to the new software.

Concurrently with the release of the new iPhone, Apple released its upgraded mobile technology, "MobileMe." MobileMe promises the ability to sync various computers to each other as well as to your iPhone, to enable sharing of contact and calendar information by holding it in its server and pushing it to the various devices. It also allows the use of push technology for email. MobileMe replaces the .Mac accounts (all will automatically convert) and requires payment of a fee (you can get a 60-day free trial, but after that, you must pay a \$99 annual subscription fee). You can also get a family plan for \$149 a year. The individual plan includes 20 GB of storage space. The family plan includes one master account with 20 GB of storage and 4 family member accounts, each with its own log in and 5 GB of storage space. You can also acquire additional storage space at an annual cost of \$49 for 20 GB and \$99 for 40 GB.

Unfortunately, the MobileMe service did not work as well as I had hoped when first released. Many users reported serious difficulties with respect to setting it up and getting it to work. Apple's support for MobileMe also proved disappointing. Apple does not offer any telephone support for MobileMe. Apple provides a website with information about MobileMe and will eventually answer email questions. I sent some email to MobileMe support and got a response about two

days later. Unfortunately, it did not solve the issue. Although I have confidence that Apple will eventually get MobileMe working, it does not work well now. I have turned it off myself and cannot recommend that you use it yet.

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Technology eReport – May 2008

MacNotes

The Best of Times...

By Jeffrey Allen

With due apologies and credit to Dickens, this column focuses on how far the worm in the Apple has turned in recent years. Truly, for the lawyer using the Macintosh computer and the Mac OS X, we have reached a far better place than we have ever reached before.

Interestingly, although the Mac has had an operating system and hardware package that, for some time, had greater stability and reliability than most of its counterparts, Apple could only garner a small piece of the computer market, particularly in the legal field. Apple introduced the iPod and more recently the iPhone, showing great leadership in design, creativity in function, and foresight in market appeal and acceptance. The popularity of the iPod helped make the iPhone successful. The consumers' interest in Apple piqued by the iPod, and later the iPhone transferred into computers as well and more and more users, including attorneys, chose to look at the Mac platform for personal and, ultimately, professional use.

As a pioneering Mac attorney, I learned to deal with the fact that many, even most, considered the Mac an inferior platform for lawyers. I remember listening to the legal consultants telling us that the Mac platform lacked the program support to justify using it in a law office. I don't deny that, even

now, some publishers continue to favor less stable and less friendly platforms; however, a variety of factors has made the Mac even more viable in a law office.

In the old days (1985–2000) a Mac attorney, in most cases, had to learn to make do with software not designed for attorneys. We did have some notable exceptions. The Amicus program came out, originally, for the Mac. TimeSlips worked on the Mac and both Word Perfect and Microsoft Office worked on the Mac, although the Mac versions usually had fewer features and were generally less robust than other versions. Ironically, now that the Mac has seen significant growth in popularity among attorneys, TimeSlips, Word Perfect, and Amicus no longer work with the current version of the Mac OS.

Interestingly, Microsoft has seen the wisdom of supporting the Mac platform and has, for many years, regularly updated its Office software to provide substantially similar capabilities to its software for its own Windows OS. To be sure, the Windows software has some features that the Mac versions do not, but the simple fact of the matter is that for most solo and small firm practitioners, the missing features have no real significance.

Apple, in its effort to make things better for the Mac user, has now created the iWork software that provides word processing, presentation, and spreadsheet software with better features in many cases than the Microsoft equivalents, plus compatibility with their Microsoft Office counterparts.

We still have some issues with programs that do not work on the Mac OS. We still have some functions that need better software for the Mac OS. But those instances have continued to diminish in quantity and significance.

We now have reached the point of having readily available software for the Mac that works as well as or better than that available on other platforms in doing many, even most, of the things attorneys do on a day-to-day basis. From word processing to trial preparation and presentation, we have functional software that, more often than not, has a more user-friendly interface and works as well or better than equivalents on other platforms.

In addition to Microsoft's Entourage and Apple's iCal and Address Book, we now have Daylight and Fast Track Schedule 9 to assist us with functions that consultants like to group into what they call "case management." We have Circus Ponies' Notebook to facilitate not only the storage of miscellaneous information, but also as a tool to prepare and organize trial materials. Clarity Software gave us TrialSmart and DepoSmart to deal with trial presentation and deposition transcript issues.

