

Bar Bytes

Overwhelmed by Technology? Three Reasons Why It's Going to Get Better

By Courtney Kennaday

As lawyers, we are well into our second decade of computer-use in our practices. Most of us long ago abandoned our word processors and typewriters in favor of desktop computers. Even small firms now see the benefit and relative simplicity of networking two or more computers together. It is hard to find a lawyer anywhere in South Carolina who doesn't have an Internet connection and an e-mail address.

But not everyone has embraced technology. Lawyers trying to practice law today often find technology to be more hindrance than help. Instead of simplifying our practices, computers seem to complicate them. Just when things seem to be humming along, a catastrophe – like a computer virus or a serious malfunction – makes us question why we ever thought computers would make our lives easier. We are inundated with new technology products we *have to have*, but we're also subjected to dire warnings about the consequences of computer use (and misuse). Suddenly, we wax nostalgic for the “good old days,” before e-mail, the Internet and *computers* made everything so complicated.

For a long time, we lawyers dealt with law office technology issues in a piecemeal fashion, sometimes called “Band-Aid® technology.” Is it any wonder our law office technology left something to be desired? But what of the future – is it possible to keep technology in our practices, but also get back to basics? I think it is, and I have three good reasons why.

Reason number one: In the words of Dennis Kennedy, lawyer and noted technologist: “We are moving toward a time when we have technology that fits our tasks rather than having our tasks fit our technology.” In other words, technology itself is improving. We are seeing the advent of new law office-specific “practice management” software – software that promises to do everything from calendaring to accounting. Prices on technology keep falling, allowing small firm lawyers to benefit from technology large firm lawyers have enjoyed for years.

But it's not just that technology has improved: we now have a better grasp of the “big picture.” The rate of change in law office technology has slowed in recent years. At recent legal technology trade shows, many experts claimed that there were few new “killer apps” (plain English: the next latest/greatest thing). Instead, they recommended that lawyers learn to do more with the technology they already have.

Reason number two: We lawyers are getting better at using technology. If you doubt this, just count the number of things you automatically think of using the computer for now, as compared to 5 years ago. Even the attorneys who were originally most resistant to using computers now accept their place in the law office. Many lawyers would rather give up their telephone than lose their Internet connection.

Reason number three: We have no other choice. Not sure what I mean? How about these nine “motivators”: e-filing; security; ASPs (application service providers); electronic authentication;

mobile computing; trial technology; office efficiency; online research; communications tools; and client demands. We are rapidly approaching the “sink or swim” era: we can either find a way to make technology work for us, or we can get out of the practice of law.

Sink or Swim

Before you dismiss this idea as far-fetched, think about it. Will you wait until the last day before e-filing becomes mandatory to learn how to use PDF, or will you start planning for that day now? Will you wait until a computer attack brings your network and your practice to a screeching halt to learn about computer security, or will you start now? Will you wait until your opponent embarrasses you (and your client) in court by being better organized, or having a more convincing presentation to the jury, before you learn about trial technology? The time to act is now.

Postscript:

Courtney Kennaday is the Practice Management Advisor for the South Carolina Bar. She can be reached at 803 799-6653 ext. 183 or pmap@scbar.org. PMAP is a free benefit for all Bar members.