

# Derechos and Sandy Make Compelling Cloud Arguments

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Earlier this year, we had a violent 24-minute derecho in Virginia – and lots of law firms went down. Lawyers, when their technology bellies up, panic. Immediately after the derecho, law firms started asking us about moving to the cloud.

John and I were long-time cloud curmudgeons. Not until we carefully considered the words of law practice management advisor Jim Calloway did we begin to change our minds. Jim said, in his Oklahoma drawl, “I’m kinda thinking that cloud providers offer better security than the average solo or small firm lawyer for client data.”

Sadly, that is true. Most smaller law firms pay little attention to data security, even in the wake of all the recent law firm data breaches. By way of contrast, a datacenter (because that’s where data in the cloud resides) would rapidly be out of business if it didn’t provide adequate security.

Now that we have survived Hurricane Sandy, more law firms are already asking about moving to the cloud. Honestly, natural disasters are making an excellent argument for moving to the cloud. Datacenters offer the glorious “five 9s” - 99.999% uptime for electricity and Internet connectivity.

The law firms who have had us move them to the cloud were just fine during Sandy. One lawyer noted that he moved back and forth between drafting a document for a client and tying down furniture on this deck. Sandy made multitaskers of us all. John and I brought in all the garbage/recycling cans and Halloween decorations while writing articles and addressing client concerns about the impact of Sandy from home.

More and more law firms will undoubtedly make the choice to head for the cloud. Even if lawyers have no power at home, many datacenters (including ours) offer offices for rent so lawyers can gather there to work. In our highly competitive profession, we simply cannot be out of work for long – and clients will begin to notice which law firms are reliable during disasters and which are not. That alone will drive law firms to the cloud, because the ability to work when others cannot is a true differentiator.

The real sticking point is getting the average datacenter contract to address the ethical requirements for lawyers. The larger cloud providers (like Amazon and Apple’s iCloud) rarely

budge on terms, but the smaller ones are apt to be more flexible in order to get your business. It took three rounds of negotiation before we got an agreement we were happy with, but once that was behind us, we started moving clients to the cloud, slowly at first, but with increasing confidence as we ironed out the wrinkles.

If the “cloud” scares you, it is reassuring to take a physical tour of the datacenter you are considering. The physical security of a good datacenter is impressive. We have to use our proximity cards (complete with name and picture) and biometric access (fingerprint reader) two times just to get into the lobby – plenty of time for the security folks to eyeball us and to lock the center down if something seems amiss. Twice more, we go through the same drill before actually getting to the room where our data is housed. Even there, each company has their own locked cabinets containing their computer and network equipment. And you are on camera just about everywhere but in the restroom. Even the watchers at the entrance are themselves watched by cameras.

So . . . if you are thinking about moving to the cloud, this may be a good time start investigating the process. Blizzard season is almost upon us!