

# Digital Workflow

Technology I use to practice law - Ernest Svenson

My theory of technology is that ‘it should just work.’ I don’t want to waste time configuring things, or learning a new piece of software only to find out that it’s more trouble than it’s worth.

I shouldn’t be tied to one computer, one operating system, or one piece of software. My important data should be available to me from any computer that’s connected to the internet. Also, my data should be backed up easily and automatically. When I buy a new computer I should be able to transfer to it seamlessly, and without a lot of set-up time.

Also, I like to automate as many processes as possible. If I need some emails to be filed in a particular folder then why not ‘train’ the computer to do that? There are many little tasks that can be automated using software ‘rules.’ It seems silly not to take advantage of automation where it works reliably and can be setup fairly easily.

In most cases, I prefer to have my data on the web, or at least synchronized up to the web. If you use a large company that is unlikely to go out of business (e.g. Google) the odds are that they will do a better job of securing your data than you would. Also, if you use software services that are internet-based you’re free to access those services from any computer as long as it has access to the Internet. The security concerns that people usually raise are valid, but almost always over-stated. Security is always a trade-off. Perfect security entails imposing many check points, to the point that users get annoyed and either don’t use any security, or don’t get very much done.

You want things set up so that you don’t constantly run into roadblocks and configuration issues. Having your data ‘in the cloud’ and using web-based software services means upgrade headaches aren’t your problem. And same with compatibility issues. The web-based software just has to work with your browser, and you have to have access to the Internet. So, that’s why I incline towards web-based solutions in most cases.

Over the years, I’ve learned a lot of hard lessons about how not to do things. And, more recently, I’ve learned about easy and reliable ways. Obviously, everything I do isn’t automatically applicable to you. But I figured I’d tell you what tools I use, and why I use them. Hopefully I will give you enough background information so that you can decide if any of my choices make sense for you.

I usually state how much the things I use cost, but not always. The prices are often in flux, so it really makes more sense for you to check prices yourself. Also, if I don’t give a web address you can usually find the software or hardware I recommend by googling the name, and maybe adding the word “mac” to the search terms.

## **My Computer(s)**

I don’t really care what kind of computer I use. That said, I use three computers, all of them Macs. I’ve used Windows computers for most of my law practicing days, but I currently prefer Macs because they are more reliable, require less attention, and aren’t as

susceptible to viruses and malware. Still, I do have to run certain Windows applications (discussed below), but I run those applications on my Macs because Macs are now able to run Windows software.

One Mac is a desktop machine that I keep at home. It's an 2008 iMac with 24" screen, and has a 1 Terabyte hard drive, with 8 GBs of RAM. The work machine is a MacPro with a 23" screen, and 1 Terabyte hddrive with 4 GBs of RAM. I also use a 2008 MacBook Pro laptop with a 15" screen and 4 GBs of RAM. If I were giving advice on what to use in your law practice, I'd say get two laptops with maximum RAM and hard drive capacity (or one laptop and one desktop).

I strongly recommend that you have available two computers, both of which are synced so that all of your case data is identical on both machines. Then you won't have to sweat it when one of your computers has a problem, or gets lost or stolen. I will explain how to keep the computers synchronized below.

### **External Monitor**

At work I often attach the laptop to a 24" Apple external monitor (also acts as a docking station), and this allows me to have two screens going at one time. I highly recommend the use of two screens in a digital workflow. Monitors, even large ones, are cheap these days. And if you are going to try to cut down on your use of paper it really makes sense to have a second monitor so that you can keep a document you are referring to on one screen while you do your word processing (or whatever) on the other screen. I can't stress this enough: people who start using two monitors will grab you by the lapels to emphasize how useful they are.

### **Keyboard and Mouse**

I use a wireless keyboard at home, but a wired keyboard at work. I prefer to have the keyboard be wireless, but sometimes wireless keyboards have problems synchronizing. Or the battery runs out. So, at work, I minimize the problems by using a wired keyboard that is attached at all time to the external monitor.

For the mouse, I prefer it to be wireless because it doesn't get tangled up when I move it around. I have tended not use Apple mice because I have found that they drop connections easily and are generally less ergonomic. I have mostly used a Logitech Nano VX laser mouse (\$40) that has a USB plug (I don't trust Bluetooth mice for reliability). This mouse may seem a bit pricey, but I think that anything that you are using constantly should be of the highest quality and reliability. That's why I am willing to pay more for a good mouse. When it comes to the computer mouse you don't want to be 'penny wise and pound foolish.'

I recently got the new Apple 'magic mouse' (\$69) and so far I like it a lot because it doesn't have any moving parts and the entire surface acts like a touch pad that you can swipe to scroll etc.. It uses Bluetooth, so we'll see how reliable it is. I think with a desktop computer it will be okay. If it works reliably, then I will be very happy with it. The ability to scroll simply by swiping down or across the top of the mouse is very comfortable and ergonomic.

### **Email**

Email is the program that people use the most, or that is most important in terms of communication and scheduling. There are two components to email: (1) the service that you use to send and receive email (AOL, Yahoo, gmail, or your corporate servers), and (2) the program that you use to view email and type responses. People who use Microsoft Windows mostly use Outlook for their email management. Outlook is also a calendar and contact management program. It's very powerful and if you have it you would be wise to learn as much as possible about Outlook.

I am on the Mac side so I don't have Outlook, and I don't work at a large firm so I don't have a corporate email server. I use gmail for my email service, and I use Apple's Mail program to manage email when I use my computer. I access my mail on my iPhone using the basic mail program.

First, let's talk about email services. If you work in a corporate environment then you almost certainly have no say about which email service you use. But, if you do have a choice I recommend gmail, which is Google's free email service. I actually use the paid service for my business email. It costs \$50/year for each user. But I can use my personal domain, which means that I can have people email me at [esvenson@svensonlaw.com](mailto:esvenson@svensonlaw.com). The @svensonlaw.com part is called the 'domain'. People who use the free gmail service will have an email address that ends in @gmail.com.

I use the free @gmail service for my personal email, and the @svensonlaw.com for my business email.

