

[#LegalTech](#): Infrastructure, Apps

By Sean J. Martin, Martin Heller Potempa & Sheppard, PLLC

When I first pitched this presentation to Jarod, I said I could teach attendees to “compete with the big boys by leveraging technology.” I mentioned how easy, inexpensive, and necessary [#legaltech](#) was to run a profitable solo/small firm. I bragged that I could show you how a tech-driven firm works, from phone to email to document and case management, and how you could build your own tech infrastructure. I promised a trick to save you from email hell, and a solution for monetizing all those texts you get from your clients. And I said it could count for ethics.

A pretty tall order for a one-hour presentation. And not knowing how best to start, I have decided to start with a true story.

For my birthday this year, my wife and son and I went to Lake Tahoe for the week. Phish was kicking off their summer tour, and we thought it would be a fun place to spend the week.



I have a personal injury practice and family law practice, and I'd spent weeks trying to get caught up and even a little bit ahead. I know what you're thinking:



But I did it. I left town with no worries about my cases. You know that anxiety you get about leaving the office for a few days? Yeah, that was gone. My cases were under control, my clients knew I would be out of town, and all was in balance.



Then of course we got there and immediately before the concert a number of my clients' lives simultaneously fell apart. I tried not to check my phone, but it was buzzing in my pocket. Missed calls, text messages. On my vacation, on my birthday, 2,000 miles away.



But instead of panicking, I sat down, my sleeping boy on my shoulder, and got to work.



With only my phone I was able to manage the crises, generate a couple of signed letters, bill my time, and get back to the show. I was able to do this because, although I still practice law in the traditional manner, I have replaced the traditional communication, document generation, and timekeeping methods with their technological betters. In other words, I did my job as if I was in my office; I just did it from the spot pictured. And not one of my clients knew any different.

Some may disagree, and perhaps label me crazy for working on my vacation, but consumer demand is turning this business into one where customer service and real-time communications is the expectation. IMHO you have to meet expectations, or your competitors will.

Which gets us to the heart of this presentation, which seeks to show you how to meet those expectations by leveraging technology. Your law firm, beyond needing you with your law degree, needs at a minimum:

- A way to Communicate with clients, the outside world
 - A way to create and manage Documents
 - A Time, Billing & Trust accounting solution
 - A method for managing cases, a/k/a Case Management
-

Disclaimer. Throughout this presentation, I will mention different products, services, or apps. Apart from one app which I developed for my own practice, Time Miner, I have no personal stake in any of them. The products, services and apps I recommend are based upon years of trial and error and me finding the best tools for my personal legal toolbox.

This presentation may also contain easter eggs from pop culture. I include them to amuse myself, and to keep you awake, alert or, dare I dream--*interested*.

Wait, how does this count for ethics again?



Because in order to represent a client competently—as required by Rule 1.1 of the Tennessee Rules of Professional Conduct—an attorney’s knowledge base must include the “benefits and risks associated with relevant technology.” Comment 8 clarifies this requirement further:

“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.”



Communication.

Apart from in-person conversations, there are 6 main methods for communicating with everyone, including your clients and other attorneys:

- U.S. Mail
 - Phone/Fax
 - Video Conferencing
 - Email
 - Texting
 - Social Media
-

We're only going to deal with the following:

- ~~U.S. Mail~~
 - The U.S. Mail works for Amazon, but not much else. Even DJT knows this.
- **Phone/Fax**
 - This includes landlines and mobile phones.
 - Fax is basically the same as email now unless you have one of those awesome thermal paper machines in which case you need to sell that s**t as "vintage" on Etsy.com.
- **Texting**

- I know you don't want to text with your clients, but your clients want to text with you.
-

- **Video Conferencing**
 - Skype, FaceTime, etc.
 - **Email**
 - You know what email is.
 - **Social Media**
 - I present a separate CLE entitled "Ethics, Social Media & You" which may be of interest to you. HMU and I'd be happy to share.
-

PHONE Communications



We all use the phone to talk to our clients. Many of us have legacy landlines, and some of us have upgraded to VoIP communications. You all know the limitations (advantages?) of your landlines:

- Only can be reached during office hours
- Need to be at your desk to communicate
- Spiral notebook phone messages

The image shows a spiral-bound notebook with four identical 'PHONE CALL' forms on the right page. Each form is designed for recording a phone call and includes the following fields and checkboxes:

