

## **Advantages and Disadvantages of Computers in the Legal Office**

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Computers in the law office have become a staple to what is a fast paced, strenuous environment. The legal environment rest on the pillars of deadlines for filing court documents, and pressing legal issues that are guarded by stringent statute of limitations that must be met in a proper timely manner or risk of forfeiture of a clients case or worse malpractice. Billable hours, are hours that attorneys and paralegals is an accounting model that law firms have adopted to charge their client. For associates, the goal is simple: meet the required (or expected) minimum number of billable hours to qualify for annual bonuses and salary increases. Billing 2,000 hours a year isn't easy. It typically takes at least 50 hours a week to bill an honest 40 hours to a client.<sup>1</sup> For partners, billable hours are a key measure of associate and partner productivity.<sup>2</sup> Due to the very nature of the legal field attorneys and paralegals are under time constraints placed on them by the court system, clients, statutes, and firm partners to maximize their the quality of their working hours. These obstacles are made easier to surmount due to the aid of computers in the law office.

With the legal field rapidly joining the automation era, knowing both the risks and rewards in regard to using computers in the law office must be weighed carefully in order to

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Steven Harper, *The Tyranny of the Billable Hour*, The New York Times, A25 (March, 29, 2013), [http://www.nytimes.com/2013/03/29/opinion/the-case-against-the-law-firm-billable-hour.html?\\_r=0](http://www.nytimes.com/2013/03/29/opinion/the-case-against-the-law-firm-billable-hour.html?_r=0)

mitigate the costs and maximize the benefits. There are many advantages for law firms to use computers and the software developed for the industry.

## ADVANTAGES

One of the most prominent reasons why computers and technology are in more demand in the legal field is their ability to not only create efficiency but to streamline time-consuming tasks and automate them. There are innovations in software created to run calendaring, docketing and attorney scheduling almost automatically. Lawyers work on cases (or matters or files). Although the client (a contact) may continue on for years, cases have a beginning, middle and end. There are other contacts, communication, documents, due dates, appointments, and billable time, all related to the case. Likewise, the lawyer may represent the same client for different cases, either simultaneously or sequentially all of which have related linked contacts, communications, documents, due dates, appointments and billable time.<sup>3</sup> Case management software like Abacus help manage and organize information and dates related to a case.

The ability to go paperless in the office cuts down on overhead costs for law firms. Electronic court filing allows staff members at a firm to file pleadings and documents from anywhere, and anytime. Digital files are better than paperless files because it is possible to encrypt them and they can be backed up. According to David L. Masters, there are three components to consider when converting to a digital documents only office. The most important item to consider is a scanner. The scanner must be able to combine the benefits of a flat-bed and sheet-fed models and be able to scan at least ten pages per minute. Software is the second

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<sup>3</sup> Susan L. Traylor, *Identifying the Best Practice Management Software*, Michigan Bar Journal, December (2011) <http://www.michbar.org/journal/pdf/pdf4article1951.pdf>

component to add to the formula of a digital office. Adobe Acrobat can scan incoming documents and converts it to a PDF, and allows for them to be stored and searchable, scanned pdf's are image only files that cannot be searched for a specific word. The third component is storage devices. The devices must be able to store to a network drive such as Snap Drive. Such storage devices must be equipped with speed at which documents can be retrieved. Fast hard disk drives (7200 -10,000 rpm) are preferred. If stored documents will be available across a network, fast Ethernet provide good performance at (10MB/second) and 801.1. Anything less will not provide enough bandwidth to work with large documents. <sup>4</sup>

## DISADVANTAGES

### Competency

Computer literacy is becoming a requirement in nearly every field and the legal field is no exception. According to Stuart Hubbard and Gregory S. Johnson, literacy was historically defined on whether a person could be read and write proficiently. "Those who are computer literate and able to use these technological tools to their best advantage will continue to progress, and those who cannot will be left behind." <sup>5</sup>