The advantages of gmail over other services are several: (1) Lots of online storage (2) ability to search your emails using Google's search technology, which means quick results and the ability to search your email from any computer that's connected to the internet; (3) threaded emails, which means that related emails (i.e. those with same subject line and recipients) will be grouped together for easy reference.

I often use my browser to access emails, rather than using an email program. Because gmail is so fast it's often easier to use the web to access my emails. But, as I said, I use the Apple Mail program a lot too. Basically, I use whichever is faster for what I'm doing. If I'm searching for an email I use the web-based system. Or if I'm on a friend's computer I'll also use the web. But, if I'm on my own computer I'll use the Apple Mail program.

There is one other thing to pay attention to when you set up your email: POP3 versus IMAP. These are two different 'protocols' to set up your email. AOL and Yahoo may not let you use IMAP, at least they didn't. Anyway, if you can, you want set up your email so that it's IMAP, and not POP3. Gmail will let you set up your email as IMAP, but you have to specifically configure it. In other words, it's not the default set up.

Why would you want to use IMAP as opposed to POP3? Basically, if you are going to be accessing your email from more than one computer or smartphone (and these days that's a pretty safe assumption for almost anyone who uses email) then you want IMAP. The reason is that when you read or delete an email on your computer (or phone or wherever) the email will be flagged as having been read or deleted when you go to access your emails from another place later on. If you have POP3 you have to delete the same email at each device. And you would not get any indication that you had already read the email.

In other words, IMAP keeps all your email activity synchronized across all devices. It can do this because all your devices are simply accessing the main email from a location in the web. IMAP is a little trickier to set up, which is why it's not the default for services like Gmail. But, IMAP makes your life a lot easier if you take the time to enable it.

## **My Scanner**

I own two Fujitsu ScanSnap 1500M scanners. This is the Mac version; the Windows version is the 1500. They cost about the same and come bundled with Adobe Acrobat 9 software, which I will talk about below. The Adobe software that comes with the scanner is worth \$200, and the scanner is available for about \$400 at Amazon (check my link at [www.pdfforallawyers.com](http://www.pdfforallawyers.com)). That means that you're getting the scanner for about \$200.

The ScanSnap is the *only* scanner I recommend, at least to people who've never used a serious scanner with a sheet-feeder. It's easy to set up and easy to use. There is one big button. You load a stack of paper (up to 50) in the document feeder and press the big button and the scanner starts working. It scans both sides of each page at once and tosses out any blank pages. It will scan legal size pages and letter size, and you can intersperse them and the scanner will figure it all out.

The ScanSnap will auto-detect color pages, although I disable this and force it to scan everything in at 300 dots per inch (dpi) in black & white (not grey scale). The scanner will adjust pages that go in crooked so that they look straight. It will also OCR the document so that you can search the text if you need to later on (I only OCR my case documents, not my office paperwork). The ScanSnap works well with PDFs and Adobe Acrobat software (which I'll discuss below).

There are very few things in the tech world where you can say, with absolute confidence, that 'this is the best choice and the other options aren't worth messing with.' The ScanSnap is one of those rare things. When people have trouble getting started scanning, it's often because they have a scanner that's too complicated or just not right for the job. **DO NOT get an all-in-one device.** DO get a ScanSnap. Trust me, you won't start scanning regularly unless it's easy to do, and it doesn't get any easier than the ScanSnap.

## **Adobe Acrobat Software (manipulate PDFs)**

All of my 'digital paper' is in PDF format. PDFs are great because you can use them to represent 'pages of paper' or 'video' or 'pictures' or anything that can be stored in a computer. If you want to make it easier to manage your digital law files then I suggest you use one format for everything: and PDFs are that format. Federal courts require documents that are e-filed to be in PDF format, as do most states that use e-filing. It's pretty clear that PDFs are going to be the de facto standard for digital documents in the legal world.

PDFs can be viewed on any type of computer and will look the same on all those computers. You can insert pages into a PDF document, or delete pages, or extract a range of pages (e.g. if you want to email a select group of pages). Once you decide to use PDF as your main file type, the question is how you are you going to manage those PDFs?

I use Adobe Acrobat to view, and manage, my PDFs. If you want to word process documents then you obviously need a word processor. No law firm these days doesn't supply each of its attorneys with word processing software. Any law firm that wants to have

be paperless needs to give its attorneys and paralegals a full version of Adobe Acrobat (the free 'Reader' is just for viewing documents, and nothing more).

Adobe Acrobat comes in two editions: (1) Professional, and (2) Standard. The Professional edition allows you to do redaction, which is probably useful for most lawyers and law firms. Either version will allow you to do OCR and bates-stamping. So you need at least the Standard edition. If you work in a law firm it's probably enough if one person (paralegal) has the Professional edition.

The latest version of Acrobat is 9.0. The earlier version (8.0) does bates-stamping and redaction too. So if you have that version you're okay. If you have anything older than 8.0 then you need to upgrade.

### **Yep (manage PDFs as you scan them)**

I use software called 'Yep' from a company called 'Ironic software' ([www.ironicsoftware.com](http://www.ironicsoftware.com)). I use this Yep because it helps with my scanning workflow. The Windows version of the ScanSnap comes with organizing software that allows you to quickly scan a bunch of different documents and then rename them and file them later. On the Mac side there is no bundled software with the ScanSnap. Yep fulfills that role, and costs about \$34.

Unfortunately, version 2.0 of Yep doesn't do as much as version 1.8 did so I have not upgraded and won't upgrade. If you can get version 1.8 then I suggest you do. I have my software set up to work with the ScanSnap, which means that when I push the button on the ScanSnap it scans the documents directly into Yep (as opposed to Acrobat). Acrobat is great for manipulating PDFs, but Yep is better for renaming them and dragging them into appropriate folders. My workflow is this: I scan a batch of documents into my 'Pending documents' folder in Yep. They sit there until I'm ready to process them. I process my case file stuff and work related documents pretty quickly, but I tend to leave my personal stuff sitting in the pending folder, at least if I need to act on something. So it's kind of like my 'digital in-box' where I can see if I have things pending to work on.

