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Technology and Law Firms:

Is Your Attorney Up to Speed?

By George N. Saliba, Managing Editor

Computer servers in the massive data room at the law firm of **Gibbons P.C.**, Newark, generate enough noise that one has to speak slightly louder than normal, in order to be heard. This “nerve center” room centralizes 95 percent of Gibbons’ IT needs (including those of its offices in Philadelphia, Trenton, Delaware and Manhattan), and ultimately enables a staggering array of technology uses ranging from remote access and videoconferencing, to Voice-over-IP on a converged network, to name a few examples.

Clearly, technology is ubiquitous in the broader business world, yet its use in the legal profession has been rather specific: attorneys can more easily research the law and also communicate with each other – or clients – more efficiently.

June M. Inderwies, Gibbons’ executive director and

chief operating officer, says technology saves the firm’s clients money via its efficiency. Furthermore, echoing other law firms’ sentiments, she asserts technology is not separate from the firm’s various other initiatives and is “just as important as turning the lights on.”

Technology, the Time Saver

Michael P. Weiner, a partner in Pepper Hamilton LLP’s Princeton office (the law firm also has offices in Manhattan and nine other locales), concentrates on transactional matters for both small and large businesses. Weiner remembers the “old days” of acquisitions, when the seller company would create a room filled with multitudes of boxes and file folders containing proprietary information that a prospective acquiring

company could examine. Physical access to the room was carefully controlled.

In contrast, for today's mergers and acquisitions, appropriate documents are scanned and organized, and then placed on a secure computer where they can be remotely accessed by all authorized parties who have the necessary computer passwords. No physical room is needed.

"This creates significant efficiencies," Weiner explains.

Meanwhile, the different technology of videoconferencing saves attorneys in various specializations time and money; law firms need not actually fly their attorneys to, say, Oregon, when the lawyers can easily sit in a New Jersey conference room and speak to and see persons in another state.

Yet another tool – remote access – allows attorneys to work in places other than at their office desks (i.e., a hotel or at home) by remotely connecting them to their law firm's computer network.

Furthermore, advanced phone systems, among their other capabilities, enable attorneys who are out of their offices to be reached on their cell phones (a client can dial the attorney's office phone number and be seamlessly connected to the cell phone).

Meanwhile, for legal research, Westlaw and LexisNexis have been around for years, enabling attorneys to access relevant information.

More recently, blogging, podcasting and videocasting have helped law firms keep their clients educated. Richard DeLuca, director of business development at Stark & Stark (Marlton, Princeton and three other locales), says his firm has been creating blogs since 2004, presenting a "daily newspaper" of legal developments in various legal disciplines, for clients to read online. The firm has also been podcasting since 2005, and DeLuca

estimates there are more than 70 of these five-minute legal updates that can be downloaded to clients' iPods or Mp3 players.

Outside of disseminating information, DeLuca says wikis have been useful when several attorneys are working on the same matter (a wiki is a type of computer software that permits collaborative editing). This, again, relates to the motif of saving time and money. DeLuca says, "Instead of sending group e-mails about every single development that ever took place [for the creation of a document], everybody, with a wiki, has the ability to just go to one secure page online and they can add their own notes and [written] text about developments, or what happened."

Also, there is no concern one person might be editing document version "No. 4" while another key person is editing the document's version "No. 7."

What Technology Means

Overall, DeLuca says, certain technology "comes down to 'how can we best serve our clients by staying in front of them and [also] giving them the information that

they need . . . If there is information that you need either about your case or your pending legal issue, you want to find a law firm that can easily communicate and get you the information that you need. That is where technology has shown itself to be so integral to the practice of law."

BlackBerry® communication devices have changed the face of the attorney/client relationship, since they require lawyers to be available at all hours. Pepper Hamilton's Weiner says, "It is very hard to say you are ever really out of touch, unless you have managed to identify that one remote island somewhere in The Grenadines, where BlackBerry doesn't work."

Yet, Weiner praises BlackBerry's ability to allow him to scroll through his messages early in the morning and identify issues he may face during the day. "Overall, it allows us to accomplish more in the course of a normal workday, but it does raise client expectations as to how reasonably they expect to receive work product from us."

Patrick C. Dunican, Jr., managing director at Gibbons P.C., says all 220 of the firm's lawyers have BlackBerry devices and that this

The data room at Gibbons P.C., Newark.



enhances the relationship for all parties, because clients can have legal questions answered “very quickly.”

“Sometimes too quickly,” he adds. “We tell our lawyers: ‘Don’t think with your thumbs.’ Say, [for instance], a client lobs in a question via e-mail. You want to shoot from the hip, but we tell our [lawyers], ‘Slow down, make sure it is right before you get back to the client.’ ”

High-Tech Security in a High-Tech World

As technology in its many forms expands in the legal world, data security concerns move in tandem. “We use the same kind of security that the U.S. Department of Defense uses to protect its systems from the outside,” says Steven Marks, chief information officer at Sills Cummis & Gross, P.C., Newark (offices in Newark, Princeton and Manhattan).

He adds, “[Security] is absolutely a concern because as we have moved to more electronic forms, there is a very sophisticated subculture of [computer] hackers out there. Maintaining the privacy and integrity of our systems is critical to our operations.”

