



TBA news

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A newsletter from the Toledo Bar Association

New Technology & the Practice of Law

The President's Briefcase — *Part 1 of a 2-part Series*

How the world communicates is changing at a blistering pace. When I started practicing law, the news was available only in the local newspaper and on television starting at 6:00 in the evening. Now the television broadcasts news 24/7, and the internet provides news all the time from any location in the world. Back then, if I wanted to write a letter or a brief, I either dictated it or wrote it out longhand and then had a secretary type and mail it. Now, I type it myself and email it. And my firm's newest associate doesn't even type her letters or briefs—she just talks out loud, and the words appear on her screen!

When I started practicing law, phones were connected by landlines. You called, you talked, you asked if the person you wanted was "there." Now, the concept of "there" is irrelevant; the phone has become a body part, and we connect with others by activating it anytime, anywhere.

Not that long ago, the idea of communicating with anyone by "text messaging" seemed ridiculous and silly to me. Now, not only do I text with my family and friends regularly, but I even get text messages from clients, the same way I used to receive emails, and before that phone calls, and before that regular mail.

As lawyers, we no longer have time to think about a problem. Clients expect immediate responses to their emails, while opposing counsel send letters via email and demand that you respond by the end of the day. The expectation and requirement to make an immediate decision and to multi-task is at a whole new level.

How we communicate is not the only technological development affecting the practice of law at blistering speed. Court filings are now done electronically. Litigation involves primarily "e-discovery," i.e., the request and production of information on computers, phones, and other technological devices. Legal research can be done on-line by the public, often for free. Virtually all statutes and regulations are available to the public on-line — clients no longer need to consult us to



Stephen M. Dane
President

find out what the law is. More and more courts are making their decisions and opinions easily accessible to the public, instantaneously, free of charge, on-line.

Even the preparation of legal documents can be done at home without a lawyer. Check out the home page of LegalZoom.com:

Save time and money on common legal matters! Created by top attorneys, LegalZoom helps you make reliable legal documents from your home or office. Simply answer a few questions online and your documents will be created within 48 hours. We even review your answers and guarantee your satisfaction.

The categories of document preparation include Business Formations, Wills and Living Trusts, Divorce and Name Changes, Prenuptials, Bankruptcy, and Real Estate Transfers.

We can get our CLE on-line now. Last year, the TBA generated over \$26,000 in revenue from on-line CLE, and this year we are expecting to surpass that number.

Let's talk about marketing and getting referrals of new business. We used to get referrals on what books to read or movies to watch from friends and critics and store clerks— from people. Now we get them from on-line recommendation engines based on higher level mathematics. Amazon.com recommends purchases of books and other goods based on what you've ordered in the past. Netflix.com recommends movies based on what movies you've ordered in the past. Pandora.com is an on-line music station that plays

only the music that it predicts you will like based on what you've told it to play. Dating used to result from meeting other people through friends. Now Match.com and other on-line services find your date for you.

There is no reason to think clients will behave differently when it comes to finding their lawyer. Traditionally, we lawyers got our business by word of mouth from existing clients, friends, family, and colleagues — our human network. But as consumers turn to the internet to find and buy appropriate goods and services, that is likely where they are going to find their lawyer. People are going to find a lawyer by using search engines on their computer. Most people without previous connections to a lawyer will probably use generic search engines like Google, Yahoo, and Bing. More sophisticated searchers, like business owners and other lawyers, will use lawyer-specific search engines and communities like LinkedIn (professionals), LegallyMinded (ABA's community of lawyers), MartindaleHubbell Connected and Lawyers.com, and LegalOnRamp.com (community of lawyers, including in-house counsel).

Indeed, more than once in the past year I have used the TBA's on-line "members only" directory search engine to find a local lawyer with a specific specialty to which I could refer a matter. (If you have not updated your on-line TBA profile to include your specialties, then you may not get a referral from me!)

According to Steve Zack, current President of the ABA, "Getting started in the practice of law no longer means hanging out your shingle; it means registering your domain name."

What Does This All Mean for the Coming Year at Your TBA?