Yep is pretty flexible, and so you can make it work however you want. The main thing is that it's lightweight. Whereas Acrobat is much more robust, which is fine if I'm editing a PDF or viewing it. But if I just want to move PDFs around I'd rather do it with a lightweight program. And when I scan things in I don't like to stop to have to rename them and file them. I'd rather do things in batch, and Yep let's me do that.

### **Web-based Fax service**

Using a traditional fax machine is insane, at least if you consider web-based alternatives. A regular fax machine will only work if (1) it has power (e.g. not during blackouts or disasters); (2) has paper, and (3) if you are near it so that you can see that a fax has arrived, or if you want to send a fax out. Web based fax services work over the Internet, so faxes are delivered to you as an email attachment. So if you are checking your email you'll know if you got a fax, and you will also be able to read right away, or forward it on to someone else.

I use a service called RingCentral, that's primarily a phone management program. It allows me to have my central line forwarded to any phone that I choose (e.g. home, work,

cell) and do so based on time of day, or day of week etc. RingCentral also has a free fax line that allows me to send faxes by simply attaching a document (e.g. PDF, or Word or whatever) to an email and then send the document to RingCentral. They then convert the document to a faxable image and send it to the fax number I designate.

I will probably get rid of RingCentral soon (see below post about Ruby Receptionist), and when I do I'll probably start using MyFax.com. Their web-based fax service works just like RingCentral (or any other of the web based faxing services), and costs about the same \$12/month. You can send faxes by email, and you receive them as PDF attachments that are emailed to you.

If you are using a regular fax machine now you should consider getting rid of it and replacing it with a web-based fax service. Once you experience web-based faxing, you'll understand what I mean when I say that using a traditional fax machine is insane.

### **Virtual Receptionist**

I have recently started using a service called Ruby Receptionist, which is based in Portland, Oregon. They charge \$199 per month for the basic service which provides 200 minutes of receptionist time. You can use the service for 30 days for free, and if you do you'll probably keep it.

To make it work you simply forward your main work line to them at a number they provide. You give them instructions on what to do when people call you (e.g. ask if the person is a client or attorney etc. If it is a client ask if they are new or existing, and if they are new then ask a series of questions about what their issue is. They will then email you with information about the caller, which is great because you get a very accurate transcript about the caller and their message. If the caller asks to speak to you (and your instructions permit them to forward the call) they will ring you at whichever phone you specify and tell you that so and so is calling and do you want to take the call?

The service works pretty much like you'd imagine (e.g. you can send an email and say you're working from home and please have all calls directed there, or you're in court and just take messages all day etc.). The thing that is hard to imagine is this: the people who answer the phone are top-notch and create a wonderful human presence. And the cost is very reasonable when you factor in how helpful and professional they are.

I was skeptical that I'd keep the service, but after using it for a month (for free) I realized that it was indispensable. When new clients call they don't want to be direct to voicemail, and they probably think it's weird if the attorney answers his or her own phone. Ruby Receptionist is a godsend, and a bargain.

### **Cellphone/smartphone**

I use smartphone (i.e. a phone that can get email and hold calendar information etc), and can't imagine that any lawyer would use a flip phone. The phone I use is an iPhone, which makes sense because I use Apple computers and it synchronizes easily with those devices. But, the fact is, iPhones are now ubiquitous and work fine in a Windows environment. Friends of mine who work in Windows-centric law firms have told me that when they switched over from their Blackberry to an iPhone it was actually easier to set up and use.

But whatever phone you use it should be capable of doing email, calendar, and even web-browsing. We live in an information processing world, and part of our job is to process information from anywhere. To do this you need a very capable phone.

The other reason I really like the iPhone is that the applications that are available for it are amazing. In addition to the many useful applications like GPS, RSS Readers (I use 'Byline') and so forth, there are great legal applications such as The Federal Rules of Evidence, Federal Rules of Civil Procedure, Louisiana Civil Code, Louisiana Code of Civil Procedure, Louisiana Code of Evidence, and a date counting application ('Court Days'). If you use an iPhone I highly recommend that you visit this website: [www.iphonejd.com](http://www.iphonejd.com). It's run by a New Orleans attorney named Jeff Richardson who is a partner in a large law firm. Jeff keeps a keen eye on iPhone information, including applications, that might be useful to lawyers in their practice (as well as some personal tips too).

**Note:** I recently obtained the Apple iPad (\$499), and have used it enough to say that it's a very powerful and useful device. It does everything that you can do on an iPhone, but in many cases does it better because of (1) its larger screen, and (2) its faster processor. While a laptop has a faster processor and larger screen it's unwieldy in many situations. So the iPad is optimal in many situations. Typing with the virtual keyboard is better than the iPhone, but much less effective than a laptop. But that still makes it very useful for hearings and situations where you're not going to be typing, but rather just accessing information such as PDFs or websites.

### **Google Reader (gather info faster and easier)**

If you aren't familiar with RSS feeds then you won't what an RSS reader is. Google Reader is an RSS reader. I use it constantly, and it allows me to gather information from certain types of websites (i.e. those that have RSS feeds, which increasingly is pretty much every website). If you like to visit a few websites such as news sites, or political sites, or hobby sites and so on, then you can make use of an RSS reader. The trick is taking the time to learn how to use the Reader and then populating it with feeds that you're interested in.

It's hard to explain why this is so amazing. I've gotten better at explaining it, but I still can't do a very good job compared to just showing it to someone and then setting them up with the Reader. Like I said, it takes time to set up and learn to use. And that's the main barrier. But, once you get it set up and learn how to use it you'll be blitzing through news and important information as though you had attended the Evelyn Wood Speed Reading Course.

Basically, an RSS Reader will pull articles from websites that you would normally have to navigate to one site at a time, except it will gather all these 'feeds' into one page (and strip out all the ads and junk that you'd see if you went to the webpage). It does this in the background, so when you're ready to read all of the information is just sitting there for you in one place. No waiting for pages to load, and no having to click around to visit each site you are interested in.

Google Reader is the best RSS reader, in my opinion, for several reasons. Mainly, it's great because you can use it from any computer. Once you set up your account, you just log in and start reading. If you want to check your news from a friend's computer you can. If you want to read from your iPhone you can (use the application called 'Byline').

