

The Future of the Profession and the Role of Technology;

Tools to Help You Succeed in an Office or Long Distance Practice

10:00-10:15

Janet K. Welch

10:15-11:00

Scott Bassett

Marla McCowan

Thursday, October 6, 2016

Webinar Presentation, Marquette, Michigan

SBM
STATE BAR OF MICHIGAN

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The State Bar of Michigan has verified this Lawyer's status, however the photo and profile information have been provided directly by the Lawyer. Neither the State Bar of Michigan nor Zeekbeek recommend or endorse any lawyer.



LORI A. BUTEWEG

Lawyer - Active



Focusing in domestic relations litigation, mediation, arbitration and collaboration with a sharp eye on the best interests of children and careful financial analysis.

\$350 - \$350 - hourly range

Profile Blog Publications Friends

Active and in good standing

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Contact

Biography

Having spent nearly 26 years practicing law, I can honestly say I love being a lawyer because of the unique opportunity it gives me to help people at times when they need help the most. Dealing with complicated facts, urgent issues and challenging personalities is a routine part of my daily life. I fend off stress with exercise, yoga and a wonderful support staff.

Practice Area

family law

Payment Options

Rate

\$350 - \$350 - hourly range

MICHIGAN LEGAL HELP

Helping Michigan residents solve their legal problems

English

Español

Please Tell Us What You Think

Make a Donation



Welcome



Self-Help Tools



Organizations & Courts



Welcome to Michigan Legal Help

The Michigan Legal Help website was created to help people who have to handle simple civil legal problems without a lawyer. There are articles you can read to learn about a specific area of the law and toolkits to help you prepare to represent yourself in court. Some forms are completed automatically once you answer simple questions. The Michigan Legal Help website does not provide legal advice, and it is not a substitute for having a lawyer. If you need more help, you can search the website for a lawyer or community services in your area. The website does not cover all areas of law, but we are adding more information all the time. Please [tell us what you think](#) and let us know if we helped and how we can improve this site. For more information, watch the [Welcome video](#) or [User's Guide video](#).

Welcome to Michigan Legal Help

Welcome to



MICHIGAN LEGAL HELP

Self Help Tools



Family

Divorce, Custody, Parenting Time, Child Support, Annulment, Separate Maintenance, Paternity.



Protection from Abuse

Domestic Violence, Stalking, Personal Protection

Organizations and Courts



Find a Lawyer

Find a lawyer in your area to help you with your legal matter.



Self-Help Centers

Find a Self-Help Center near you to get additional



Account Logon

Please enter the **email address** used at registration time as your username and the associated password to access your TrueFiling account.

Username (Email Address):

Password:

Logon

Your username is your **email address**. If you cannot remember your password, use the [reset password](#) page to request a new password.

**View Available
TrueFiling
Courts**

Making Connections



Why is technology important?

“To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, **including the benefits and risks associated with relevant technology**, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject.”

