

LAW OFFICE TECHNOLOGY PROGNOSTICATION FOR 2017

BY RICHARD MARX





I am a prognosticator. I come from a long line of prognosticators. My wife and all my children are prognosticators. I started prognosticating at a very young age. I have many prognostication awards on the mantle above my fireplace.

It might be helpful to let you know that I interact with the legal community as a software consultant, so I will prognosticate about law offices that will one day use software to practice law on Mars.

No, sorry, I got carried away, and this article is only about changes for this year.

So at the risk that you may not finish the article, here are my short answers. What does the future hold? I don't know. What changes will we see in 2017? Not many. So maybe I will start by looking back. Sometimes I think of new innovations as an erosion process—a sort of melting away of what is not working or being accepted to reveal what actually works that people will adopt.

By the end of 2017, more people will use more smartphones to do more things than ever before. Yes, the times they are a-changin'. Let's get some of the obvious things out of the way up front. You can see I have a lot of practice with prognosticating. Richard, you ask, what does it all mean? Uh, get a website, make sure it works on a smartphone, and make it do stuff so people will go to the site. It used to be cool just to have a website. Not anymore. You used to have to pay someone extra to develop a mobile website design separate from your regular website. Not anymore. And it used to be okay if your website was just a fancy business card on the Internet. Nope, not anymore!

Several of my clients as well as my own company took a giant leap of faith and rebranded this past year. This meant rethinking our old website and online presence. I built a new website for my company and was delighted to find out that the interface to allow tablets and smartphones to navigate my site was built in.

By the end of 2017, more clients will go online and do more things to help manage their case than ever before. Are you starting to see a pattern here? How about a client portal, or, plainly put, why not have the clients do their part and fill out information that can go directly to your firm's database? Share the case and stop those client status calls. Oh, and while you're at it, get them to schedule their own appointments; generate tasks and reminders; review, upload, complete, and sign documents; pay their invoice and more—all online. Much of this will be done on smartphones, including reminders via text messages.

By the end of 2017, more law firms will have a single phone system run by web-based software than ever before. This one is still sneaking up on some firms. With voice-over-Internet phone (VoIP) systems and the integration with mobile phone service and practice management and billing programs, a whole new efficiency is being discovered. The features are astounding, and the opportunities are many. Coordinated plans with a virtual

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receptionist and auto-attendant along with office and mobile phone paring takes how we interface with prospects, clients, and each other to a whole new level. Throw in call logging and billing, and this is a technology that pays for itself immediately.

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tracking, accounting, depositions, postage, document vaults, and you name it software can all work together. Whew, I think I'm using up my comma allowance.

By the end of 2017, more law firms will access their software management system in the cloud than ever before. I



By the end of 2017, more software programs will do more things by integrating with other software than ever before. I am thinking about teaching a class on prognostication—online, of course. Some software programs have actually become software platforms. Now, wait a minute, what does that mean? One software company developed a basic yet comprehensive practice management and billing software program. It is web-based and has something called an open API. (No teasing here, it stands for application program interface. This is the highly technical part of the article.) Simply put, the software company made it easy for other software developers to make their apps work with them. Five years later, there are some 50 apps that integrate with the software, and more are on the way.

Then someone decided to develop a program that lets hundreds of apps work with each other. If you're wondering if this is popular, it took only four years for the company to get to 1 million users. So, e-mail, calendars, documents, online payments, client relationship management, intake, research, rules-based docketing, smartphones, VoIP phones, digital signature, medical records retrieval, virtual receptionist, chat, web page intake forms, estate planning, family law, intellectual property, lead generation, remote access, online conferencing, time

can't believe I got this far without using the word "cloud." Ah yes, *in the cloud* has got to be one of the vaguer terms used in the technology world. Here is what I mean: You access one or more servers using the Internet to interface with your software and data. There, I said it. Of course, the server(s) could be anywhere, including right there in your office or in that nuclear hardened cave in the side of a mountain somewhere, where nobody knows. (Do they really do that?)

One of the best reasons for a cloud or web-based system is often the least recognized and least understood. Most virtual desktops work from the ability to install all your different programs just one time and then allow multiple users access to these programs from their desktops with their individual log-ins. Your IT company may not like this, but if the company is any good, it will point out that this eliminates a lot of headaches caused by the difficulty of getting all of those workstation computers in your office to play nice with the software. By the way, "headaches" is a code word for dollars out of your pocket troubleshooting software and hardware problems. Internet access means mobility from multiple locations (can you get to the Internet?) on multiple devices (yes, you can use your Mac). Is this catching on? Take a look at all of the freelance paralegals and

in-house staff who work remotely.

The rest of the cloud issue is about who does what and how do you pay for it. The cloud provider can probably make things safer and more reliable than what goes on in your office closet. They can take care of those pesky updates and upgrades along with a backup plan. You can pay for the service as a subscription, which might just help even out your cash flow. Also, there are more options for individual cloud-based programs such as practice management systems discussed previously. And it's getting really hard to purchase Microsoft Office without the cloud solution and a subscription pricing model, so I guess we had better get used to the idea.

By the end of 2017, more law firms will need more training than ever before. Who started this idea that we don't have to learn how to use technology? How many times have you heard "Hey, guess what? No training needed!"

So you can purchase computers, move to the cloud, integrate software systems, and get a new smartphone, and no one will insist that you get trained before they take your money. Now this sounds like quite a benefit for the people who sell stuff, but, unfortunately, not so much for you. I have got my prognosticator hat on, and I am again looking back. With the 50 to 60 firms I have worked with in the last 12 months, I am seeing a trend. We have gotten about as far down the road as we can by being told that the software is "really user friendly" and, well, because you are a user, you can just use the software.

Firms that have been around for a while are remembering that they actually used to train their people how to do stuff. Wow, we're just not sure how that concept got away from us. I recently read an ABA article that purported that law graduates are getting less training on technology than graduates from five years ago. *What?* Often I get the call after the firm has tried the "no training needed" method with several different software programs. It is really expensive to try something new every six to 12 months. It is also expensive to clean up the mess. Less experienced attorneys and firms have also tried the "no training

needed” method only to find out that their competitors are actually getting the job done more efficiently and with more accuracy, all of which translates into a more competitive practice. How, you ask? They actually get the benefits out of the software with proven procedures. The buzzword is metrics, but the idea is not new: You can’t manage what you can’t measure.

The good news is that I am seeing a change in the trend. I am getting more and more calls where the right questions are being asked. Here is a good one: “How can I use technology to better serve my clients?” From my perspective, it is one of those pay me now or pay me later kind of deals. Getting it right from the get-go is so much more fun (and less expensive) for everyone.

By the end of 2017, more firms will turn to someone to help them figure out how to get all the cool new stuff they bought to actually work and make the firm more money, even though they haven’t really figured out what to call that person. I will confess that I haven’t figured this one out yet. Sixteen years ago I was the blankety-blank software guy. I have been an Authorized Independent Consultant (AIC), a Certified Independent Consultant (CIC), an Advanced Certified Partner (ACP), a Gold Certified Partner (GCP), and just the Software Guy (SG) . . . in a Hawaiian shirt. The industry suggests that we really don’t have a good title for what I and others like me do for our clients. How about Solutions Engineer (SE) or Application Integration Guru (AIG)? Coach seems to be popular—as in Solutions Engineer and Application Integration Coach (SEAIC). Do I get to impose fines and call for extra practice? I think I am going to go with one of my faves, Super Ninja Advanced Partner (SNAP). My wife likes EIEIO. You get the idea.

So, until 2018, stay hungry for the better way and don’t forget to have fun. It will all work out. ;-) ■

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