Once you've read an article (on any computer, or phone) it will automatically disappear from your feeds. If you want to keep it, you can do that in several ways. You can also easily email or share the articles in your feed with other Google Reader users, or even other people who don't have an RSS reader. Trust me, this is the way to gather and read news. And once you get used to it, you'll wonder how you ever got along without it.

The only downside of Google Reader is that you have to be connected to the Internet to read articles. If want a program that does RSS reading I recommend NetNewsWire. It will synchronize with your Google Reader account, and actually makes it easier to manage the subscriptions you have in Google Reader. The program is free if you use it on your computer, and if you get the iPhone version it's free as well. On my iPhone I prefer a program called 'Byline' which costs \$3.99.

### **1Password (login faster, more securely & fill in forms faster)**

Because we spend so much more time on the web, we often find ourselves having to login to various sites. This is a great security feature, but it's also a bottleneck in terms of our efficiency. The way most of us solve the problem is by using only one password for all of our sites. This makes it easy for us to remember the passwords, but also easier for someone to get at our information. All a hacker has to do is find out that one password and then they have access to all of our web information (e.g. banking sites, credit card sites, etc.).

The better approach is to use a password management program to manage all of your passwords. These programs allow you to use one password for the program itself, but then the program can remember, and create, passwords for all of the sites that you visit. There are several types of programs like this, and it's tempting to just use any old one. But, since this is a mission critical function, you want to pick a program that is made by a reputable company that's likely to be around for a long time, and also is fairly mature and easy to use.

When I used Windows computers I used a program called Roboforms, which I think is still around and I think is still pretty good. On the Mac side, there is only one clear choice: 1Password which is made by AgileWebSolutions (\$39). The newest version is 3.0 and it is very robust. They also make an iPhone app which allows you sync all of your password over to the iPhone or iPod Touch (but it's all encrypted so there is no risk of someone getting your passwords by getting your iPhone).

So, the main thing, as I mentioned is to created one password that you remember and that's what you use to access the program itself (hence, the name '1password'). Then you create different passwords for all of the websites that you visit. In fact, the best thing to do is to let 1password create a 'Strong Password' and then remember it. This is what I did for all of my financial sites. I couldn't tell you what the password is for any of my financial websites if you held a gun to my head.

But I don't need to remember those passwords because whenever I access the sites I simply use 1password. The program installs a little module into all of my browsers (I use Safari and Firefox) and when I go to my bank site I just tell the program to automatically fill in my username and password. But, before it will do that it asks me for my 'one password'. I type that in and it fills in all the rest of the information.

I use the program also to fill in web forms that ask for my name, address, telephone number, etc. It fills in complex forms in about 1 second. You can have multiple ‘identities’ so that if you sometimes use a work address, and sometimes a home address, it can keep track of those as separate identities. It also can fill in your credit card numbers, but only if you tell it the ‘one password.’

Periodically, you should change that ‘one password’ and that’s easy to do. But the nice thing is you don’t have to keep track of any other passwords.

The program is pretty easy to use, and it’s totally secure. Obviously, you can’t easily access your websites if you aren’t using a computer that has 1password installed (e.g. a friend’s computer). But if you have your iPhone or iPod Touch you can pull up your information and enter the password by hand (or use the built-in browser in the mobile version, and then you don’t have to remember anything).

I use the program across both of my computers and I keep my 1password data synchronized across both computers at all times. So all my password information is up to date on all my computers. I do this using a service called ‘Dropbox’ which I’ll talk about below. I have gotten so used to 1password that I would find it hard to live without it. I can get to my important websites very easily, and yet I maintain a high level of security. Filling out web forms and putting in credit card information used to annoy me because I had to slow down to put in information that is always the same.

Once in awhile the form-filler doesn’t work perfectly, but that’s usually because the web form is not properly enabled. In those few instances when I have to resort to manually filling out a form I always remember how fortunate I am whenever the 1password program is able to do the tedious form-filling for me.

I can’t emphasize enough how useful this program is. The only thing that I wish it would do is to work on Windows computers too. I don’t have any Windows computers in my work or home environment. But if I did then I’d want a password manager that worked on either platform. I’ve heard good things about a program called ‘Lastpass’ which works all platforms. But I’m not about to switch my current system. I works, and I’ve spent enough time configuring it.

I don’t need a system that works with PCs, but I have spent some time investigating LastPass.com. If I did need a cross-platform password manager that LastPass would probably be the best choice. It’s free for the basic version, and the premium version (which includes synchronizing services is about \$12/year).

## **Word Processing, Spreadsheets & Presentation software**

Microsoft Word is the dominant word processor in the legal world, as it is everywhere else. There are some lawyers who cling to WordPerfect and extol its superior virtues. I used to be one of those lawyers, but I found it easier to just learn how to use Word and be done with it. I have to collaborate with other people from time to time and very few of them have WordPerfect.

On the Mac side you can get an Office suite of Word, Excel and Powerpoint. I forget what it costs, but it’s probably a good investment. I made the investment, and used

Word a lot initially. Word files on the Mac are the same as Word files on a PC; they are completely compatible. Same for Excel files and Powerpoint files.

About a year ago I started using Pages, which is the Apple word processing program that is part of their iWork suite. The whole package costs \$79, and is much less than the Microsoft Office suite. I don't really care about the price, although you may so that's why I mention it.

What I care about is having a word processor that's simple and efficient. Pages is that tool. It's almost 100% compatible with Word files. For stuff I create and export to word it is in fact 100% compatible. But sometimes when I get a Word file from someone else it has weird scrunched up text (usually in a heading or large title). In those rare instances I just fire up Word and there is no problem. So, for word processing compatibility you probably want to have a copy of Word.

Now, for presentations I use nothing but Keynote. It's far superior to Powerpoint, which I used for years and loved until Keynote matured and became much better. I know many devoted Powerpoint users who have switched and no one ever goes back to Powerpoint. But if you don't want to learn a new system then stick to Powerpoint.

Numbers is great for spreadsheets, and is very compatible with Excel. I don't use spreadsheets enough to know if there are slight compatibility problems with Excel/Numbers as there is with Pages/Word. But I know that creating great looking spreadsheets with Numbers is easy and fun.

