

Smart Women Lawyers, Foolish Tech Choices
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When it comes to your law office technology, you're just as smart as the next lawyer, right? Your PC's and printers are fairly new (at least, you're still paying for them). You bought a boatload of software programs, including ones tailored to your practice areas, and remembered to install anti-virus software. Recently, you even sprang for a DSL connection for your office. Sure, you don't pretend to be a "techie," but you're doing ok. Right?

Smart women lawyers everywhere are getting on the technology bandwagon. But are they making smart technology choices? Take a look at some of the biggest technology mistakes:

Tech Mistake Number One: Not Having a Plan

Admit it, the only plan you have is to make your current equipment last as long as possible. Every law firm needs a technology plan. Period.

Not sure how to make a technology plan? Start with an inventory of what you have, both hardware and software, noting when it was purchased. Then take a good look at your practice. Decide which areas need improvement, and make a list ("Want to track my time better" or, "Need a way to quit duplicating work effort"). Don't shop for software first! Many lawyers make the mistake of "self-diagnosis." Picture going to your physician, and instead of telling her your symptoms, telling her you've decided it must be arthritis, so she should give you "X" prescription. We know better than to try to practice medicine, but we aren't willing to concede that we aren't all technology experts.

So, ask the experts! Contact your state Bar Practice Management Advisor, who can help steer you in the right direction. Unsure who that is? (Hint: she is the author of this article.)

Tech Mistake Number Two: Not Having Adequate Disaster Recovery

'Disaster recovery' is a fancy way of saying 'backup your files.' All this means is saving a copy of your computer data to another electronic form - tape, CD-RW, zip disks, or another hard drive.

How you backup your files is up to you, but the experts agree on one thing: backup everything. This means data (like work product) and software programs. There are a lot of good reasons for this – what if disaster strikes, and you have to return your computer to its former state? Wouldn't you rather not have to recreate your myriad software settings, updates, etc.?

Part of your firm's technology plan should be a backup plan. Decide how you will backup your system files and programs. Tapes are the most practical solution for most firms. Commit to backing up every day of the work week. Purchase backup software that automatically performs the backup at a time you choose - usually after midnight. Aim for a ten tape rotation. After you use tape #10, start over again by writing over tape #1. With a quality tape brand, the tapes should last at least 12 to 18 months, being rewritten.

Also, store tapes off-site in a secure location. Consider "retiring" one tape each month and making it the archive tape for that month.

A word of advice: backing up to tape over a peer-to-peer network takes a long time. Explore other alternatives.

If you work in a firm with an information technology person (ie: computer person), you aren't off the hook for backups. If the backup procedure the computer person devises is inadequate, the lawyer is ultimately responsible. Frequently, the I.T. staff in law firms have devised a backup procedure that may be fine for another business, but not for a law firm.

Tech Mistake Number Three: Not Having a Firewall

If you are one of the legions of lawyers taking advantage of the new options for high speed Internet access in your office (DSL, cable modem, T-1), you've probably been in a state of bliss. No modem squeals! No Web pages loading at snail's pace! It's great, but it comes with a new danger: your computers are now wide open to the Internet-using world. Yes, you're part of that wonderful "world wide web," and there are bad "spiders" out there. Don't be paranoid, though. They aren't looking for you in particular, just any computer they can gain control of easily.

To stop them, you need a firewall for protection. A firewall can be either a software program you install, or a piece of hardware. You need both. If you use a piece of hardware called a router (it allows several people to share the internet connection), it probably contains a firewall. But don't assume this, find out for sure! As for a software firewall, there are a number of choices - some of which are both good and affordable.

Part Two

When it comes to technology, many lawyers don't think in terms of "choices." Issues arise in the context of "have to's" - "I have to get a new computer since my old one died," for example. Many firms use computers long after they have ceased to be effective, allowing attorneys and staff to become frustrated while the hours of "downtime" mount. Repairs become more difficult, as time is wasted finding compatible spare parts.

In Part One of this article, we discussed the importance of having a technology plan. A good plan will cover not only computer purchases, but also when and how they will be replaced.

In today's disposable society, the concept of planned obsolescence is ubiquitous. The computer industry trains consumers to expect a better, faster computer every few months. While the

industry is pushing an 18 month to two-year life cycle, thankfully, many technology consultants estimate the useful life of a desktop computer at three years after purchase. Sadly, the experts tell us a laptop wears out even faster – two years, on average. Some of the factors they consider include changing industry standards, new software and operating systems, lack of support for older products, and even normal wear-and-tear.

There is no doubt that older computers have more problems. If you know that a computer has a useful life of three years, shouldn't you have a plan for replacing it? More and more attorneys are resolving this issue by obtaining the computers through a true lease, with a fair market value buyout at the end. When the lease term is over, they lease new ones. The old PC's are usually turned in to the leasing company, which sells them overseas. Some firms allow employees to buy the old PC's for their homes.

A true lease allows you to have a predictable monthly technology expense, which makes it easier to plan your budget. Also, payments may be tax deductible. And best of all, you minimize "downtime."

What are some other foolish tech "choices" lawyers make?

- **Choosing to have minimal or no training on new technology.** Proper training seems obvious, but due to time and money constraints, it usually falls by the wayside. If you find yourself struggling with a software program, before you throw it out and buy something else, consider getting training.
- **Choosing to buy new software, computers, printers and copiers without doing their "homework."** Too often the choice is made by what is easiest or cheapest. Sometimes this works. Often it doesn't. Read reviews, check references, get at least three price quotes, and check on the Internet to see if the price is competitive. Two good web sites for checking prices: Price Grabber www.pricegrabber.com and Buyer Zone www.buyerzone.com.
- **Choosing not to fully investigate a reference.** When buying technology or choosing a technology consultant, word of mouth recommendations and warnings can be helpful, but they aren't everything. If someone warns you away from a particular product, find out exactly what they disliked. It may be legitimate, but it also may be the result of poor training, inexperience, hardware incompatibility, or even their failure to stay current with the software version.
- **Choosing not to update their Windows operating system or software.** Companies regularly release product updates or patches. Many of these patches correct serious security flaws – an issue of particular concern to attorneys. This recent example comes from the Microsoft Web site, and applies to Internet Explorer: "A security vulnerability has been identified in Internet Explorer that could allow an attacker to compromise your Windows-based computer and, possibly, read files on it. You can help protect your computer from this specific vulnerability by installing this update."

What's the best tech choice you can make in your law practice? Be proactive. Neglecting technology just leads to problems. Technology is not something that happens to you. Technology should be in your office to help you.

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