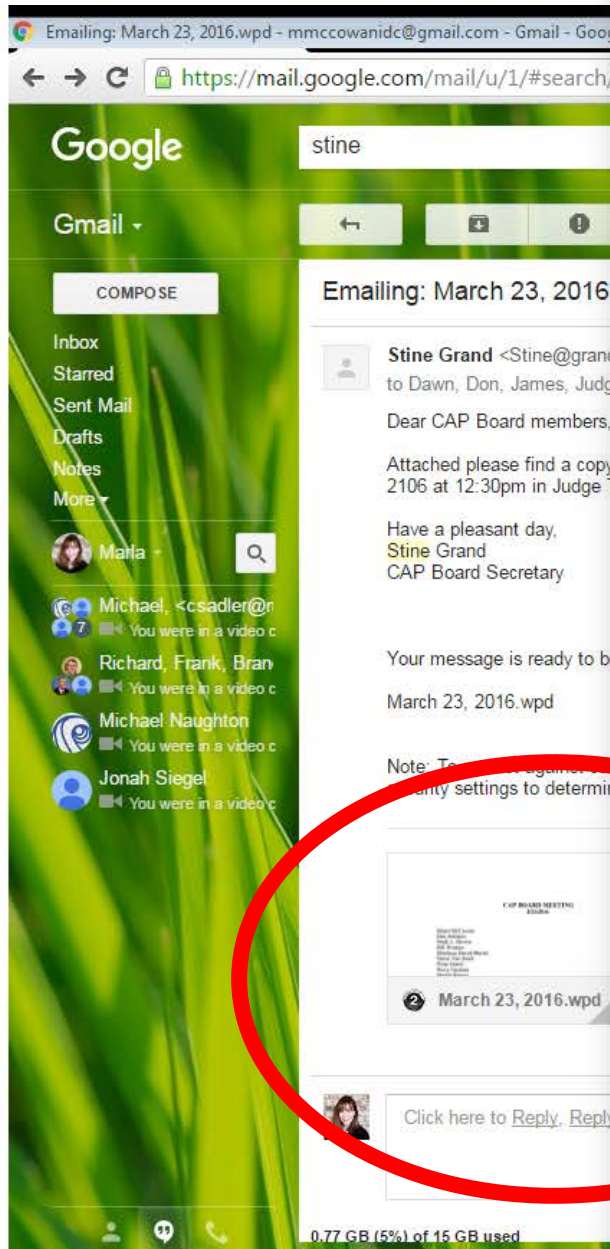
*Comment 8 to Model Rule 1.1
ABA's 2012 House of Delegates Amendment*

Where do we start?



How do we find information?





CAP BOARD MEETING 3/23/2016

Maria McCowen
Don Johnson
Mark L. Brown
Bill Winters
Marilena David-Martin
Dawn Van Hoek
Stine Grand
Steve Taratuta
Opolla Brown
Judge Lawrence Talon
Judge Richard Skutt
Judge Katherine Hansen

Meeting called to order at 12:41 pm.

J. Hansen did not re-file & is not running for reelection. Therefore she will be off the bench no longer a member of the CAP Board. The Board will have an opening for the District Court Judge's position.