### **Scrivener: The best word processor**

It's hard to explain why you should check out this exceptionally useful and powerful word processor. But let me start with this: it's powerful because it's so simple.

Scrivener was designed for research-based writing. It allows you to store your research in one area while you write in another. And what kind of writing do lawyers do? Yes, that's right. We do researched based writing. Scrivener was not designed with lawyers in mind, but it easily could have been.

Scrivener is not a tool that allows for a lot of formatting. It's just for storing ideas and sources and then cranking out text. Because of how it works, it's easy to rearrange sections of text and to visualize how things piece together. But there aren't any formatting decisions. You do that later when you've exported your well crafted prose into Word or Pages.

Scrivener only costs \$40 and it only works on the Mac. Now that I know about it, I would say that I've found the killer application for me as a lawyer. If didn't write so much, then I wouldn't care. But writing is integral to the practice of law that I consider this program the most critical one I use.

Unfortunately, it does take some getting used to. Your brain isn't used to having a tool that makes writing so simple. So initially you'll resist or dismiss the program as too hard to learn. Trust me, it's not. But if you don't mind making the act of writing a little harder then don't bother with Scrivener.

### **Speech Recognition: MacSpeech Dictate**

I type pretty fast so theoretically I'm not the ideal candidate for speech recognition software. Nevertheless, I've been keenly interested in this technology. On the Windows side Dragon Naturally Speaking (\$120) has been around for awhile and is pretty mature. David Pogue, the technology writer for the New York Times (whose opinion I greatly respect), has long touted the benefits of Dragon Naturally Speaking. Pogue credits DNS as being essential to his productivity, and he's someone who types well over 100 words per minute.

My theory is that if a tech-savvy, prolific professional writer feels that speech recognition software is essential to his workflow then I should pay attention.

Until MacSpeech Dictate (\$170; [www.macspeech.com](http://www.macspeech.com)) emerged there were no reliable speech recognition programs for the Mac. As soon as MD arrived I started using it, and was very impressed. It's not as robust as Dragon Naturally Speaking, at least in terms of features. But it uses the same 'engine' so it's easy to train and works very reliably.

You can use the dictation function in any text-entry context. That is, you can dictate emails, word processing documents, or any other kind of text file. If you've tried

The problem with speech recognition programs (Mac or PC) is no longer that the technology isn't 'ready for prime time.' The problem now is just the need to habituate yourself to using the software. People who type quickly are less inclined to want to learn how to use the software (which is pretty easy and quick), and also less inclined to habituate themselves to use the software. On the other hand, tech-challenged people shy away from speech recognition because they fear it's too complex.

It's true that speech recognition does require a decent amount of RAM, so older computers are probably not ready to handle the workload. But, at least on the Mac side, if you have a computer that's no more than 2 or 3 years old, you're probably okay.

I type pretty fast, but I still find speech recognition helpful in certain situations. If I have to respond to a batch of emails that require more than one or two lines of discussion, it's easier to fire up MacSpeech Dictate and blast out paragraphs of text. I can definitely blast it out at least 3 or 4 times faster by dictating, and that's including the little extra time I have to take to proofread and edit some minor mistakes.

If you don't type particularly quickly then speech recognition is unquestionably an essential productivity tool. Remember David Pogue is a professional writer who cranks out several books a year, in addition to hundreds of article, and he types over 100 words per minute. And yet he uses speech recognition software most of the time. So, this is probably an area that you should investigate again.

## **Online Backup & Synchronization**

Backing up your key data is essential, and yet many people I know have no proper backup. The best type of backup is 'offsite backup.' That's because if your house burns down the odds are that everything in the house will perish, and so it makes no sense to have your backup in the same place as your computer. Francis Ford Coppola, the famous director, has kept all of his scripts and projects on his laptop computer. Recently, he was in Argentina and someone stole his computer. He also kept a backup, but unfortunately he kept it on an external hard drive that was always with the computer. So guess what? Yep, the external hard drive was stolen too.

It used to be harder to move your backups offsite but now, thanks to the Internet, it's very easy. And cheap.

I use a service called Dropbox ([www.dropbox.com](http://www.dropbox.com)), which is free if you only want to store 2 GBs of data. It works with Windows computers, Macs, and Linux. I upgraded to the Pro 50 level, which allows me to upload up to 50 GBs of data (\$9.99/month). The Pro 100 level costs \$19.99/month and allows you to upload 100 GBs of data.

The cool thing about Dropbox is that it also synchronizes my data across all my computers. So not only do I have a backup 'in the cloud' (e.g. on their servers), but also I have replicas of my key data on all of my computers. If I change a file on one computer that change is immediately replicated on all my computers (as long as they're connected to the Internet, of course). So what happens if I accidentally delete a file? Does that change automatically get replicated to all my computers? Yes, but Dropbox's website allows me to restore any file that was deleted or changed in the past 30 days.

And remember that earlier I said that I keep my 1password file synchronized across all my computers? Well, this is how I do it. Also, you can create folders and then share them with people (e.g. clients) if you want to give them access to just one or two folders. This is a great way to get a large file to someone without having to email it.

There are other similar services (e.g. Sugarsync) but it's becoming apparent that Dropbox is the market leader. It's easy to use and set up, and the company seems to be very well managed. There is also an iPhone application that allows you to access your files on your phone, or send them by email.

So, the key thing to understand about Dropbox (and other similar services) is that, by using them, you are accomplishing several things at once. First, you have an online backup that will protect you in a serious disaster. Second you can sync your data easily across multiple computers regardless of what kind of computers you have (e.g. Windows, Macs, Linux), and you can share your data with other people regardless of what kind of computer they have. And all of this functionality just happens in the background. You set it up once on each computer and then you can forget about it because it just works.

## **Local backup**

Having said that you only need Dropbox, I will now explain why you probably need a local backup too. First of all, if you have to choose you'd pick an online backup service like Dropbox. But, once you've got that in place for your key data (or all of your data if you don't have too much) you might face the problem of having so much data that it's not really efficient to use the web for all of it.