- For:** A line for the name of the person being called.
- Date:** A line for the date of the call.
- Time:** A line for the time of the call, with 'A.M.' and 'P.M.' indicators.
- M:** A line for the middle initial of the person being called.
- Of:** A line for the office or organization of the person being called.
- Phone:** A line for the phone number.
- Fax:** A line for the fax number.
- Remarks:** A large area with horizontal lines for writing notes about the call.
- Signed:** A line for the caller's signature.
- SPR02301:** A small code or reference number at the bottom right of the form.
- Checkboxes:** A vertical column of six checkboxes with corresponding labels:
 - ☐ Telephoned
 - ☐ Returned Your Call
 - ☐ Please Call
 - ☐ Will Call Again
 - ☐ Come to See You
 - ☐ Wants to See You

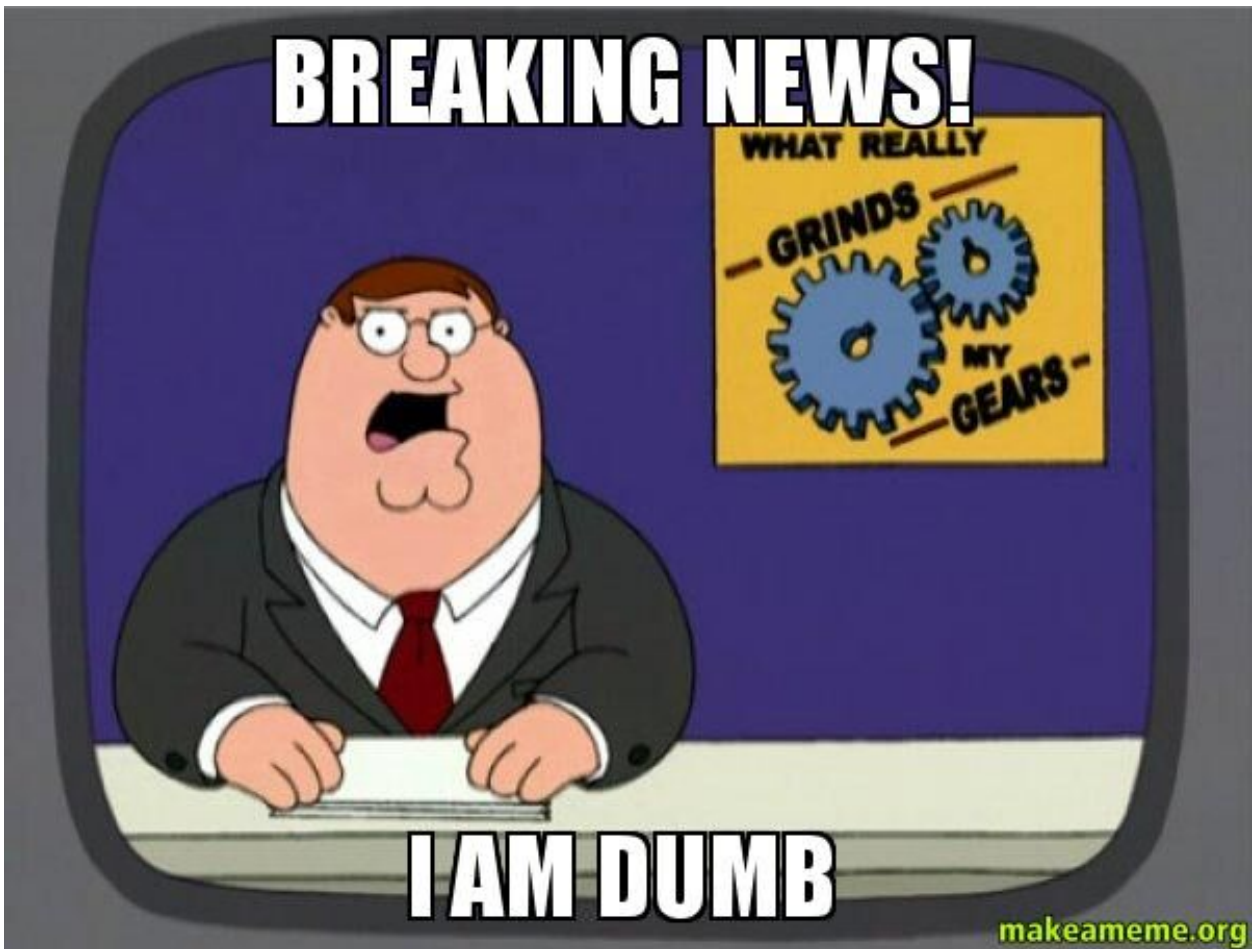
When clients feel like they cannot reach you because you're "always" out of your office and "never" at your desk, and they've left you "tons" of messages, that's a problem whether their feelings are accurate or not. Even if you are dealing with higher priority clients, if your other clients **feel** like they're being ignored when they want to talk with you, their likelihood of complaining the Board or elsewhere is much greater.

Solution: ~~Take your clients' calls, Call your clients back!~~



This solution is crossed out because it's not a solution. It's a maxim that is easier said than done.

