Let's Talk Technology

Kimberly M. Cahill

Without a doubt, one of the biggest changes during my 21 years of practicing law has been the enormous growth in the use of technology. Even more interesting are the different ways in which we learn to use technology.

I started practicing in a world in which legal research was done the old-fashioned way—with books, and lots of them! One of my first jobs was as a research clerk at the Macomb County Circuit Court. Of the three summer law clerks, I was the only one who had any training with computerized legal research, which consisted of a whopping three-hour orientation from a third-year law student on one of two donated Lexis-Nexis computer terminals at the University of Michigan Law School. The computers were in a separate glass-walled room in the legal research building to muffle the noise of their printers, and students were encouraged to sign on and use them at any time. As I recall, the lines were not long for this privilege.

The Macomb County Circuit Court had a similar donated computer terminal, set off in a room at the front of the law library. The chief court's attorney was quick to tell us clerks that while the terminal was donated, the research service was not free; I was amazed to find out that users were charged by the minute for searches performed, and that this cost was charged to the library. (My first introduction to the difference between governmental accounting practices and those of private practitioners—that really hasn't changed all that much!) The chief attorney was justifiably wary about using the computer: within the first week of the computer's installation, an attorney from County Corporation Counsel's office typed in a search involving the keywords "first" within five words of "amend-ment"; the terminal ran for nearly six hours, and no one was able to override it and shut down the search! On more than one occasion, we summer clerks were challenged to beat the computer, and often we could produce the same or better results nearly as quickly as the computer.

Today, computer terminals are on nearly every desk at every law office. Michigan Law Online, a research service provided by the State Bar and the Institute of Continuing Legal Education (ICLE), is one of the Bar's most popular member benefits. And appellate case updates are as close as your e-mail inbox, compliments of the daily e-Journal.

Computerized legal research is only one aspect of the march of technology. Telephones, filing, calendaring, dictation, and even music have been revolutionized by technology. Many services that were handled person-to-person in the past are now fully automated. How we communicate with each other is really different. Certain courts allow only electronic filings and significantly discourage communication other than electronic communication. Attorneys communicate more often through listservs and blogs than by talking in the halls of the courts. The State Bar has transitioned from using this monthly magazine as its primary form of communication to using its interactive website. We now have e-mail addresses for more than 27,000 of our 38,000-plus members. An e-mail blast to the membership is the quickest and most efficient way to communicate.

What is most interesting is how we learn about these technologies. An entire new category of legal information technology (IT) consultants has grown and flourished. The big firms have their own in-house departments. Legal publishers now have IT departments. Legal librarians may focus more on computers and less on books.

How do (or did) you learn about the technology that you need to use in your daily practice? (No fair saying that you have a child or grandchild to teach you—some of us have to borrow our godchildren and nieces and nephews for that!) My own learning has been trial and error with the equipment at hand. It certainly leaves some gaps in my knowledge and is frustrating. I know just enough to get what I need to work on most days.

I have learned a great deal from various listserv exchanges, in which some of the most passionate discussions focus on "What's the best new printer?" or "Will the new Apple phones be worth the price?" It's great when a colleague pulls out some new gadget and walks you through how she or he uses it. Better yet, if your administrative assistant has the time, inclination, and ability to teach you, she or he is a great resource.

There are a lot of seminars offered by our own Practice Management Resource Center (PMRC), ICLE, and various local bar CLE programs. I haven't had an opportunity to attend any seminars yet, but often one person from the firm will attend and then share with the others what was covered in the seminars. What about online tutorials? Have you had success with any, or is it a struggle to access them or have them work in a way that is relevant to what you want to do with the underlying technology?

What I would really like to find out is what the State Bar can do to improve your experiences with technology. Our PMRC is very active in this already. Let the PMRC staff know which programs and services have been helpful and what else they should be offering. Let us know what works for you and what doesn't concerning our website, the e-Journal, the Public Policy Update, and other State Bar publications. We want to help you sort it all out. ∎