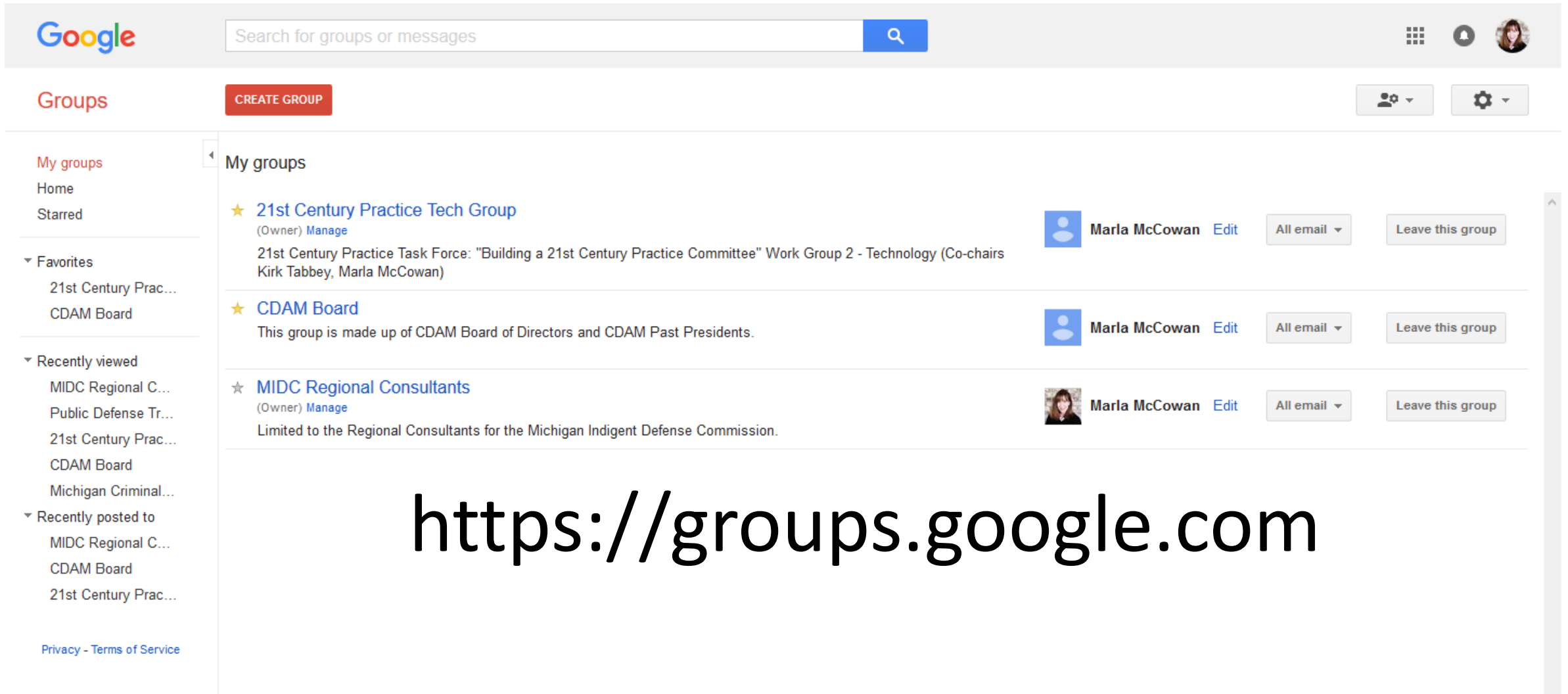
We need information from the presenters earlier so Mari can change font & background so the presentation will be easier to view during the seminars.

Board looked at evaluations and recommendations.
Board discussed Q & A during the seminar vs at the end of the seminar. Board consensus was questions should be at the end.




Board looked at the Help Desk for the prior year.
There were 1300 questions asked of the SADO research attorneys in 2015. The most frequently asked questions were on pretrial motions, defense strategy, HYTA, sentencing alternatives, admissibility and suppression, and Post Conviction Motions.

CAP Seminar subjects discussed by the Board

Other benefits of gmail



The screenshot displays the Google Groups web interface. At the top, there is a Google logo on the left, a search bar with the text "Search for groups or messages", and a search icon. On the right side of the top bar, there are icons for a grid, a notification bell, and a user profile picture. Below the top bar, the word "Groups" is displayed on the left, followed by a red "CREATE GROUP" button. On the right side of this section, there are two icons: one for group settings and another for user settings. The main content area is titled "My groups" and lists three groups:

- ★ 21st Century Practice Tech Group**
(Owner) [Manage](#)
21st Century Practice Task Force: "Building a 21st Century Practice Committee" Work Group 2 - Technology (Co-chairs Kirk Tabbey, Marla McCowan)
Owner:  **Marla McCowan** [Edit](#) [All email](#) [Leave this group](#)
- ★ CDAM Board**
This group is made up of CDAM Board of Directors and CDAM Past Presidents.
Owner:  **Marla McCowan** [Edit](#) [All email](#) [Leave this group](#)
- ★ MIDC Regional Consultants**
(Owner) [Manage](#)
Limited to the Regional Consultants for the Michigan Indigent Defense Commission.
Owner:  **Marla McCowan** [Edit](#) [All email](#) [Leave this group](#)

On the left side of the interface, there is a navigation menu with the following sections:

- My groups**
 - Home
 - Starred
- ▼ Favorites**
 - 21st Century Prac...
 - CDAM Board
- ▼ Recently viewed**
 - MIDC Regional C...
 - Public Defense Tr...
 - 21st Century Prac...
 - CDAM Board
 - Michigan Criminal...
- ▼ Recently posted to**
 - MIDC Regional C...
 - CDAM Board
 - 21st Century Prac...