Solution: ~~Use your cell phone!~~



Also not a solution. We have all given our mobile phone numbers to certain clients. We have all regretted it.

The real solution: VoIP



VoIP stands for **V**oice **O**ver **I**nternet **P**rotocol. It means calling people over the internet, instead of over traditional telephone lines or cell phone towers.

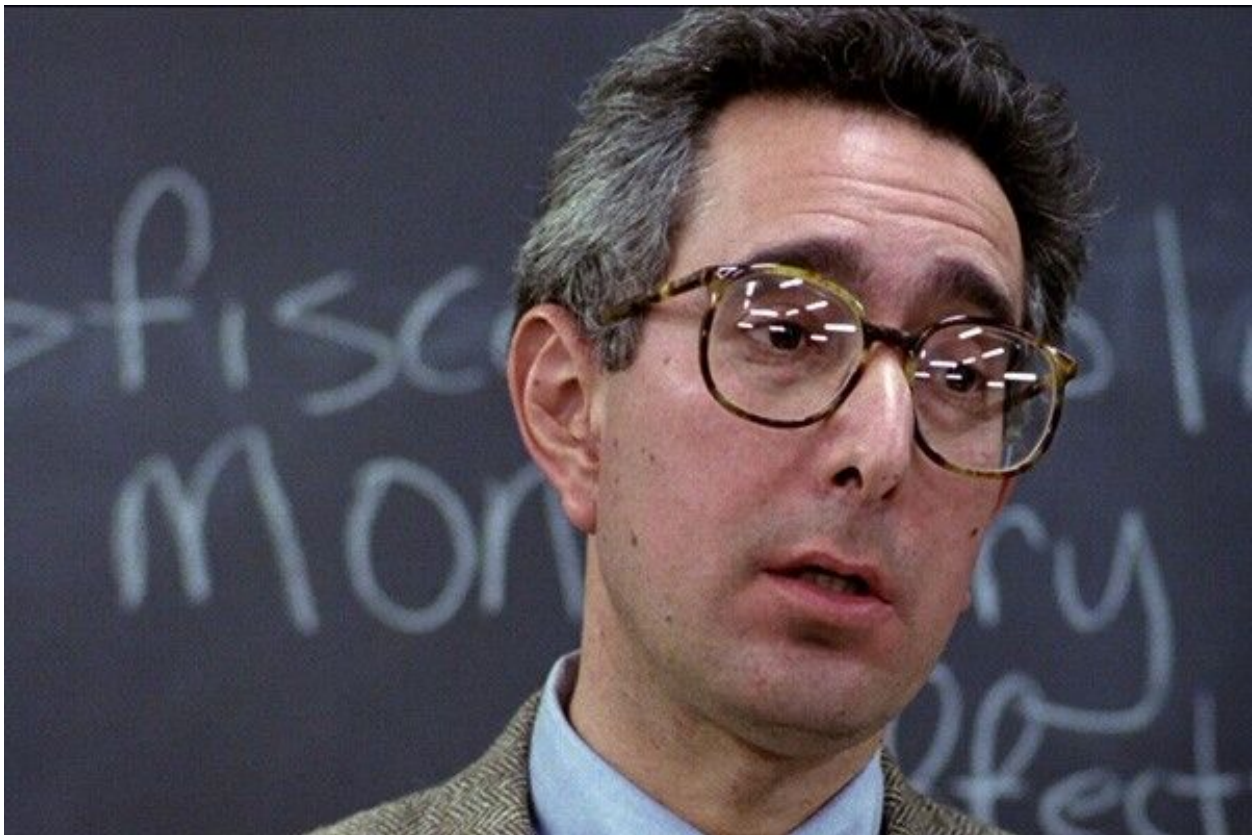


When you switch to VoIP over a legacy/landline, you eliminate the problems identified above. With VoIP you take your office phone with you wherever you go. Apart from having a VoIP desk phone that connects to the internet with a cable, all major VoIP providers have an app for your phone.

PS: You're going to have to make the switch sooner or later because traditional legacy/landline systems are obsolete, like cassette tapes and gluten.



Before we go any further, do you have any questions about what VoIP is or how it works?



Firm



Dropbox



Clio



RC Phone



Fastcase



Office 365 A...



GoDaddy M...



Meetings



Glip



Time Miner

I use RingCentral for VoIP, as do a number of other firms. It's affordable and has great functionality. With this app, I can make and take calls from my office number with my iPhone.



From: (615) 410-2514



By using the VoIP app on your mobile phone:

- You're always in the office.
 - You can set your office hours for 24/7 if you are so inclined.
 - You're always at your desk.
 - Even if you're not at your desk.
 - You'll never get a stack of phone messages again.
 - This is a good thing.
-

In other words, your clients can reach you and that will make them happy.