Robert Tivey is the IT director at Wilentz, Goldman & Spitzer, P.A. (offices in Woodbridge, Eatontown, Manhattan, Philadelphia and Pittsburgh). He explains that for remote access, attorneys use a security device commonly called a “fob.” Often small enough to fit on a key chain, the fob displays a new security code every few minutes. When attorneys use laptops or home computers to access the law firm’s network, they must enter a password and a PIN, in addition to the code being displayed by the fob at the log-in moment. Obviously, the law firm’s computer system knows the fob’s correct code at any given time. Since the fob’s code changes so frequently, a potential

LAWYERLINKS HELPS KEEP ATTORNEYS SHARP

Forty-eight-year-old Eric Korb, who has spent almost two decades of entrepreneurship in software and high-technology companies, has taken his IT expertise to law professionals with LawyerLinks, LLC. The Warren-based company provides attorneys with a way of researching legal matters without the use of search and out-of-date paper-based offerings.

“The cost factor involved in not adopting technology can be enormous,” Korb explains, “as delays in obtaining information can have an impact on filings, mergers and acquisitions, and on deals that may not go through as a result of not having accurate information in a timely fashion. All of this can have a possible effect on stock prices, leaving shareholders at risk.”

LawyerLink’s mission is to improve the way decision makers access essential information about corporate compliance, finance, and filings, and help improve overall management. The company’s topic-oriented service, called Advantage, enables attorneys to quickly find answers on point, study unfamiliar topics and keep up-to-date on the newest developments, all from one unified source, says Korb.

In 1990, Korb created ComLinX, Inc., an early mover in Internet companies that offered web-based teleconferencing through his trademarked “Webinar” term that became synonymous with online seminars. Earlier, he founded Xecute, Inc. that enabled computers to cross-communicate through a TCP/IP protocol. It was sold to General Electric.

The year before, he founded Access Graphics, Inc. by merging his CADsource with two similar firms which resulted in a partnership with Digital Equipment Corporation and Sun Microsystems, Inc. and \$2 billion in sales. GE purchased the firm in 1991.

hacker would have no use for the code beyond the short period of time it is displayed.

Overall, Pepper Hamilton’s Weiner says his attorneys are incessantly on guard against including particularly sensitive or confidential information in e-mails. Furthermore, on the transactional side of his practice, attorneys assign code names to projects.

He explains, “If somebody, for whatever reason, got their hands on an e-mail that had a discussion about negotiations between two parties, well, that information would be really of no competitive benefit to them.”

He concludes, “There are some pretty high-tech and relatively low-tech things we do regularly in order to preserve the privacy and confidentiality of our communications.”

What Technology Should a Law Firm Have?

Not many law firms have the luxury of moving into entirely new offices that they can update with

the latest technology. However, Gibbons P.C. did just that last February. It even has the naming rights to its relatively new home at One Gateway Center, Newark. After providing *New Jersey Business* with a tour of its offices – which, among other features, has a technologically-advanced moot court room, VoIP phone systems (with massive capabilities) and technologically-sophisticated meeting rooms – Dunican asserted:

“There is no [law] firm that has this kind of stuff. But, we moved in here after designing it for 18 months or so and the next firm [in the market] that moves will have all of this stuff, because they hear about it. Architects who have been in here will be trying to promote this kind of set-up and layout to their other clients.”

While law firms may have a range of technology, Deluca’s Stark & Stark (another law firm on the cutting-edge), says prospective clients may want to ask a law firm if it has the technology the client needs.

“[Clients’] technology needs are different . . . If technology is a con-

cern for a small business owner, he or she should ask what technologies are available, saying, 'These are the things that are important to me. Does your law firm utilize this technology? This is how I am most comfortable communicating. This is the best way of reaching me.' [At Stark & Stark], we have really seen our clients' technology sophistication range from people who are not interested in technology at all, to people who want secure Extranets set-up for them. And we're fortunate that, with our size, we are able to meet any range of needs."

Future of Technology and Law

Tivey, at Wilentz, does not think technology is going to peak in the legal profession, but he believes there may be increased multi-media and video use.

"I'd say if you get more voice recognition on these BlackBerry-type devices, you'll be able to do even more with them," he says.

Some technology today is software-driven, such as the ability to sort courthouse filings. At Gibbons, for example, a computer sorts vast court filings as they occur and automatically searches for the names of the firm's clients. Then, the computer system e-mails all the attorneys responsible for those clients. The attorneys aren't forced to search through the raw filings themselves.

Says **Michael Aginsky**, director of information technology, "It is a whole different world for the [attorneys], because here is a message to which they have to pay attention. Maybe if they have time and are looking for new business, they'll scan some of the other e-mails."

Conclusion

Max Crane, a member of the firm and deputy managing partner at Sills Cummis, concludes, "I think [technology] is in general, a blessing. There may be less personal time and space than in the

old days, but technology allows people an unbelievable amount of flexibility in terms of producing a product . . . If you are late for a meeting now, instead of showing-up late, you can call ahead. If you are on vacation and the clients are anxious about you being on vacation, you can make sure you are available – you don't have to cancel your vacation and disappoint your children . . . [Technology] has to be used smartly and I think whatever initial reservations there are, it can't be denied that the flexibility for both client and lawyer has increased unbelievably." §