At the bottom left of the page, there are links for [Privacy](#) and [Terms of Service](#).

<https://groups.google.com>

Other benefits of gmail

The image displays a composite of three elements: the Mixmax website, a Gmail interface, and an email content area. The Mixmax website (top left) features a purple header with the logo and navigation links (Product tour, Pricing, Resources, Careers, Blog, Developer). Below the header, the text reads "Make email awesome" and "Track, automate, and enhance your email productivity suite for Gmail and Google Inbox". A list of features includes: "Track opens, clicks & downloads", "Book meetings instantly: no back", "Save time with team templates", and "Automate outreach with Mail Merge". A prominent "Install for free" button is shown, with the text "Chrome extension for Gmail and Google Inbox" below it.

The Gmail interface (middle) shows a "New Message" window with a "COMPOSE" button and a sidebar menu with options like "Inbox", "Starred", "Sent Mail", "Drafts (3)", "Notes", and "More". A search bar is visible with the name "Marla" entered.

The email content area (right) is titled "Gideon's Promise - Michigan participants September 23rd" and is dated "Sep 8". The sender is "Marla McCowan <mmccowanidc@gmail.com>". The email body contains the following text:

Hi everyone - just a quick follow up that I'd like to get together and discuss our experiences at *Gideon's Promise* this summer, with the combined group of trainers who went to trainer development in June in Atlanta and participants in the 2 week core program in Oxford last month. For those attending in person (I hope most of you!) we will meet at the MIDC's Lansing office, Friday September 23rd from 2 p.m. until about 4 p.m. We are in the Capitol National Bank Building, 200 N. Washington Square, 3rd Floor. I'll have some light snacks. This is casual, please feel free to come comfortably dressed.

There is nothing for you to prepare, this is just a guided discussion with an eye toward moving forward in Michigan. Can you please do me a favor and respond to this quick poll with your rsvp. Thanks and looking forward to seeing you in a couple of weeks.

Below the text is a poll titled "Will you attend on September 23rd?". The poll options are:

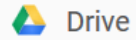
- Vote Yes, I'll be there in person.
- Vote Yes, but NOT in person (I need to call/video in).
- Vote No, sorry I can't make it.

A link "View results online" is provided below the poll. At the bottom of the email content area, there is a footer for Marla R. McCowan, Director of Training, Outreach and Support, Michigan Indigent Defense Commission, with the phone number 517-388-6702.



Search Drive

Marla



Shared with me



NEW

My Drive

Shared with me

Google Photos

Recent

Starred

Trash

659 MB of 15 GB used

Upgrade storage

Get Drive for PC

Name

Shared by

Share date ↓

Early this year

A Few Good Men debriefing.pptx

Robert Osterman

Jan 15, 2016

Northern Michigan Counties.xlsx

Michael Naughton

Jan 8, 2016

Counties Spre...

Mock Trial - Coaches Only

Robert Os

Mock Trial - Team Shared

Robert Os

Older

TechWGCompetencyRec.1.dotx

Candace

Tech Work Group

Diane Ebe

shared IDC drive

Marcela V



Select a file or folder to view its details.

Google docs



Untitled document - Googl... x +

https://docs.google.com/document/d/14JtsXnWQWcWbBB0FodAsibFMPoUREHDuI71gRIGGsAg/edit