### Ethics of Latest Technology

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David Masters, *Setting Up the Paperless Office*, GP Solo Magazine, December 2003 [http://www.americanbar.org/content/newsletter/publications/gp\\_solo\\_magazine\\_home/gp\\_solo\\_magazine\\_index/setuppaperless.html](http://www.americanbar.org/content/newsletter/publications/gp_solo_magazine_home/gp_solo_magazine_index/setuppaperless.html)

Stuart W. Hubbard And Gregory S. Johnson , *Avoid Malpractice Automate Computerization Is A Necessity For The '90s*, ABA Journal, Sep 1993, p. 90, <http://books.google.com/books?id=All015RDQ-MC&pg=PA90&dq=computers+in++law+office&hl=en&sa=X&ei=o7J1UcK1K8WFiALckIHgAg&ved=0CDgQ6AEwADgU#v=onepage&q=computers%20in%20%20law%20office&f=false>

The latest technology that is on the rise in the law office comes in the form of mobility devices, such tablets, smartphones, and laptops. Attorney's use of such devices comes the risk of exposing confidential information about clients and their cases. Attorney's hold an ethical responsibility not only on keeping their clients information confidential but also in remaining thoroughly competent if their choice of technology. The American Bar Association Commission on Ethics 20/20 is currently in the process of reviewing the ABA Model Rules of professional Conduct and the U.S. system of lawyer regulation in the context of advances in technology and global legal practice developments, therefore releasing a Revised Drafts of Resolutions in the area in February of 2012.<sup>6</sup> In the revised edition includes recommended models for guidelines on safeguarding and establishing cyber security programs in order to preserve confidentiality.

One of the trends finding it's way into law firms is cloud computing. Delivery software to the computer you have. The software is not located on the computer or mobile device, instead the device is being used to access the software which is usually located in the data center of the owned by the vendor who developed the software. Because the software is delivered over the web, it is available 24/7 from any internet connection can leave gapping holes for hackers to infiltrate the data. Best safety practices for law firms investigating web-based software, 1) You're your local laws and local ethic guidelines, find out who owns the data and maintain ownership of your data. 2) Know where the data is stored in the event of a disaster 3) Know whether the data is encryption is placed on the data when it's stored and when it's transmitted 4)

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<sup>6</sup> ABA Commision on Ethich 20/20 Revised Draft Resolutions for Comment---Technology and Confidentiality February 21,2012  
[http://www.americanbar.org/content/dam/aba/administrative/ethics\\_2020/20120221\\_ethics\\_20\\_20\\_revised\\_draft\\_resolution\\_and\\_report\\_technology\\_and\\_confidentiality\\_posting\\_final.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/ethics_2020/20120221_ethics_20_20_revised_draft_resolution_and_report_technology_and_confidentiality_posting_final.authcheckdam.pdf)

Know that you can get your data back at anytime in the event the relationship dissolves with the vendor.<sup>7</sup>

### I.T. Costs.

The law office much like that of any business has one major objective. To profit and reduce overhead, and because lawyers went to law school many of them have to shell out a great deal of overhead maintaining their computer systems to more qualified IT professionals, especially in the event of a crash or power outage.

In review there are multiple ways that technology can be used to play the field in law offices and in courtroom procedure. Many of the methods of above are general information to outline what is available. As time moves forward the need for lawyers and their staff to become computer literate is quickly moving to a dire requirement in order to survive the game of obtaining clients and impressing them for future referrals. It is fair to assess that law firms can no longer survive the market with developing technology to meet the needs of the faced paced environment and allowing smaller firms to compete at a higher level. An electronically organized office and litigation practice give you very substantial operational and financial advantages. The cost savings, when coupled with appropriate changes in the attorney's attitudes and work habits will repay itself within months the costs of upgrading to faster computers, scanners and laser printers. Leading to a law office effectively practice and retain clients.<sup>8</sup>

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<sup>7</sup> Cloud Security Alliance, Security Guidance for Critical Areas of Focus in Cloud Compute V2. ( Copyright 2009) <https://cloudsecurityalliance.org/csaguide.pdf>