Another advantage of using your VoIP app: you can make calls from your office, even when you're not in your office. This is what I did in Tahoe.





From: (615) 800-7096



Outbound Caller ID

Done

DirectNumber

(615) 410-2514

MainCompanyNumber

(615) 800-7096

CompanyFaxNumber

(615) 800-7104

This functionality gives you the freedom to work from wherever you happen to be. You can call clients from your house, the beach, the courthouse, etc. From their perspective you are calling them from your office. This is important. If your clients think you're "always" calling them on the go, they may feel that they are just an afterthought. This could be a problem because, ethically speaking...



Further, if you want a mobile office or a mobile staff, VoIP is one of two technologies that are indispensable. The other is cloud-based storage and software solutions. Which we will get to.

TELECONFERENCE Communications

Cancel

Info

Edit

When Today at 2:00 PM

Topic Sean Martin's RingCent...

Meeting ID 149 108 0046

Duration 1 hour

Start Meeting

Pair

Add invitees

Delete Meeting

TEXT Communications



Clients now expect case updates, meeting reminders, and the ability to message their law firm's team over text. Why is this important? Because per the comments to Rule 1.4 clients are permitted to have REASONABLE EXPECTATIONS. If they expect you to text, then you need to text.

Also don't forget, again pursuant to the comments to B.P.R. Rule 1.4, **A lawyer's regular communication with clients will minimize the occasions on which a client will need to request information concerning the representation.**



Do not conflate texting with emailing. They are very different modes of communication. Think of communicating with clients along this spectrum:

Talking > Texting > Emailing > Letter Writing

Texting is less formal and more closely related to talking, as anyone under the age of 30 can attest, whereas email is more formal and akin to writing a letter.

To illustrate the distinction, think of how often you precisely spell and/or punctuate your text messages.



(615) 499-0184



10/10/17, 10:07 AM

Tx!

Thx!

4/22/18, 10:44 AM

U mad bro



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While texting with clients will help keep you in compliance with BPR Rule 1.4 - Communication, you need to be mindful of what technology you use to you text with and what you do with those text messages. You still have a duty to maintain client confidences, and the attorney-client privilege obviously still applies.

Group discussion: Pros & Cons of texting with clients

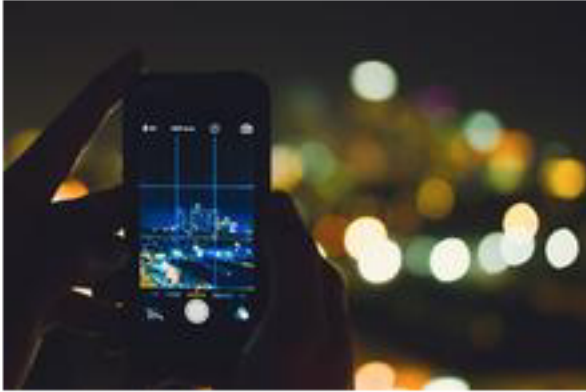


You should avoid using your personal mobile number for texting. There are lots of reasons, but the most important one is that the messages may not be secure.



Using VoIP to text with your clients will add a layer of security that is similar to the security measures used to protect professional (not free) email and other electronic communications.

Ring ***Central***[®]