Search

mmccowanidc@gmail.com

Comments Share

File Edit View Insert Format Tools Table Add-ons Help All changes saved in Drive

125% Normal text Times Ne... 13 B I U A

1 1 2 3 4 5 6 7

Editing

Before custodial interrogation, the police must inform the suspect that he has the right, among others, to remain silent and not answer questions. *Miranda v. Arizona*, 384 U.S. 436 (1966). Once a suspect unequivocally invokes this right, the police must “scrupulously honor” that invocation, and may not continue interrogation unless the suspect initiates further conversation. *Michigan v Mosley*,



michigan v mosley



Scholar

My Citations

Articles

Michigan v. Mosley

423 US 96, 96 S. Ct. 321, 46 L. Ed. 2d 313 - Supreme Court, 1975 - Google Scholar

The respondent, Richard Bert Mosley, was arrested in Detroit, Mich., in the early afternoon of April 8, 1971, in connection with robberies that had recently occurred at the Blue Goose Bar and the White Tower Restaurant on that city's lower east side. The arresting officer, Detective ...

Cited by 3281 How cited Related articles All 3 versions Cite Save

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Michigan courts

Select courts...

Showing the best result for this search. See all results

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Sort by relevance

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include citations



Welcome

Welcome to the State Bar of Michigan member site. Here you can change your profile, register for events, buy SBM gear and more.

The State Bar's NEW expanded online member directory listing is now available! You can add information about your practice areas, foreign language proficiency, a brief bio, and even a photo.

To get started:

- Click "My Profile,"
- Select the "Expanded Profile" tab and configure your expanded listing. Click "Save" when finished.
- To preview your listing, click the "Web Directory View" tab and then click "Refresh View."
- Your listing will be live on the State Bar's website the next day.

My Events

No events to display

Note: Upcoming events will not appear until payment is processed.

Member Area:

My Profile

- [Change Address](#)
- [Change Password](#)
- [Change e-Mail](#)
- [Change User Name](#)

Pay Your Dues Now

Pay Your Dues by Mail

- [Invoice Instructions](#)
- [Request Military Waiver](#)

Purchase History

Section Membership

- [Newsletter Preferences](#)
- [Manage Membership](#)

Event Registration

SBM Store

- [Certificate of Good Standing](#)
- [Publications](#)
- [SBM Gear](#)
- [e-Learning](#)

Logout

Fill in or enhance your online profile in the

SBM Member Directory

powered by

zeekbeek

CAREER CENTER

Casemaker
THE STATE BAR OF MICHIGAN

BAR JOURNAL SEARCH





Home > Michigan (View Currency)

Administrative Code

Attorney General Opinions

Case Law

Constitution

Federal Court Rules

Session Laws

State Court Rules

Statutes

Workers Compensation Decisions

Michigan Register

Legal Forms

Leverage The Power of CosmoLex Integrated Practice Management

My Accounts : 5

My Settings

Setup Password

Personal Login

My Folder

My Saved Search

My Search History

My Libra Login

Pleadings by Case

CosmoLex Matter

Mobile Application

Advanced Search

Social Media Subpoena Guide 2015 Edition



NOTE: I'm in the process of updating this Guide. I'm updating and expanding it to a full ebook on social media discovery / evidence. It will be the best one-stop shop for getting up-to-speed on social media discovery. Available on Amazon in February 2016.

I initially wrote about [how to subpoena various social media sites](#) back in 2011. Seeing as it has been a few years I thought it was time to provide an update.

It's worth noting that almost every site you attempt to subpoena will throw up the [Stored Communication's Act, \(18 U.S.C. §2701\)](#) as a defense:

(a) Offense.— Except as provided in subsection (c) of this section whoever—
(1) intentionally accesses without authorization a facility through which an electronic communication service is provided; or
(2) intentionally exceeds an authorization to access that facility;
and thereby obtains, alters, or prevents authorized access to a wire or electronic communication while it is in electronic storage in such system shall be punished as provided in subsection (b) of this section.

(b) Punishment.— The punishment for an offense under subsection (a) of this section is—
(1) if the offense is committed for purposes of commercial advantage, malicious destruction or damage, or private commercial gain, or in furtherance of any criminal or tortious act in violation of the Constitution or laws of the United States or any State—
(A) a fine under this title or imprisonment for not more than 5 years, or both, in the case of a first offense under this subparagraph; and
(B) a fine under this title or imprisonment for not more than 10 years, or both, for any subsequent offense under this subparagraph; and
(2) in any other case—
(A) a fine under this title or imprisonment for not more than 1 year or both, in the case of a first offense under this paragraph; and
(B) a fine under this title or imprisonment for not more than 5 years, or both, in the case of an offense under this subparagraph that occurs after a conviction of another offense under this section.