For example, if you're in firm with 5 or 6 attorneys you could easily chew up 100 GBs of storage on Dropbox, and then you'd need more online storage. And then there is the issue of how long the initial upload to Dropbox takes. If you have 35 GBs of data, which is what I have, it might take a day to upload it all (synchronizing the changes that happen day-to-day isn't a big deal because you don't typically make many changes).

But uploading 200 GBs of data could take awhile and maybe you have even more data than that. For example, what do you do about all of your pictures and music files? You

don't want to upload all of those to Dropbox, but you do want to make sure that they're backed up somehow.

The easiest and simplest solution is to use an external hard drive, and a program that automatically runs the backup once a day. I use a Drobo (\$300 + hard drives) and a program called SuperDuper (\$28). The Drobo will work with Windows or Mac computers, but SuperDuper is a Mac only program. If you're a Windows user I think that SyncToy would be the analogous alternative, and it's free if I remember correctly.

First, the Drobo. Here's why I use a Drobo instead of a plain old external hard drive. I used to use external hard drives but then I'd fill them up and have to buy a new one. That would require me to set it up and create a new backup routine, and then check to make sure that it was running properly. That wound up being more work than I wanted to so, and so I tended to not backup regularly.

The Drobo (made by Data Robotics) is simply a hard case shell that holds several hard drives (between 4 and 8 depending on which model you get). The hard drives it holds are the cheaper, and more reliable, internal drives. So, here is what you do if you get the Drobo. You buy 2 internal drives of sufficient size to exceed your current backup needs and put them in the Drobo. You hook the Drobo up and configure it (it does all of the work itself so there isn't much for you to do except watch, and click a few buttons). Then you set up your SuperDuper backup program. At that point the backups will happen regularly and you don't have to do anything.

The Drobo has some very basic lights on the front to tell you that everything is going smoothly. If you see a red light you can open the front case (it's easy; just tug and it comes off) and read the instruction about what to do. If you have to get more storage capacity you just order a new drive and shove it in; the Drobo will automatically do its thing and update everything. If one of the drives is somehow bad, you just pull out that drive and install a new one. Basically, the Drobo figures out if everything is going smoothly and alerts you if it isn't, and then tells you what to do. The only thing you ever might have to do is get a new hard drive and shove it into the Drobo. The basic Drobo has 4 slots, and can hold up to 16 TBs of data (if you get 4 TB drives). The most advanced one has 8 slots and can hold 32 TBs of data. And you can daisy chain Drobos if you exceed the capacity of a single Drobo. The individual drives can run between \$79 and \$200 depending on how much capacity you are looking for. And you can use different size drives in each bay of the Drobo if you want.

Every techie I know who has used the Drobo swears by them. People who do a lot of video editing use Drobos by the carton-full. Again, there is no other comparable product for small businesses. As for the software, it's also a clear choice. SuperDuper for Macs and SyncToy if you use a Windows computer.

## **LaunchBar 5**

If you use a lot of computer shortcuts and like to do things quickly then you probably like the Spotlight feature on your Mac (I'm speaking only to the Mac users here). If so, then you might want to check out a program called LaunchBar (\$35). It does a lot more than Spotlight, and is much more powerful. If you are interested then I suggest you check out Don McCallister's screencast tutorial on LaunchBar. I think you have to join his online screencast service (\$60/for 6 months). But this, too, is a worthwhile investment. Don

produces top quality tutorials and offers great advice on products that help you with your productivity. For example, he has tutorials on Dropbox and other programs that I use and would recommend.

LaunchBar is hard to explain, so I guess what I'm really recommending is that you become a member of ScreencastsOnline ([www.screencastsonline.com](http://www.screencastsonline.com)) and then watch the LaunchBar tutorials to get a sense of what it does and how to set it up. If you wind up using LaunchBar you'll find that it saves you a lot of time and makes your Mac computer a lot easier to maneuver.

LaunchBar also has a clipboard function that remembers the last 20 (or whatever number you set) things that you copied. It's like the 'history' feature in your browser, except for stuff you copied. Why would you want this? If you are working on something that requires you to go back and forth between two documents copying and pasting then you want this in the worst possible way.

If you use a Windows computer then my recommendation for similar software would be a program called Activewords ([www.activewords.com](http://www.activewords.com)). It does quick program launching and folder navigation, and also some of the things that TextExpander 3.0 (see below) does. It costs \$49, and you can try it free for 60 days.

### **TextExpander 3.0**

This is an indispensable utility (Mac only) that allows you to have short snippets of text that trigger an expansion of that text into a larger chunk of text (this works in any application, or any context). Your imagination is the limit when it comes to thinking of ways to use this, but I'll give you an example of something I use it for constantly.

My email program has a 'signature' function that allows it to paste my signature into an email. The problem is I have to navigate over to invoke it. I'd rather just be able to type a short phrase when I want to include an email signature. So, for example, if I type 'ssig' and hit the spacebar it will produce the following text:



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You'll note that it can insert formatted text, as well as graphics (which is what my name 'Ernie' is). Now you might ask, why not just do that in the email program? The answer is that application-specific macros are too limiting. Once you start regularly using any kind of application-specific text-replacement, you'll quickly find yourself wishing that you could use the text replacement shortcut across all applications. That's the real power of this tool. You create snippets that work in any context and in any application.

Another snippet I use involves my telephone and fax numbers. If I type 'ccell' it expands to: '(504) 669-5150 (cell)'. If I type 'ffax' it expands to: '(888) 425-1232 (fax)'. People are always asking what number they should call me on when they email me to set up a conference call. As I said, there are lots of ways you can use these kinds of short snippets once you start thinking about it.

The latest version added a couple of new features that make this program indispensable. First, it now allows synchronizing of your 'snippets' via the cloud service DropBox (see above). So if you use TextExpander on more than one computer, as I do, you can have all of your snippets reflect up-to-the minute changes you make on any of your computers. Not to mention, your valuable snippets are automatically backed up to the cloud.