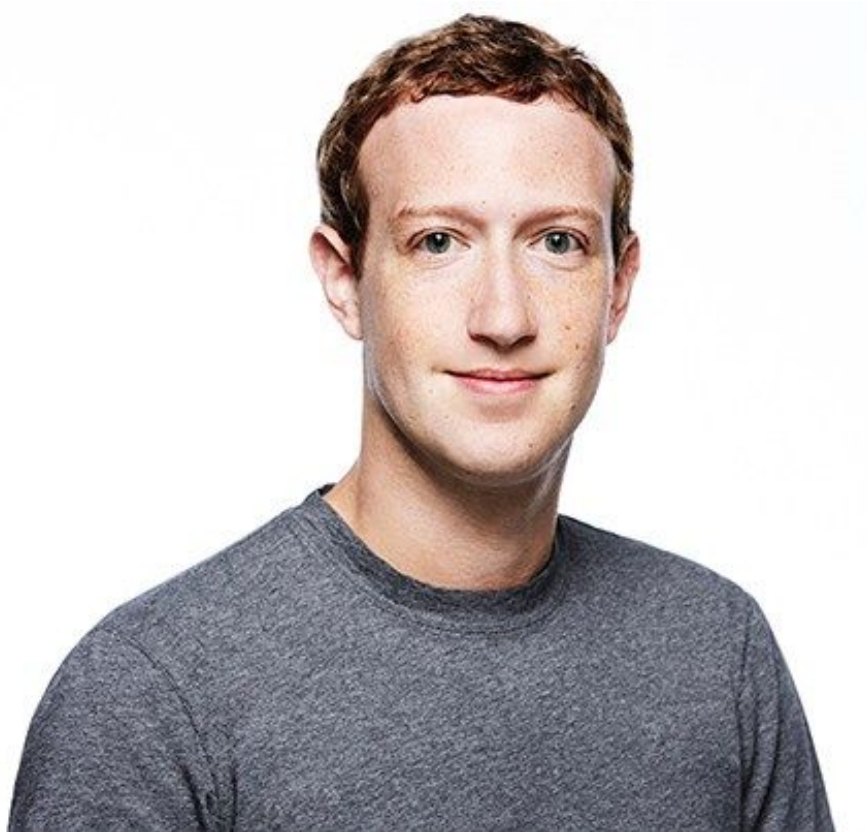


**Verizon, AT&T, T-Mobile,
and Comcast protect
privacy the least, says
watchdog**



**Millions of Verizon
customer records exposed
in security lapse**

Customer records for at
least 14 million
subscribers were
exposed.



Saving Text Messages.

Text messages are like emails and should be kept as part of a client's file. If you use VoIP, the messages (the actual messages) are stored on your provider's secure server. The phone companies do not keep messages. They keep records of the back and forth, but not the content of the messages themselves.

Another point for VoIP!

Billing for Text Messages

The best part about texting with your clients is that you can bill for it. While there is no consensus as to the best method for billing for text messages, I bill for text messages in groups of six (6).

Every six messages counts for a tenth of an hour (.1) and they appear on my invoices this way:

“Text messages w/ [Client] on: 3/2, 3/4, 3/5, 3/12, 3/16, 3/17, 3/18, 3/26.”

Most months, I have dozens of text message exchanges with my clients. To arrive at the proper amount to bill for them I divide the number of texts by sixty (60).

84 text messages / 60 = 1.4 hours

For those of you who are hesitant to bill for text messages, you need to think about it this way: When you text with your clients, you are texting them as their attorney. You are conveying information they will rely on and you need to bill for your professional time. You may find that texting delivers a better value to your clients than talking on the phone or writing emails and letters. Texting is way more efficient in terms of your time and their money.

At the end of the day, clients expect you to text with them so you're going to have to do so sooner or later. By using a secure method for texting, by saving text messages and by accounting to your clients for texting, you're both protected. It definitely protects you.



VIDEO Communications



Most of you are familiar with some form of video chatting, like Skype or FaceTime. Taken one step further, video conferencing, where you can not only see the person, but share a computer screen or work on a document together, is a great way to interact and communicate with clients when a phone call won't do and when a visit is not practical.

Firm



Dropbox



Clio



RC Phone



Fastcase



Office 365 A...



GoDaddy M...



Meetings



Glip



Time Miner

RingCentral Meetings



Meet Now



Join a Meeting



Schedule



Upcoming Meetings

You can start, schedule or join a video conference from your mobile phone.

I've used RingCentral meetings along with Dropbox Paper, which is a document collaboration tool, to work with clients on discovery responses.

Verizon

1:52 PM

100%

On



148-365-1539

End



Invite your contacts to join this meeting

EMAIL Communications

You guys want to talk about email?