(c) Exceptions.— Subsection (a) of this section does not apply with respect to conduct authorized—
(1) by the person or entity providing a wire or electronic communications service;
(2) by a user of that service with respect to a communication of or intended for that user; or
(3) in section 2202, 2204 or 2518 of this title.

<http://associatesmind.com/2015/01/26/social-media-subpoena-guide-2015-edition/>

Screenshots

How to take a screenshot on your iPhone, iPad, and iPod touch

You can capture the screen on your iOS device using the Sleep/Wake and Home buttons.

Press and hold the Sleep/Wake button on the top or side of your iPhone, iPad, or iPod touch, then immediately press and release the Home button.

You can find the screenshot in your Photos app.



The general way to take a screenshot

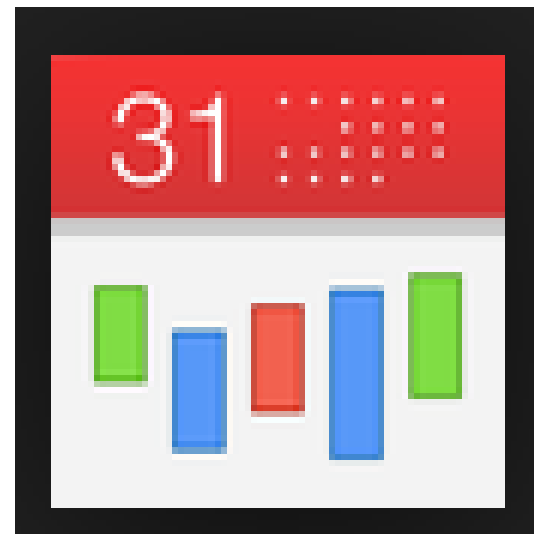
Capturing a screenshot usually involves pressing two buttons on your Android device — either the Volume Down key and the Power button, or the Home button and the Power key.

When the right button combo is pressed, your device's screen will flash, usually accompanied with a camera shutter sound. Sometimes, a pop-up message or notification alert appears, suggesting that the screenshot has been made.



Screenshots

Essential Apps



Virtual Practice Considerations

- Types of Virtual Practices
- Licensing/Ethics Issues
- Professional Liability Insurance
- Web Presence/Mobile Responsiveness
- Social Media
- Client Portals
- Fees/Payment Methods



Time Management

- Working with Clients on Their Turf, Not Yours
 - Managing client expectations
 - Managing email from the road
 - Mobile apps that are most helpful
- Managing home office expectations
 - Keeping a schedule
 - Separating personal from professional



Managing Paper

- Paper is your enemy
 - Avoid accepting paper from anyone
 - Offload the scanning responsibility to clients and referring attorneys
 - When you have to accept paper, convert to digital promptly
 - Nothing stays in paper form for more than 48 hours
- Cloud storage/anywhere access is your friend



Document Management

- Securely create, access, and delivery work product on the road
- Secure tools for storage and access are key to road warrior and virtual practice
- Portals for secure client access to what they need



Real World Road Warrior Logistics

- Actual Office Space on Road
 - Regus Suites
 - Co-Working Spaces
- Virtual Assistants/Receptionists
 - Call Ruby (phone answering)
 - Lex Helper (intake forms, appointments, forwards leads)
 - Law Libraries



Essential Hardware for Mobile/Virtual Law Office

- Laptop v Tablet v Convertible
- Smart Phone
- Scanner
- Printer



Laptop vs Tablet vs Convertible?



