

THE DAILY RECORD

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

Practicing Law in the 21st Century

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Rapid technological advancements have changed the way the world functions; the practice of law has not been exempt from this change. The landscape of the legal field has been dramatically altered by the advent of high-speed Internet, email, data phones, and remote office capabilities. Law firms are now grappling with issues of e-Discovery and e-filing is becoming commonplace.

These issues have been at the forefront of my mind in recent weeks, as I prepare for a CLE that I'll be participating in at the MCBA on May 15, 2008, from 9 am-noon: "Practicing Law in The 21st Century — Practice Management and Substantive Law Resources on the Internet." The goal of this CLE is to make technology more accessible and useful to lawyers in their practices.

Technology has made the practice of law simpler for some, while other attorneys find themselves struggling to keep up with the changes or, alternatively, ignoring technology in the futile hope that it will simply disappear.

The fact remains, however, that technology is here to stay. In order to succeed in a rapidly evolving marketplace, lawyers must embrace change and learn to use technology to their advantage.

Computers and the Internet can be used to improve all aspects of a law practice. The Internet and data phones allow lawyers to obtain information anywhere, anytime. Office servers can be accessed remotely on data phones or home computers, thus allowing lawyers timesaving flexibility. A lawyer in the middle of trial can now step into the hallway and conduct legal research via a data phone.

Vast amounts of information relevant to the practice of law can be obtained online. In addition to the traditional Web-based legal research companies such as Westlaw and Lexis-Nexis, there are now low-cost Web-based research alternatives available.

And, if you know where to look, large amounts of information can be accessed online at no cost, including case law, both federal (1997-present) and New York (from 1995 to the present). New York and federal rules and regulations are also available, as are New York State Attorney General opinions and the 2007 Codes of New York State.



Online resources can keep attorneys current and on top of changes in their specific areas of practice as well. Online news articles and legal blogs are great tools in this regard.

There is also a vast assortment of cutting-edge resources available on the Internet to assist attorneys in managing their productivity and their law practices. There are low cost Web-based practice management systems that can replace traditional software. Free Web-based email, calendaring systems, word-processing, and phone and fax systems can replace traditional and costly alternatives.

Networking opportunities abound online. Between listservs, professional networking sites such as LinkedIn and social networking sites such as Facebook, lawyers have more opportunities than ever to interact with and learn from lawyers across the country.

Of course, technological change has made certain aspects of legal practice more difficult and confusing. The most evident example of this is the ever-prevalent issue of E-discovery. Since the amendment of the Federal

Rules of Civil Procedure in December 2006, businesses and their lawyers have struggled to respond to e-Discovery requests and to alter their business practices in order to preserve e-data and thus avoid sanctions under the new rules.

Fortunately, there are a number of free and useful resources on the Internet, which can assist attorneys in complying with the new rules. In addition, there are companies that now assist businesses with the e-Discovery process, such as DocuLegal.

There is no question that technology has transformed the legal profession and will continue to do so in the future. Rather than keeping your head in the sand, why not embrace technological changes and learn to use them to your advantage? The short-term investment will be minimal and the long-term pay off will be huge — not a bad trade-off, all things considered.

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