The TBA intends to stay on the cutting edge of technology in order to provide the best in member benefits. That includes better communication tools, on-line networking opportunities, and a more user-friendly website. In next month's President's Briefcase, I'll provide the details on several of these initiatives.



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A newsletter from the Toledo Bar Association

New Technology & the Practice of Law

The President's Briefcase — *Part 2 of a 2-part Series*

Last month I suggested that innovations in communications and technology are changing the practice of law in profound ways. This month I explain how the TBA intends to keep pace with some of these changes.

The TBA Has Gone "Green"

Effective July 1, 2010, email became the default mode of communication of the TBA. Not only will doing so save on the extraordinary cost of mailing 1650 envelopes with each written communication to TBA members, but by "going green" we act responsibly as stewards of our environment. We will communicate with you the same way you communicate with your colleagues, your clients, your opposing counsel. Of course, if you still want paper by mail, we'll send it that way; just notify the staff and you'll be taken care of.

Welcome to the World of Social Networking

Each month more than 800 million users around the globe visit social networks via home or office computers.

Early in his term, my predecessor **Jim Yavorcik** created an **Ad-Hoc Committee on Social Media** to study the use of social networking sites by bar associations across the country to determine whether the TBA should engage in this form of outreach and communication. Chaired by **Jeni Belt**,* the committee met several times over the course of the year, considered the reasons for and against such an endeavor, and eventually recommended that the TBA establish a presence on two social media sites.

The Board adopted the committee's recommendations, and effective July 1, 2010, the TBA created a presence in the Facebook and LinkedIn social networking communities. We have joined the world as it currently exists.

Facebook is the most widely used social network in the world. It boasts over 430



Stephen M. Dane
President

million users, including 3.4 million Ohioans. Facebook has so many users that if it was a country, it would be the third largest in the world, after China and India. Social media sites are not just for individuals; corporations and institutions around the world also have established presences on social networking platforms (e.g., Coca-Cola, General Motors, American Bar Association). Even the Little Sisters of the Poor has a Facebook page. It also appears to be a popular network mechanism among members of the Toledo Bar. The Toledo Junior Bar developed a Facebook presence last year and now has approximately 100 members.

LinkedIn is a professional networking site enabling work-related contacts, communication, and job searches. LinkedIn is recognized as the leading "professional" social media. A search of the LinkedIn platform using the search terms "Attorney" and "Toledo" produced 435 results.

By joining these on-line social networking sites, the TBA becomes part of communities that are already populated by hundreds of our members and tens of thousands of lawyers across the country. According to the ad-hoc committee report, dozens of state bars, local bars, and specialty bars, as well as several ABA divisions & groups, have established presences on Facebook. In Ohio, the Ohio State Bar Association, the Cleve-

land Metro Bar Young Lawyers, the Columbus Bar Association, the Cincinnati Bar Association, and the Akron Bar Association all host Facebook sites.

As with email communications, you don't have to be a member of Facebook or LinkedIn to continue to receive TBA news or announcements. But anyone can set up a Facebook or LinkedIn account for free and take advantage of news, information, discussions, and photos the TBA staff and members post on those sites.

Website Upgrade

The TBA staff is currently working with our website vendor on a complete overhaul of the TBA website. When that project is finished, you will be able to interact with TBA the same way you interact with your other favorite on-line locations. Specifically, after the upgrade you will be able to:

- Access the entire TBA website and database with a single log-in
- Register in advance for events, pay dues, pay for CLE on-line
- Find current addresses and phone numbers of colleagues with the on-line directory
- Access Committee lists, resources, and handouts
- Use a new Calendar interface
- View the latest news and information, thus enhancing your ability to practice—and enjoy the practice—of law

I am committed this year to keeping the TBA and its members apace with the rapid changes in the practice of law caused by technological developments. I welcome any suggestions you have in this regard.

* Other members of the Committee: Steve Dane, Cathy Garcia-Feehan, Stu Goldberg, Jim Irmen, Jim Knepp, Chris Parker, and Jenna Grubb.