Technique Trounces Technophobia
Seminars Soothe the Digitally Wary

Michael R. Arkfeld is an Assistant United States Attorney in Phoenix. He is the author of *The Digital Practice of Law* (5th edition) and a frequent speaker and columnist on the practice of law. He can be reached at Michael@Arkfeld.com.

A VORTEX OF TECHNOLOGY and process change in the justice system swirls around us. Some evidence?

- The Maricopa County Superior Court has retrofitted eight traditional courtrooms into paperless multimedia e-courtrooms.
- The federal courts already have eight e-courtrooms and are planning on having all bankruptcy cases in a paperless format by the end of 2003.
- CLE classes can now be taken over the Internet.
- Voice recognition software has matured into a usable and valuable law office application.
- Law firms are using intranets and extranets to collaborate online with their clients on litigation, commercial and a variety of other legal matters.
- Litigation support software can be used to link facts and issues, search depositions and create graphics quickly and easily.

Yet, for all the advances in technology, in most lawyers' offices there

Maybe it is my age

"They say that if you are over 45, of which I am, one becomes more self-righteous and 'knows it all.' My kids definitely think I am from the old school, but I have been successful in my practice using the tried-and-true paper approach to handling my cases. But it is not just about my age: I have some colleagues who are under 45, some even in their twenties, who are as computer illiterate or technologically impaired as I am. Even the recently graduated lawyers I have discovered are provided very little instruction in law school on how to use these applications."

Maybe it is the cold, alien computer

"It stared at me for so many months, actually years, before I realized that it would not break if I hit the wrong key. In fact, I figured out that if you back up your work during the day, then even if you hit the dreaded delete key, an earlier version was available. However, it still causes anxiety when I turn it on."

> "What if my fellow practitioners found out that I could not use e-mail or search the Internet? What if I could not figure it out?"

has been minimal adoption of many of these technologies, other than word processing, e-mail and legal research. Why is there a lack of adaptation to these new time-saving and efficient tools? Over the past several months, I posed this question to many practitioners—from the newly admitted to the veteran practitioner. Here is a medley of their responses:

Maybe it is the time

"To learn the basics of e-mail, researching on the Internet and using full-text software for depositions will take billable time away from my practice, even though I realize that I will be more efficient."

Maybe it is fear of not knowing the answer

"What if my fellow practitioners, para-

legals or secretaries found out that I could not use e-mail, search the Internet or locate information in depositions in seconds? What if I could not figure it out? It took some soul searching to admit that I may even look foolish at times or ask the wrong question, realizing that it was a small price to pay for providing better service to my clients and for me to make more money."

Maybe, it is the cost, or so I told myself

"I would often tell myself that as soon as I purchased a computer, it would be obsolete—so why upgrade? Even though prices have dropped dramatically, I am still reluctant to purchase a new computer."

Whatever the reason for your hesitancy in not moving forward, you must accept that we cannot and will not be going backward, nor can you stand still in the face of this technology change in our profession.

In response to this hesitancy on the part of practitioners, the Technology Task Force of the State Bar and other sections have begun to implement a series of Legal Technology Workshops, or Mini-Seminars, on specific legal applications to assist lawyers in implementing solutions to their law practice technology needs. The proposed format will be simple:

• 60 to 90 minutes (generally over the lunch hour).
• CLE-approved (most ethics credit eligible).
• $20 to $25 for a workshop.
• No more than 20 attendees to a workshop, generally presented by practicing lawyers (send me an e-mail if you wish to be considered as a presenter).
• Vendors will be invited to answer questions and for follow-up consultation.
• Cookies are available.

Some of the workshops proposed are case management, time and billing, document assembly, voice recognition, litigation support and analysis, PDAs such as the Palm Pilot, broadband connections, graphics program, security and e-courtroom trial presentation.

The plan is to provide incremental mini-seminar opportunities to change how you use technology tools to practice law. By taking these little steps, you will be on the road to integrating change into your practice. For example, if you are able to use your word processor, then the deposition or full-text session will show you how to search a deposition for key words, add legal and factual issues links, transfer case information into your trial notebook and attach imaged exhibits.

Change does not have to be frightening or immobilizing. Instead, when you see that technology can assist with a legal task or process, explore the change opportunity, integrate it into your practice and then evaluate the change. These small steps eventually will add up to major technology changes in your practice.