Adobe has long supported the Mac platform. While Adobe's Creative Suite offers graphics capabilities far beyond what most attorneys need, the suite includes several programs that provide great utility to attorneys and may make purchasing the suite cost-efficient. Many of us find good use for Adobe's Photoshop and Illustrator. I have, for some time, included Adobe's Acrobat (now Acrobat Professional) in the list of must-have software on both the Mac and Windows platforms. If you want Illustrator and Photoshop, it makes sense to get the Creative Suite as buying those two programs plus Acrobat separately will pretty much cover the cost of the suite. At a minimum, you will want Acrobat. Adobe deserves kudos for making the Mac and Windows versions substantially equal to each other in features and robustness. Interestingly, Adobe created a less than full-featured version (Acrobat Standard) on the Windows platform, but apparently felt that Mac users would not as readily settle for less as Adobe made no Mac version of Acrobat Standard. Do not consider that a slight or a disadvantage. Adobe left most of the special features that will facilitate your legal work out of the Standard version, so you will want the Professional anyway.

In many cases, vendors have moved their programs to the Internet and, in the process, made them platform agnostic. Most of the legal research sites work that way now, for example. An attorney can log into Westlaw or Lexis or many of the less well-known sites either from a computer running on the Mac OS or one running on another platform. Without much difficulty, one can find platform agnostic online software and facilities for billing, document generation, research, legal research, and data storage. Virtually all Internet search engines work on both the Mac and Windows platforms.

Some publishers still write only for the Windows platform. We Mac attorneys do not find that particularly daunting. After all, the new Macs can run Windows as well as or better than most built for Windows hardware. The new Mac laptops and desktops, using the same Pentium Core 2 Duo chips used in many "built-for-Windows" computers, come from the factory with the ability to boot into either the Mac OS or Windows. Apple's BootCamp software feature in OS X (10.5) makes that happen. Macintosh hardware, booting into Windows . . . what a world! If you don't like the idea of having to reboot to run a Windows program, no problem: several virtualizing systems will create a virtual PC computer running on the Windows OS within the Mac OS. My favorite of this lot, Parallels, even lets you move the Windows window into the graphic structure of the Mac OS windows, so that you run the Windows-based software and switch between it and Mac OS programs instantly.

Certainly the field of legal software includes some important programs that do not run on the Mac platform. High on that list in my book are the CaseSoft programs: CaseMap and TimeMap. The good news—they run just fine in a virtual PC through Parallels or on a Mac running Windows in BootCamp.

Perhaps the Mac's very versatility will dissuade some publishers from creating Mac OS versions of their software. The only downside to that from the perspective of the Mac attorney is that it means we have to continue to run an OS supplemental to the Mac OS on our Macs. From my perspective, we still have the upper hand, however. How many built-for-Windows computers can also run the Mac OS? The bottom line: Mac attorneys have the ability to take advantage of all the software written for the Mac OS as well as that written for the Windows OS, while Windows attorneys are unable to take advantage of the software written for the Mac OS.

If not the best of times, at least the best of times to date!

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Technology eReport – March 2008

MacNotes

Macworld 2008 and More

By Jeffrey Allen

MacWorld 2008 has come and gone. Super salesman Steve Jobs did the keynote, as usual. While he had many interesting and evolutionary things to talk about, he did not present anything as revolutionary as the iPhone this year. Apple used MacWorld to introduce upgraded software for the iPhone and the iPod Touch as well as the expansion of the iTunes store movie department. The iPhone update adds new features to the mapping program, including the ability to identify your immediate location through triangulation, enabling you to get better directions more easily. You can now modify your home screen as well. The new software allows you to send SMS messages to multiple recipients concurrently.

Apple did announce some interesting new hardware at MacWorld. With the MacBook Air, Apple advances its position in the superlight laptop competition. I have seen it, touched it, and admired it. Eventually, I will probably get one, but not for a while.

The MacBook Air reflects the style that we have come to expect from Apple's products. Its three-pound weight and slim profile will make it easy to pack and a

delight to carry. Its projected 5-hour battery life will make it useful on long haul flights. It uses a full-sized keyboard, making it comfortable to use as well. Significantly, you can choose between a laptop with a traditional hard disk drive (80 GB @ 4200 RPM) or a 65GB flash memory drive.

So, why haven't I preordered one (they have not yet shipped)? Several reasons. My initial concern focused on the lack of an optical drive. Apple, however, has addressed that problem cleverly enough by giving you the option of buying an external drive (slim and svelte itself) for another \$100 or of using the optical drive in another Mac through a piece of wireless and software wizardry Apple calls "Remote Disk." I can live with those options, even though the additional weight of the optical drive pushes the package total closer to the weight of the 5-pound MacBook.

The MacBook Air has a maximum of 2GB of RAM, comes with a 1.6GHZ Core 2 Duo Intel processor (you can get 1.8 GHz for an extra \$300) and a choice of an 80 GB 4200 RPM hard disk drive or a 64 GB flash drive. The 64GB flash (solid state) drive, however, will cost you an extra \$999.