Perhaps even more enticing is the new feature that allows you to insert chunks of boilerplate text, and then be prompted to enter variable values. I use this for creating my form engagement letter for new clients. Typically, I need to input the 'client name,' the 'client address,' and a 'short description of the matter' I'm representing them on. Sure, I could open a template in my word processing program and then replace certain passages, but that's more cumbersome and tedious. TextExpander is much faster, and the TextExpander prompt-method assures that I'll properly fill in each variable. Why? Well, because it forces me to look at each and every variable field. Setting this up is not intuitive, but once you figure it out it's easy to remember and do. The power of this function cannot be overstated.

You can think of dozens of ways you would use this application once you start to use it. And once you do you'll consider its price of \$35 to be ridiculously inexpensive, especially when you consider how much time (and agony) it saves you. In fact, it will even tell you how much time it has saved you. In my case, as of this update, it's saved me 11 hours of time.

If you use a Windows computer then my recommendation for similar software would be a program called Activewords ([www.activewords.com](http://www.activewords.com)). It does both text expansion and also some of the things that Launchbar 5.0 does. It costs \$49, and you can try it free for 60 days.

### **Hazel (noodlesoft.com)**

For \$21.95 you can have a wonderful personal assistant named Hazel that lives in your computer, who deletes old files or moves them around to where they belong. Hazel is a 'system preference' that you configure according to your needs. In other words, you have to tell Hazel what you want cleaned and moved. (She can't read your mind).

If you're used to creating rules in your email program then you'll immediately grasp how Hazel works. Except that Hazel acts on files, instead of emails.

You begin each 'instruction' by telling Hazel which folders she should watch. For example you'd probably want to have her watch your desktop. And then what? Well, what do you want?

I have Hazel trash any files on my desktop that have been there for more than 2 days. Usually desktop files are useless to me after about a day, but I always have to remember to toss them in the trash. And when I remember to do this is usually when the desktop looks like a jigsaw puzzle table. But now with Hazel I don't have to remember to clean my desktop

Hazel can also move files. And I scan a lot of stuff, which invariably has to be moved. Most of my scanning is personal stuff that all goes in one folder named for the current year. So this year is 2010 and I move all my personal stuff into that folder. The scanner automatically names current scans with the year as the first part of the filename. I

then append a description after the date part. So, a file might be named '2010\_04\_15 EES bank statement.' I have a rule for Hazel that any scans into the inbox folder that (1) begin with 2010, and (2) contain the word 'EES' should be moved. To where? To my 2010 folder.

As soon as I name the file with 'EES' and the description, Hazel moves it to the proper folder immediately. There is no limit to the stuff that Hazel can do if you take the time to map out common tasks that you are routinely doing with your files.

### **Notational Velocity**

When I first heard about this free program I was intrigued since the folks who talked about it were productivity gurus, and were wildly enthusiastic. Simple text notes that are like the Sticky Notes that come with every Apple computer sounds kind of lame. Why would I want that? I didn't appreciate the power of Notational Velocity.

The power of Notational Velocity is not so much from the creation of notes (although it is actually a little easier than with Sticky Notes); the power is from the searchability of notes. You can have hundreds of little text files strewn about on many different topics, but you can search them in a heartbeat.

So the idea is to put lots of little stray bits of information in your NV database and then you can always find that information by searching. And, here's the best part. If you have an iPhone you can download a free program called Simple Note and then have your NV notes automatically synced to your phone. Very fast, very powerful, and very reliable.

Google the name 'notational velocity' to find the download. It's a Mac only program.

### **Things (task management)**

I had gotten away from using Things (\$49.95) even though I liked it and found it easy to use. But after talking to a lawyer who's adept at task management—he uses a program called OmniFocus (\$79.95)—I realized I needed to go back to using Things. It's dead simple, and yet very powerful. I tried OmniFocus for awhile and liked it a lot, but when Things came out I found it easier to use. Either program will work fine, and they both have iPhone apps (or iPad apps too). It's much easier to keep track of my many tasks using this program, and so I highly recommend it for lawyers.

Both Things and OmniFocus are Mac only programs.

### **Bill4Time (online billing service)**

Obviously, keeping track of time and sending out bills is a necessary evil. There are many choices out there when it comes to billing software. There is no 'best for everyone.' So, you'd ideally like to find the best one for you, but this also is pretty much impossible. The only way to do it would be to try all of the programs until you got familiar with each one and could meaningfully compare them. Obviously, that isn't possible. And finding a consultant who knows all of the choices and can recommend the 'best one for you' is pretty hard too.

Having lived through the chaos of Katrina I saw first hand how difficult it is to manage affairs in a major disaster. Even small disasters can cause a lot of havoc and chaos.

I resolved during Katrina that, if I ever started my own firm, I'd use an online billing service. I don't want to ever have to worry about technical problems that prevent me from capturing my time, or sending out my bills. Online services have robust backup systems and their whole business model depends on being available close to 100% of the time. The main risk that I face in using an online service is that possibility that my internet connection will go down. If that happens I'll either wait to record my time (or send my bills), or move to a new location where there is Internet and then do what I need to do there.

Sometimes people ask me if I'm worried about having my data in 'the cloud.' I explain why I'm not worried this way: Most online services allow you to download your data if you want to. Obviously, moving that data into a new accounting system would be a major pain in the ass. But that's true of any accounting data. I don't know of any law firms (and I'm not saying it's never happened, but it's definitely rare) that has migrated from one accounting system to a new one. Why not? Because it's a major pain, and it causes disruption in a critical function (i.e. collecting money). You'd have to have a really good reason to move your accounting system to a new platform.

Three months after Katrina I started out on my own, and I used a service called Timesolv which cost me about \$20/month. Timesolv was owned by a very large organization and promised to stay in business. After I started using it, Timesolv got sold and was run by a small company. The service actually improved and I had no complaints, other than the user interface seemed kind of old.

Nevertheless, I always kept my eye out for something better (being a solo lawyer I didn't have to worry as much about 'switching to a new system'). About a year ago I started using a service called Bill4Time. I love the user-interface, and they have an iPhone app that makes it easy to bill my time, or expenses, when I'm out of the office. The service is \$40/month per time-keeper, which is more than I'd ideally like to pay. But the customer service is fantastic! And it allows LEDES billing (which many insurance companies use).

