

# THE DAILY RECORD

WESTERN NEW YORK'S SOURCE FOR LAW, REAL ESTATE, FINANCE AND GENERAL INTELLIGENCE SINCE 1908

## LegalCURRENTS

### A look at lawyers' use of technology in 2011

The results of the American Bar Association's annual legal technology report, the 2011 ABA Legal Technology Survey (available at [www.americanbar.org](http://www.americanbar.org)), were released over the summer and include some interesting statistics. Apparently lawyers, although historically slow to adapt to change, are increasingly using emerging technologies in their law practices.

This is because the impact of certain technologies cannot be denied. Specifically, Internet-based and mobile technologies, including cloud computing and social media, are profoundly affecting both our personal and professional lives. For that reason, lawyers are now incorporating these new tools into their law practices at rates never before seen.

First, let's turn to cloud computing. For those unfamiliar with the concept, it simply means that data is stored on a server owned by someone else and the data is then accessed from any device with an Internet connection. Popular examples include Web-based email such as Gmail or Hotmail, document creation and sharing via services such as Google Docs or Microsoft Office 365, and online document storage through such services as DropBox. There is also an increasing offering of cloud computing platforms developed specifically for lawyers.

According to the ABA's 2011 survey, 23.2 percent of lawyers use online platforms to create and share documents, 22.8 percent use online services for messaging and communication, 17.2 percent for invoicing and bill payment, and 15.3 percent for scheduling and calendaring. Another interesting statistic: 23 percent of responding lawyers now offer clients access to information relating to their case via a secure online portal, a practice that I believe will be commonplace within the next few years.

The reason attorneys are moving toward cloud computing? Convenience. Seventy percent of attorneys that use these services cited the ability to access data from anywhere as the main incentive, while 55 percent stressed the importance of 24/7 access to data.

Simplicity and affordability were also cited as important fac-

tors. Low cost was important to 49 percent, quick start up time was a factor for 44 percent and 43 percent appreciated the ability to eliminate IT staff and software management requirements.

The main reason lawyers are reluctant to use cloud computing technology? Lack of familiarity. Hopefully my book about cloud computing, which will be published by the ABA this fall, will help to alleviate that problem. Other reasons cited by those concerned about using cloud computing in their practice include confidentiality and security concerns (47 percent) and the lack of control over data due to outsourcing it to a third party (41 percent).

Next up, mobile technology. Like the general population, lawyers have quickly adapted to this revolutionary change. Smart phone use rose from 79 percent in 2010 to 88 percent in 2011, with 46 percent of lawyers using BlackBerrys, although that number drops to 33 percent for small firms with two to nine attorneys.

Interestingly, since 2010, iPhone use increased dramatically and is now at 35 percent overall and at 46 percent for small firms with two to nine attorneys. Android phones also have a respectable showing and are used by 17 percent of responding attorneys.

Tablet use is also on the rise, even though the iPad was just introduced in June 2010. The iPad is used by 89 percent of those lawyers who use a tablet device for work-related tasks and 15 percent of respondents used a tablet to conduct work while outside of their primary workplace. For firms with over 500 attorneys, that number increased to 26 percent.

Finally, let's turn to social media. LinkedIn was, by far, the most popular site used by individual lawyers, with 62 percent using that site, followed by Facebook at 22 percent and Twitter at 6 percent. A total of 73 percent of respondents reported using social media sites for career development and 71 percent used them for networking. Although 53 percent of attorneys participating in social media reported using it as a client development tool, only 12 percent obtained a client directly or via a referral

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as a result of their participation in social media.

The bottom line: Lawyers are doing a respectable jog of learning about new technologies and incorporating them into their practice. I believe the reason our profession is keeping pace so well is because lawyers realize that these new tools make their job easier and provide a level of convenience and flexibility never before seen.

Most lawyers now recognize that these newfound technologies aren't the enemy. Instead, they are simply innovative, affordable

tools that allow lawyers to better serve their clients. And, at the end of the day, isn't that what's most important?

*Nicole Black is of counsel to Fiandach & Fiandach in Rochester. She co-authors the ABA book Social Media for Lawyers: the Next Frontier, co-authors Criminal Law in New York, a West-Thomson treatise, and is currently writing a book about cloud computing for lawyers that will be published by the ABA. She is the founder of lawtechTalk.com and speaks regularly at conferences regarding the intersection of law and technology. She publishes four legal blogs and can be reached at nblack@nicoleblackesq.com.*