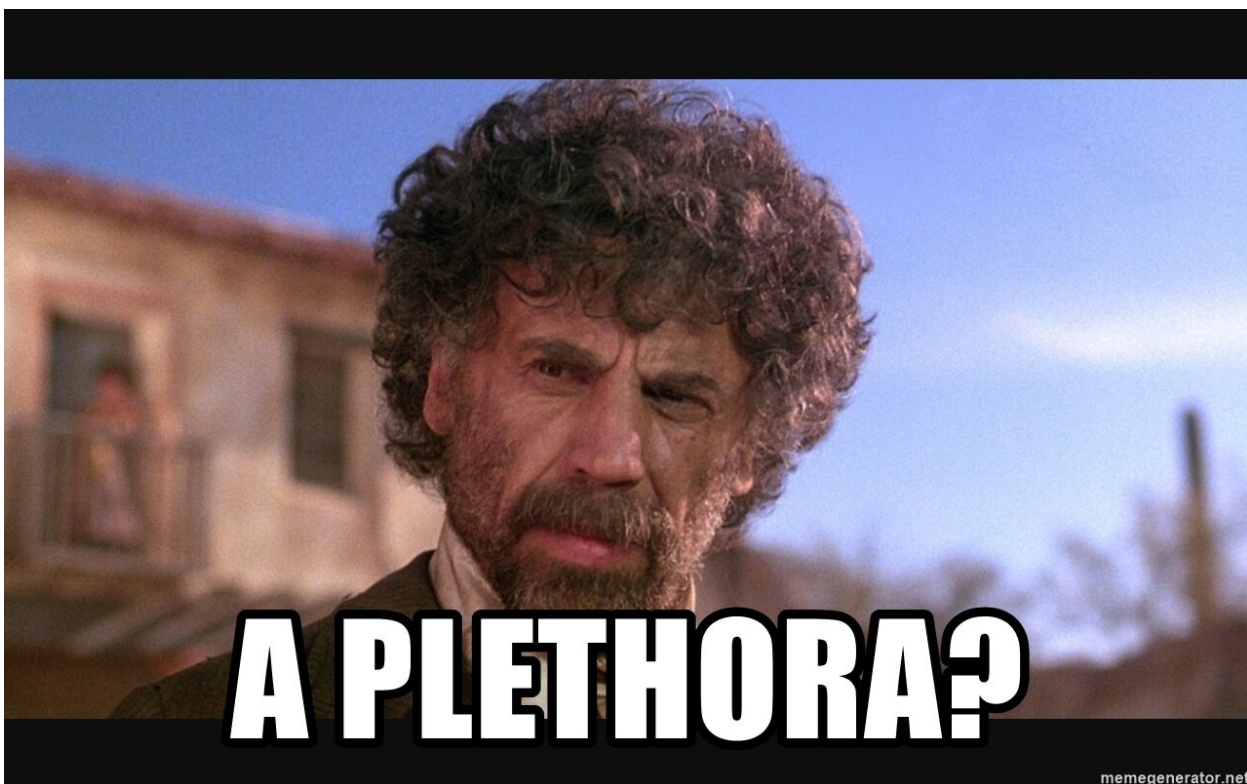


Or do you want to talk about [#legaltech](#) apps?



Apps, got it. Real quick though:

If you're using a free email provider, like Gmail or Yahoo, etc. for your client communications, you're probably in violation of the Rules. *Plural violations.*



In order to be complaint you need to upgrade (pay) for email services which include security features. GSuite from Google and Microsoft Outlook have decent security features and are reasonably priced. Check out this article by my friend Nicole Black at Above the Law regarding some new security features: <https://abovethelaw.com/2018/04/new-gmail-and-outlook-security-features-will-appeal-to-lawyers/>

Also check out this article from our friends at the ABA, which tells you much of what you need to know about the ethics of email:
https://www.americanbar.org/publications/law_practice_magazine/2013/january-february/ethics.html

MORE APPS!



Dropbox / Dropbox Paper - document storage and collaboration

PDF Expert - tool for editing, signing, drawing on .pdfs

PDF Converter - converts documents to .pdfs

Scanner Pro - turns your device into a scanner

Office 365: Outlook, Word, Excel, Power Point - Microsoft Office in the cloud

Time Miner - automatically bills for calls and texts

Liquid Text - reading app which allows you to excerpt sections for later use (great for reading depositions)

Keynote, Pages, Numbers - Apple's answer to Microsoft Office

Evernote - online, searchable notebook

Notes Plus - virtual legal pad

Glip - team messaging app

Doodle - group scheduling app

Dropbox - www.dropbox.com
Secure File Sharing, Storage, & Collaboration.

Firm



Dropbox



Clio



RC Phone



Fastcase



Office 365 A...



GoDaddy M...



Meetings



Glip



Time Miner



Personal Account

Sean Martin



Personal



MHPS, PLLC



Manage Offline Files



Email sean@seanjmartin.com

Space Used 0.7% of 1.0 TB

[Connect a Computer](#)



MHPS, PLLC Account

Sean Martin



Personal

MHPS, PLLC



Manage Offline Files



Email smartin@mhpslaw.com

Space Used 0.1% of 18.0 TB

Dropbox Paper

<https://www.dropbox.com/paper>

Dropbox Paper is a new type of document designed for creative work. Collaborate in real time, assign tasks, make to-do list and more.



This presentation was created on Dropbox Paper.

Dropbox paper is better than Evernote and Google Docs. Fact.



Clio - <https://www.clio.com>

Legal Case & Practice Management Software. This is what my firm uses. Great for firms of all sizes.



Touch ID for "Clio"
To access your Clio account

Cancel

More



Tasks



Contacts



Time Entries



Expenses



Documents



Inbox



Settings



Office 365 - <https://products.office.com/en-us/compare-all-microsoft-office-products?tab=2>
Work Anywhere, Anytime and Across Devices.

