

Digital Workflow

10 Tech Rules to Guide You

Introduction

Whether your goal is to become paperless, or just to get more out of the technology you use, you need to (1) find the easy ways to do things and (2) avoid the hard ones. Technology promises a lot, and can deliver on many of those promises, but not *all* of them.

Some propositions that seem wonderful when you hear about them don't work well when you try them. But there are *some* things that work great and cost almost nothing; often you'll find that people don't adopt these technologies because they don't know it's available. Or they resist a technology that seems (to them at least) more dangerous than it really is.

Here are 10 key rules you should be aware of. If you work against these rules things will tend to be harder; you'll spend more money, waste more time, and encounter more stress.

1. Reliability first

Ideally, the technology you choose should be easy to set up. Then it should 'just work.' Technology that's easily destabilized (by user error, or by third party attack such as viruses) is more trouble than it's worth. If you hear about some great new technology that promises to revolutionize the way you practice law your first question should be 'how reliable is it?'

Okay, so maybe you have no sense of how to measure reliability. Well then you're going to have to find someone (or some group of people) you can trust. Obviously, it's not vendors. I submit it shouldn't be mere users, either. You need to consult with people who think strategically about technology. I have a group of tech writers and commentators that I follow because I know they're well-informed, sensible, and unbiased. When they all agree that something is flawed I avoid it. When they agree that something is amazing I pursue it.

2. As simple as possible

A simple tool is usually more reliable than a complex one, so this principle is an extension of Rule #1. Simple tools are easier to maintain, and easier to learn how to use. A simple tool usually can be applied to many different situations. And simple tools usually cost less (sometimes they're free!).

By contrast specialized programs, designed for special situations, are harder to learn and often suffer compatibility problems. If you really need a specialized piece of software then maybe the trade-off is worth it (see Rule #10 on tradeoffs). Also, beware of programs that start out being simple, but which, over time, acquire so many features that they become needlessly complex.

3. Grab the low-hanging fruit

If you find a simple technology that's reliable and doesn't cost that much, pursue it. Perhaps it will take you some time to get used to using it, but that's a small price to pay. I recently discovered a note taking system that uses two free software tools that are ridiculously simple.

The note taking system synchronizes easily and allows me to quickly search all my key notes on any computer or smartphone. It has completely revolutionized my ability to manage important information. Many people would be surprised to learn that a couple of free software tools could be so useful, and they would scoff at 'wasting time learning a new way of taking notes.' I was willing to try the software because the group of tech writers I follow raved how amazing these little tools were.

So, again, pay attention to what people who really understand technology are amazed by. That's the low-hanging fruit, and you should move it to the top of your priority list. So where do I think the low hanging fruit is?

If you are a lawyer and you have a fax-machine my advice to you is to check out web-based faxing. Does your business email address end in .aol or .yahoo? Get a unique domain name and switch your business email over to that. If you don't know how to do this, trust me, there are hundreds of people who do and can help you do it. It's not that much. And go ahead have them set up a website for you while you're at it.

4. Don't be a location slave

Technology that's useful only if you use it in a certain place is not very useful. You want to focus on technology that lets you work from anywhere. Paper is technology, and so are fax-machines. But those technologies are dependent on location. You can't receive a fax that comes to your office if you're at home. And your work files are only available at the office, unless you cart them around with you.

Becoming paperless is not just about reducing storage costs, and improving search efficiency. It's about making your information available to you wherever you are. The more places you can get to your data, the more productive you can be.

5. Embrace the cloud (and syncing)

If you want your information to be available to you wherever you are then you need to embrace so called 'cloud computing.' The 'cloud' is the Internet, and increasingly people are finding that productivity gains require the storing information on the Internet.

I have all of my client files digitized and automatically backed up to a cloud-based service called DropBox. Every time I make a change to a document the change is instantly sent to DropBox. If my computer were to burst into flames moments after I made a change to an important file I would still have a copy of the file. DropBox also preserves the last 30 days worth of changes to a file, which allows me to recover a prior version of a file.

If you have less than 2 GBs of data you can use DropBox (or its competitor Sugarsync) for free.

6. Mobile devices are good

Once your data is digitized you can easily access and manipulate it with a smartphone or an iPad. You *want* a system that allows this to happen, and you want to spend the time learning how to process your information from a mobile device.

Here are three examples from my practice.

1. A client needs a document that's in my system, but I'm at a restaurant or somewhere without access to a computer. I launch the DropBox application on my iPhone (SugarSync has an app too), locate the file, and then have it emailed to the client. The document is sent from DropBox in the form of a link that my client can click on and then download the document.
2. I'm in court checking records and I see a five page pleading that I need a copy of. Ordinarily, I'd have to pay \$1 per page and go through a time-consuming process of requesting the copy and then paying for it. Since my iPhone has a good camera I can take pictures of each page and have those pictures converted to a multi-page PDF that I email to myself so that I have it when I get back to the office.
3. Opposing counsel sends me a settlement agreement to review. I can open it with my iPhone and review it, even though it's a Word document. I spot some typos which I fix using an application that allows me to edit the document. I send the document back to opposing counsel with my changes.