Ultrabook vs Business Laptop



VS



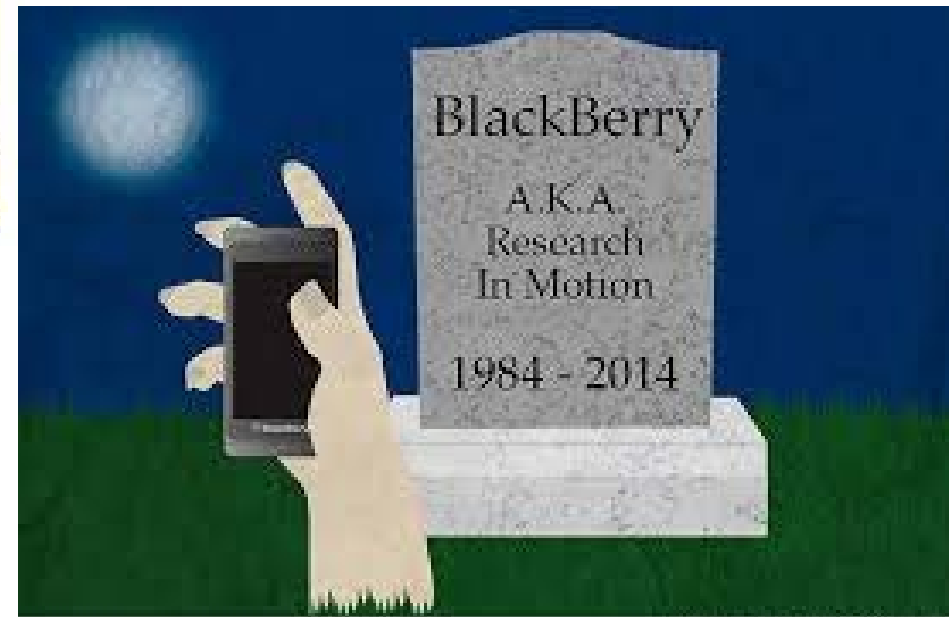
Windows v Mac v Chromebook



Smart Phone



Windows Phone is Dead (and so is Blackberry)



iPhone vs Android



VS



Smart Phone Tethering

- Wi-Fi
- Bluetooth
- USB



Software and Apps

- Microsoft Office/Office 365
- PDF Creation, Editing and Annotation Software (Adobe Acrobat, Nuance Power PDF, Nitro Pro, Foxit PDF Editor)
- Web Browser (Chrome, Firefox, Opera, Edge, Safari)
- Time/Billing/Accounting
- Document Management
- Remote Access and Control



File Storage

(Where does your “stuff” live?)

- Local Storage (USB external drives, NAS)
- Cloud Storage & Synchronization
 - Microsoft OneDrive
 - Google Drive
 - Dropbox
 - Box
 - SpiderOak
 - SugarSync



Backup (in addition to Storage)

- Local
 - USB
 - NAS
- Cloud



Security

- Securing own Wi-Fi network
- Virtual Private Network (VPN)
- Antivirus/Antimalware software
- Strong Passwords/Passphrases (12 character minimum)
 - Test yours at <https://howsecureismypassword.net/>
- Two-Factor Authentication
 - Find out if your site/service offers it at <https://twofactorauth.org/>



Accessories

- Input Devices

- Mechanical Keyboards
- Bluetooth Portable Keyboards

- Pointing Devices

- Mice
- Trackball
- Touchpad

- Portable Battery Packs

- Quick Charge Chargers



The Future of the Profession and the Role of Technology;

Tools to Help You Succeed in an Office or Long Distance Practice

Question and Answer

The Future of the Profession and the Role of Technology;

Tools to Help You Succeed in an Office or Long Distance Practice

Thank You!

Presentation available here:

[www.michbar.org/file/programs/pdfs/
UP2016FuturePowerPoint.pdf](http://www.michbar.org/file/programs/pdfs/UP2016FuturePowerPoint.pdf)