Productivity



Notes



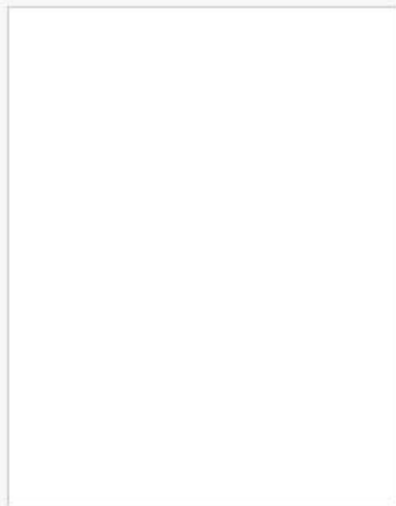
Word



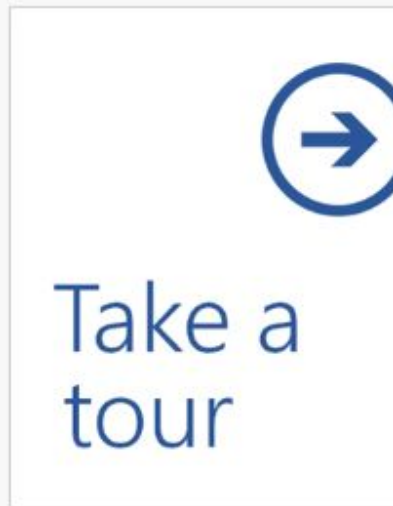
Shark Tracker



Paper



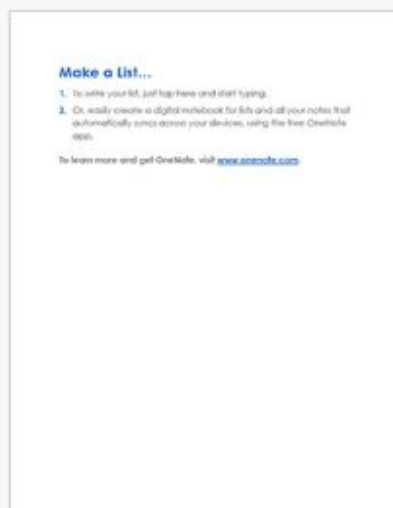
Blank document



Welcome to Word



Take Notes



Make a List



PDF Expert - <https://pdfexpert.com>

Fast, robust and beautiful PDF editor.

https://www.dropbox.com/s/9nm97hhglzxt31k/ScreenRecording_04-22-2018%2013-31-16.MP4?dl=0

Time Miner - Full Disclosure: I developed this app for my practice. It is now for sale in Google Play Store and Apple's App Store.

<https://www.timeminerapp.com>

On-demand, Automatic Billing Software For Your Smartphone.

Report



01/01/2018

End Date

☐ Since last report



No records found

CANCEL

OK

November

29

2016

December

30

2017

January

31

2018



A. Finch, Jr.



\$32.50

6152184076

john@thompsonburton.com



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\$2145.00

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Bruce Banner



\$227.50

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david.hersh@ringcentral.com



C. Montgomery Burns



\$1007.50

6154990184

sean@timeminerapp.com



TIME MINER

Report Date : 02/01/2018 - 02/21/2018

Bart Roberts

Number : (423) 432-8938

Matter :

Total Earnings : \$480.00
Hourly Rate : \$300.00

Call Details

| Date | Type | Note | Matter | Call Duration | Billing Inc. | Earning |
|------------|----------|------|--------|---------------|--------------|----------|
| 02/21/2018 | Incoming | | | 00:07:50 | 0.20 | \$60.00 |
| 02/21/2018 | Incoming | | | 00:14:04 | 0.30 | \$90.00 |
| 02/21/2018 | Outgoing | | | 00:05:10 | 0.10 | \$30.00 |
| 02/21/2018 | Outgoing | | | 00:07:44 | 0.20 | \$60.00 |
| Total | | | | 00:34:48 | | \$240.00 |

Message Details

| Date | Type | Note | Matter | Message | Billing Inc. | Earning |
|------------|----------|------|--------|--|--------------|---------|
| 02/21/2018 | Outgoing | | | Ok, great. Let's have a chat on the 27th to make sure we're prepared. I'll call you at 3pm | 0.10 | \$30.00 |
| 02/21/2018 | Incoming | | | I can make it to court on the 28th no problem. | 0.10 | \$30.00 |
| 02/21/2018 | Outgoing | | | Good. Whatever you do stay off social media about it. Last time was a bad decision. | 0.10 | \$30.00 |
| 02/21/2018 | Incoming | | | I didn't do anything. I just let her sit there. | 0.10 | \$30.00 |
| 02/21/2018 | Outgoing | | | What did you do? | 0.10 | \$30.00 |
| 02/21/2018 | Incoming | | | She showed up last night and sat in my driveway with car running for two hours. | 0.10 | \$30.00 |
| 02/21/2018 | Outgoing | | | Are you ok with the 28th still or do you need to move it? Need to keep it if we can | 0.10 | \$30.00 |

Liquid Text - www.liquidtext.net

The Smart Way to Read.

construct different, parallel representations of content. So while the system was comfortable to use, its advantages over paper were sometimes unclear, as one user stated explicitly [12].