Each of those examples involves using a mobile phone in place of a computer to get something done now instead of later. Increasingly, you'll want the option to work in as many places, and with as many different types of devices, as possible.

7. Enable rapid shifting

The notion that people can multi-task (i.e. do two things at once) is open to serious question. What people *can* do is work on several things quickly, by shifting attention quickly from one thing to another. A common example is this: you're on the phone with someone and they put you on hold to look up some information. Do you simply wait there on the phone until they are ready to deal with you again? Or do you use that time to accomplish another task?

The ability to quickly shift gears is increasingly important in today's fast paced world. Therefore, you want your technology to facilitate rapid-shifting, not hinder it. And if you have the technology then you should invest the time to learn how to shift gears quickly. I'm not saying that you should *always* be shifting gears, but instead that you should be able to take advantage of opportunities to fill 'dead space' productively.

So make sure your tech tools are optimized for this scenario, and then train yourself to take advantage of those tools.

8. Bigger is not better (it's often worse)

Large law firms, or large organizations of any stripe, used to have a big advantage over smaller firms. Today, the game is ‘information processing’ and that game does not require large scale capital investment. If you have a computer and an Internet connection then you can process most types of business information efficiently. The firm that does this *strategically* and *quickly* is the firm that has the advantage.

Small firms actually have an hidden advantage, at least in some situations. Big firms can’t quickly deploy new technologies, and they’re exceedingly cautious about anything that they do deploy. In today’s world, being ‘small and nimble’ is usually better than being ‘large and ponderous.’ If you’re a smaller player look for ways to exploit the advantages that the strategic use of technology can give you.

9. Be platform independent!

When I was in law school I got a Mac computer. The graphical user-interface was revolutionary, and it allowed me to do some amazing things. Later, when I worked at the large law firm, I shifted to using Windows computers. The Macs were simply not powerful enough for business applications. I liked my Mac, but when it couldn’t help me, I switched to the tool that helped me best.

A few years back I switched my home computer to a Mac, and found that Apple computers had become a lot more powerful. When I left the large firm I decided to use Macs as my primary business computer, although I do use one or two Windows applications still. These days, Macs are my tool of choice.

But I still don’t care what kind of computer I use, as long as it get the job done. You shouldn’t care either. A computer is just a tool, and if it works reliably for what you need then keep using that tool. That goes for software as well as hardware. Don’t let yourself get painted into a corner by any tool that you use.

My digital workflow system doesn’t depend on my files being in a Mac format or a Windows format. I scan my documents to PDF (a cross platform format) and I use Microsoft Word to create and edit documents (also cross-platform).

I used to use WordPerfect, and really liked it. But I wouldn’t use it now because that would commit my data to the Windows platform (and very few people use WordPerfect now, which is another sign of trouble). If your data is bound up in a particular format then you’re bound as well. Your data should be easily transportable, and if it’s not then you may find yourself in a sticky situation down the road.

10. You can’t avoid tradeoffs (so don’t try)

You can’t have it all when it comes to technology; almost everything involves a trade-off.

If you want maximum security, make all of your computers protected by passwords that are very hard to guess (and therefore also hard to remember), and then heavily restrict computer access to the Internet. Of course, this will that people will have more trouble using the computers to do work, especially if it requires connecting to the Internet. That’s what I mean about trade-offs. Security always involves important tradeoffs.

Here is a handy formula to consider regarding security:

Maximum security = zero usability, and zero security = optimal usability.

Obviously, you want something between maximum security and maximum usability. But where exactly? It depends on what trade-offs make sense given your particular situation. But lawyers, being inherently security conscious, tend to favor strong security automatically even when the particular circumstances don't warrant strong security.

When email first appeared on the horizon many lawyers questioned whether they could use email because the packets of information were traveling through the Internet. Today, almost all lawyers use email and most of them don't have the same level of concern that they used to have. Why? Because they have a better understanding of the trade-offs.

Sometimes the issue isn't so much trade-offs as exploring a different way of addressing a concern. For example, if you're afraid that your client's spouse or secretary will read a one of your important communications then don't email it. If the information is in a large document that has to be read by the client make it a PDF, apply a password, and then call the client to tell them what the password is.

Technology allows almost any problem to be solved, but not necessarily in the way you first might envision. Sometimes you have to find new ways to do things. Technology isn't perfect. It's just a tool, and we have to learn to work within its limitations. See? Another trade-off.