Bill4Time is a pretty big company, and it's getting bigger all the time. They seem to manage their growth well, and they are very responsive to questions and suggestions on how to improve their service. I see them as the obvious front-runner for people who want to bill their time using an online service. There are some other services for lawyers (e.g. Clio, and Rocketmatter) that I think have a lot of promise. Both companies are well run, and the features of their software are pretty complete. Still, I'll probably wait at least another couple of years before I commit to using either Clio ([www.goclio.com](http://www.goclio.com)) or Rocketmatter ([www.rocketmatter.com](http://www.rocketmatter.com)). But, if I were starting out I'd probably use one of those two services.

One thing is certain: I wouldn't use anything other than an online service. I realize that very large firms wouldn't do this (and maybe they couldn't from a technical standpoint). But, the reliability and convenience of the online services is so great that they are worth a very serious look if you are starting a new firm.

### **Default Folder X**

This is a system utility that makes the Mac Finder a lot more useful. I often found myself frustrated when I was saving something to a folder and knew that I had just saved to that folder from another application, but still had to navigate to it back from a root folder. Default Folder X lets you save 'favorite folders' that will always be right at hand when you

got to save a document, or open it from an application. It also has a 'recent folder' feature which remembers the last few folders you opened. (<http://www.stclairsoft.com/DefaultFolderX/>)

### **SizeUp**

Many people won't want this program, but I love SizeUp (\$13 - <http://www.irradiatedsoftware.com/sizeup/>). I often need to have dual windows up at the same time, but also want to be able to see two windows at the same time. Typically, I do this if I'm reading from a PDF file while I type information in my word processing program. Getting the various windows properly configured takes some maneuvering with my mouse. With SizeUp I can set the windows up very quickly just using a few keyboard commands.

It took me awhile to learn the commands, and to remember to use this program. But now it's an integral part of my overall system and I would find this program hard to live without. If you have two monitors, then this is a must-have program. But even without two monitors it's very helpful.

### **iPad**

This is a niche device and I'm still learning how it might be useful for lawyers. It won't replace my laptop, and certainly not my desktop computers. It has a bigger screen than my iPhone and so many of the applications I use on my iPhone work even better on the iPad.

One thing application that I really like on the iPad is Good Reader, which is a great way to read PDFs. You can't do all the things you can do with a full version of Acrobat, but you can search PDFs and create bookmarks, or navigate based on bookmarks that are already in the PDF. Good Reader will hook into your DropBox account, and so you can easily download files from there if you have to. Of course, this requires an Internet connection.

The iPad is not very useful if it's not connected to the Internet. My iPad has WiFi but not 3G, so it's not natively able to connect to the Internet when there is no WiFi signal. This realization led me to follow through on something I've been meaning to try for over a year. Which brings me to the next thing I now use.

### **MiFi broadband card**

Sprint or Verizon sell these cards, which are wireless broadband cards that are about the size of a credit card but a bit thicker. More like a stack of about 7 or 9 credit cards. The MiFi card is typically free if you commit to 2 years of service. And the service costs \$60/month, which is typical of wireless broadband.

What makes the MiFi card special is that (1) you don't have to physically connect it to your computer (or iPad) because it sends out a WiFi signal (hence the name's playful reference), and (2) you can have up to 5 devices connect to it at once. So, this means that you can have your iPad, your laptop, and your iPhone all connect at the same time.

Why would you need to do this? You usually wouldn't, and more likely would be that you'd share a connection with your wife, kids or a traveling companion. But, it's nice to

know that your iPhone could connect if you needed it to. As in, your iPhone is in an area where AT&T has bad coverage so you aren't getting 3G signals. But if you have a Sprint or Verizon MiFi card odds are you would be getting a 3G signal.

So the MiFi is really a very versatile device that ensures you'll have wireless broadband access as both a primary method, and also a backup for other devices. And it's dead simple to use and easy to carry around.

If you've ever been to an out of town meeting or seminar and needed broadband access you'll remember feeling ripped off when you have to pay \$10/day or more for internet access. So if you travel a lot this device winds up being a good investment. And if you travel infrequently, you can still take advantage of this device without committing to a 2 year deal. How? By renting the device for a week from a company like [www.eventradiorentals.com](http://www.eventradiorentals.com), which will rent you one for 3 days or more. The three day rental is \$48. Worth it if you just need it for a few days and don't want to commit to the long term contract.

You can try them for 30 days with Sprint (and I assume Verizon too), so that's another option. Me? I'm keeping mine for sure. It's a major help when I go to coffee shops where the WiFi is dicey. Plus there is a lot more security using one of these cards than you would get when you use public WiFi.

### **Document delivery**

This section deals with both postage, and package delivery. For postage I use a service called Endica.com, which is similar to Stamps.com but their software is also Mac-compatible. Both services charge a monthly fee (around \$15) plus the cost of the postage you affix to your letter or package. Now at first you might think: gee, \$15/month is a lot to pay for the convenience of printing postage. And that's very true.

The reason you'd pay \$15 is not just for convenience, though. In addition to convenience you also get the benefit of having your mail look very professional, as demonstrated by the image below.<sup>1</sup>



With Endicia.com you can print everything you need on the envelope (mailing address, return address, and postage) at one time. It even prints a bar code that makes the mailing address machine readable, which makes it easier and faster for the post office to process. But, as I said, I think it's just as important that the letter looks completely professional, as professional as any large law firm would send out.

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<sup>1</sup> Ignore the 'VOID DO NOT MAIL' text; this does not appear on the printed envelope.

Endica can print out large labels for packages as well, and you can even buy a USB scale that will automatically calculate the correct postage.

Now, some packages are going to require overnight delivery and for that the postal service is not usually optimal. FedEx is the best overnight delivery service, mostly because you can track packages at all times. UPS is pretty good, but doesn't give the same level of information about package tracking.

I signed up for a FedEx business account, which is free to sign up for and requires no monthly fees. And so whenever I need to send a package I just go online (FedEx.com) and put in the delivery information, along with my account number, and print out a delivery label. You can affix that label to an envelope or package and then drop it off at FedEx office, or at a drop point. My office building has a FedEx drop box (with envelopes and other supplies), so it's easy for me to send FedEx deliveries with minimal hassle.