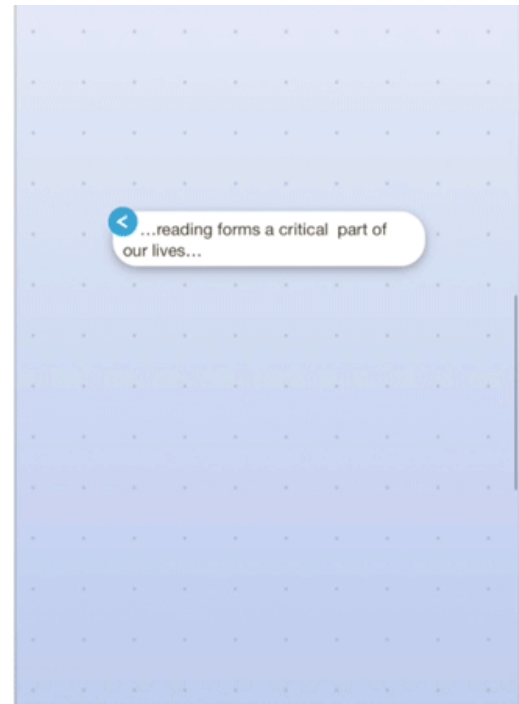
By contrast, our goal with LiquidText was to remove some of the rigid constraints imposed by a too-literal adoption of a paper-like metaphor; in contrast with these earlier systems, we sought to explore the possibilities afforded by more flexible, decidedly non-paper-like representations.

Other Relevant Systems

In contrast to the above, other systems have addressed certain AR-related tasks without seeking to support the entire active reading process. Such

Our goal with LiquidText was to create a design that overcomes some of the innate difficulties inherent in paper-like models.

work ranges from helping authors provide new types of navigational affordances for their readers [14] to dynamic layouts that provide detail on demand [3]. Still other systems have explored novel approaches to text



Notes Plus - <http://www.writeon.cool/notes-plus/>

"Handwriting note-taking iPad app that will revolutionize the way you take notes."

https://www.dropbox.com/s/l2o2cwuwrx2xra/ScreenRecording_04-22-2018%2014-05-05.mp4?dl=0

Scanner Pro - <https://readdle.com/scannerpro>

Turns your iPhone or iPad into a scanner.



Color ▾

Manual

Egork
Postbus 40400
3504 AE UtrechtOrder number 20150025
26 January 2015attn: Oleg Sukhorukov
Zaporschyska hoachivka Str., 19, apt. 86
65007 Zaporizhya
UkraineRegistered for:
Oleg Sukhorukov

Invoice for Mdevcon 2015

| | Quantity | Price | Total |
|-----------------|----------|----------|----------|
| Conference only | 1 | € 165.00 | € 165.00 |
| | | Subtotal | € 165.00 |
| | | VAT 21% | € 34.65 |
| | | Total | € 199.65 |

Registered for:
Oleg Sukhorukov

Invoice for Mdevcon 2015

| | Quantity | Price | Total |
|-----------------|----------|----------|----------|
| Conference only | 1 | € 165.00 | € 165.00 |
| | | Subtotal | € 165.00 |
| | | VAT 21% | € 34.65 |
| | | Total | € 199.65 |





The due date for this invoice is: 30 February 2015.
Please transfer the total amount to: Egork, NL54RABCO152076480
Order number 20150025
Reference: Mdevcon 2015
Event dates: 05 March 2015 - 06 March 2015

It is mandatory to pay the VAT, even though this order is made from a country, other than where this event will take place.
[Get advice page, to ask your order status.](#)

| | |
|---------------------|--------------------|
| Account holder | Egork |
| Bic | NL54RABCO152076480 |
| Swift/BIC | ABN0212335 |
| Bank | Postbank |
| VAT | NL54RABCO152076480 |
| Chamber of commerce | 55062066 |

Doodle - <https://doodle.com>

The simple way to decide on dates, places & more.

| | Apr 25 WED | Apr 26 THU | Apr 28 SAT | May 1 TUE | May 5 SAT | May 10 THU |
|---|------------------|------------------|------------------|-----------------|-----------------|------------------|
|  Tom | | ✓ | ✓ | | ✓ | ✓ |
|  Paula | | ✓ | ✓ | | | |
|  John | | ✓ | | ✓ | ✓ | ✓ |
|  Emma | | ✓ | | | | |