Apple designed the MacBook Air to function wirelessly. It does not even have an Ethernet port for a hard-wire connection. If you want to connect to a wired network, you will have to get a separate USB-Ethernet dongle. I can live with that too, except for the fact that the MacBook Air only has one USB port. If you need to connect more than one USB device at a time, you will have to attach a USB Hub to that one USB connection.

One expects certain sacrifices in the interest of lightness and size in a superlight computer. The MacBook Air comes stripped of most connectivity options. It has a USB connection, audio out, and a Micro DVI port. That's it other than the mag plug connector for attachment to a power source.

The MacBook Air costs significantly more than a MacBook which comes with a faster processor, a built-in optical superdrive, and a faster hard drive, but also along with a larger and clunkier-looking case and between 1.5 and 2 pounds more weight.

One other issue with the MacBook Air relates to Apple's decision respecting the battery configuration. Following its design for the iPod and the iPhone, Apple created a laptop with a sealed in rechargeable battery that the user cannot easily replace. No more popping in an extra battery when the laptop runs out of juice. When it runs out of juice, it runs out of juice and you need to find a power source for it. The only portable option available (other than plugging into a car), an external battery, will likely prove heavier than the difference between the Mac Book and the Mac Book Air.

As slick as it looks, the cost-to-performance ratio of the MacBook Air will dissuade me from reaching for my Visa card for a while. I expect that the next iteration of the MacBook Air will reflect an increase in the amount of RAM available and an increase in the amount of storage available in the flash memory and in the hard disk options. When that happens, I will bite the bullet, deal with the connectivity issues, and get the MacBook Air. With a better price-to-performance ratio resulting from more memory and a larger solid-state drive, its sleek appearance and light weight will present an attraction most difficult to resist.

Apple also announced a combination wireless N router, storage, and back up device. It calls this marvel the "Time Capsule." The time

capsule will come in 1TB and 500GB memory *Courtesy of Apple.*

versions. It looks much like the current routers, and the 1TB version will cost

\$499. This package will work hand-in-hand with the Time Machine feature built into the Leopard edition of Mac OS X (10.5) to give you mindless, thought-free, and completely automatic back up. This is really cool. Whether or not you have your own backup regime in place, you will want this. I plan to get one for my house as well as one for my office.

Speaking of Leopard, if you have not already upgraded to it, do it! I have a MacBook, a MacBook Pro, and iMac all running on it now and have had very few problems (mostly relating to the Apple Mail program). Setting Mail up again solved those problems. Leopard boasts some 300 new features. The new features Leopard brings to the party make it a good investment.

One of Leopard's best features, the Time Machine, gives you automatic back up with some panache. As long as you have an external hard drive attached to your Mac and Time Machine turned on, the computer will back itself up on a regular schedule. Once the external hard drive fills up, Time Machine will erase earlier backups and replace them with more current ones. The program works quite nicely and allows you to quickly and easily recover a lost or erased file in a very short time and with very little difficulty. It does so with graphics out of a science fiction movie, showing you moving through time to the earlier version. As mentioned above, Time Machine also serves as the departure point for the connection to the newly announced Time Capsule.

Some of the other new features worth noting include:

- Spaces, which allows you to have four different desktops that show different things and serve as home to different programs all at the same time.
- Bootcamp has evolved beyond public Beta. It has official status as a part of the Leopard OS. It allows you to boot your Mac hardware up into the Mac OS or into a Windows OS.
- Quick Look lets you see a document or picture without actually opening up its application. It gives you an instantaneous view to let you decide if you have found what you wanted. I have found this feature very handy.
- The Finder evolves with a "Cover Flow" concept that lets you browse files as you browse music in iTunes.

For a more detailed examination of the new features in Leopard, go to www.apple.com/macosx/. Apple has put together a pretty decent introduction to its new OS.

Another big piece of news from MacWorld: Microsoft used MacWorld as the stage to introduce Office 2008 for the Mac. Yes, it finally happened—Microsoft released the new version of the Mac Office. Written for the Intel processor, the new version (no longer accompanied in the dock by the little "R" that means it runs through Rosetta) works much more quickly than Office 2004. It comes with a completely new to the Mac interface. I like the new interface—it has a clean and simple appearance. Once you figure out how to access all the features you have come to know and use, it works very well. In fact, I am creating this column in Office 2008, and the more I use it, the better I like it.

The new version of Office includes new templates, better graphics (including 3D graphics), better interaction between the programs, and, in the Media Edition, exchange server connectivity. It also shifts to the open XML document structure Microsoft used in its Office 2007 for Windows. After we have had the chance to explore it further, look for a more detailed review. First take, however, this looks like a worthwhile upgrade.

Until you upgrade to the new version of Office, you will need to get a converter for your Office 2004 to allow it to use the open XML-formatted documents. You can get it free from Microsoft: microsoft.com/mac/downloads.ms.

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