Review: 2017 Solo and Small Firm Technology Guide

Why should you read this book? There are two reasons. If you are starting up a small firm or considering upgrades it provides invaluable advice. There is a second reason, perhaps even more important. As Jim Calloway notes in his introduction, the ABA revised its Model Rules to require that lawyers be competent with the technology tools they must use today. 26 states have followed suit and the number is increasing monthly it seems. If you sometimes wonder whether the technology you use is actually productive for your firm or if you are losing ground to competing firms, reading this book will bring you up to speed and give you a pretty good idea of where your firm stands from a technology point of view, even if you choose not to make changes. Increasingly, the argument "I'm a lawyer, not a techie" (in whatever version it is formulated) is simply not going to be ethically acceptable.

This is the tenth yearly edition for the Solo and Small Firm Technology Guide by Sharon Nelson, John Simek and Michael Maschke. As such, the changes from year to year are sometimes minimal, but they always focus on what's changing and new areas of concern: this year these items include massive data breaches in law firms (the Panama Papers). There are also very useful chapters by Jennifer Ellis on social media and in particular security, privacy and ethics considerations in using them and on the "iPad for Litigators" by Tom Mighell and Paul Unger. David Bilinsky offers an excellent overview of the process and parameters involved in "Taking Your Firm Paperless."

Since the book comes our yearly, the changes from one edition to the next are sometimes minimal, but they always focus on what's changing and new areas of concern: this year these items include massive data breaches in law firms (the Panama Papers). Of course, they are always cornered by print deadlines and new items that appear the day after (or so it seems) the print deadline. This year, the book still includes an (inexplicably positive) review of LexisNexis' Firm Manager, although Lexis Nexis announced on January 30 that it was discontinuing Firm Manager in order to maximize its "growth trajectories and various opportunities in our portfolio." Read: this product was always a dog and we're getting rid of it.

The thing I have always appreciated about this book is that the authors actually have opinions and are not afraid to express them. Of course, it also helps that by and large I agree with them, although with the occasional caveat. In addition, they cover what is necessary for a complete office starting from scratch – hardware, operating systems, peripherals, printers, scanners, monitors, etc. They rightly note that they can't cover everything and have tried to provide "best of breed" advice. If you follow their recommendations you may not make the best decision possible, but you won't make a bad one.

The perfect is the enemy of the good.

A friend of mine used to say "every year I know 10% more and fall 15% further behind." Reviewing software is like that. The book simply cannot provide detailed reviews of software, so the authors stress the need to get trial versions of anything you are planning to use and "kick the tires" a bit.

The book rightly pays a lot of attention to security issues, especially for mobile devices. At the same time, they are realistic ("we know so many lawyers will ignore our advice…") and offer fall-back options that may at least deter casual hackers or simple thieves who grab your laptop or smartphone. After all, as they note, one out of every 10 corporate laptops is stolen or lost every year. They strongly recommend against using iPhones based on their woefully inadequate security provisions. They rightly insist that the main way to protect your data is to encrypt your entire hard drive. If you do any substantial traveling not to do this is like never locking your door. You should definitely change passwords periodically and use a password manager or program such as LastPass or eWallet.

Lastly, the book contains a chapter on "favorite utilities" which should be reviewed carefully. Some more industrial strength programs may include functionality provided by single-function utilities. Thus for example, the using Worldox document management system would eliminate the need for a separate indexer or viewer. On the other hand, stashed among the utilities are indispensable programs such as password managers, the Snag-It screen capture utility, the Payne Group's Metadata Assistant and more. Some of these utilities (different strokes for different folks) will be indispensable in rounding out what you need for an efficient practice.

It may seem a bit churlish to complain about things that are missing in a book that has so much to offer. But that's never stopped me. So here are some Quibbles and a wish list.

The main item that is left over from my complaints of a year ago is electronic signatures, which are not even mentioned. This is a coming thing and I am getting more and more requests for information about it. Some of my small clients with large volume transactional practices (real estate, insurance defense) swear by it. The three main players are DocuSign, Adobe's e-Sign and a new program, Citrix's RightSignature.

In terms of hardware, I put in Solid State Drives (SSDs) on my main computer and laptop a while ago. The speed difference is mind boggling – I would never go back. Prices have come down to the point where the difference is more than made up by the amount of time you save just on booting your computer every day.

Programs that I wish had been mentioned but weren't: Case Management - Action Step; Document Management - MetaJure (even though I don't consider it a serious document management program it has gotten a lot of play).

They have a section on "The Rise of Client Portals" and refer to Portals in the chapter on Collaboration. By next year, this will probably take up more space.
-John Heckman