

Chapter 1 - The Necessity for Automating the Practice of

The Virtual Law Office

Every few hundred years, throughout Western history, a sharp transformation has occurred

Most of us are used to going to an office to practice law. There are our secretaries, law books, pleadings, meeting rooms and other tools to practice law. We also feel that a law office reflects our competence to clients and others. However, now with the telecommunication and computer transition, it is no longer difficult to work from your home, cabin, or on the road. The Internet and computers have made mobile computing and the virtual office a reality that will increase in growth over the next several years



The word “virtual” means being “in effect but not actually”. For example, when you research law using either CD-ROM or on-line services from your desk, you have made a "virtual" appearance in the law library. In effect, you have reviewed the "actual" books using electronic media. This virtual library revolution has been so fast and total that we hardly realize it. In faxing a document to opposing counsel – one has made a virtual appearance to the opposing counsel's office. In video settlement conferencing with cameras, the two lawyers have met virtually and discussed settlement of case.

Not only is the practice of law changing, but the computer is also changing and supporting the virtual office.

- The personal computer as we know it today will be undergoing a radical appearance and use change beginning now. The PC-centric era will diminish and the web-centric era will grow as we begin to focus on more and more specialized devices and appliances that take advantage of the Internet and cheap processing power. They will be easier to operate and will come in the form of handheld PCs, PDA's - personal digital assistants, computerized telephone and web based telephone systems, network computers, television Internet ready sets, and video web based telephones.



- Client/server computing will transition to "pervasive computing", computing that can take place anytime and anywhere. This changeover will lead to greater productivity because of the generalist nature of the desktop computer. For example, cars will have e-mail, latest court opinions, case calendars, GPS systems and a host of other business and legal applications.

- Through regular phone lines, cellular modems, or the Internet, telecommuters can gain access to their office e-mail and calendar, work documents, internal databases and research resources, Intranet, fax and videoconferencing capabilities.

Justice Sandra Day O'Connor sees technology as the only

- Communication has become portable, giving individuals even more power over communications and making the global village even more closely knit. Until recently, cellular phones, pagers, portable computers and PDA's with fax, voicemail, and e-mail capabilities barely existed if at all. Now we are entering an era of pocketsize portable phones with e-mail, web access, and fax capability.

- Telecommuting will become more popular and not only enhances the quality of life, but provides increased service to your clients by being able to retain staff who might otherwise leave for family reasons.

Fundamentally, the essence of the law firm is changing. The virtual law office will have no permanent physical location but will exist electronically wherever the legal professional is located. An attorney's "tools of the trade", such as law books, case documents, case histories and so forth can reside on his computer or he can be networked by modem to his law office, his client, or the court. The law firm will become an information center for the practitioner as he works on a case either individually or collectively.

In order to implement the virtual law practice, it is imperative that you visualize what the "office" will be. Sit back and daydream what impact certain technologies and implementation of those technologies will have upon your firm. For example, video conferencing, which is the viewing of persons or places using video cameras at both ends of a telephone line, is reality in many parts of the country today. Most telephone companies have installed special ISDN and DSL lines for customers to use high quality video anytime.

So what impact will "video conferencing" have upon the legal profession as it is being implemented? If I can clearly view a witness's nonverbal expressions in a deposition using video conferencing, is it necessary for me to be there in person? What impact will conferencing have upon the need to appear "in person" for court hearings? Will there be "virtual trials"? The virtual law practice will in essence be what it is today without the actual paper and other any physical limitations ? including your office.

A New Breed of Lawyer – The Information Expert.

“Many law firms do ~~Business Based on the Aspects of the Work & Things in the Law Firm~~

Once you understand technology and its benefits, you can predict its effect upon the legal profession. From this prediction, you then can plan for your “virtual law office” of the future and what strategic decisions your firm will need to make to stay competitive. As you proceed through this book, it is important for you to “visualize” how the different computer concepts and technology will be strategically implemented in your office.

The visualization should encompass at a minimum, the following legal or office functions upon the impact of planning of your virtual law office:

- *Virtual secretary's desk* - Will I need a secretary or will that person become my “electronic case manager”?
- *Virtual office* - Will your firm's office space decrease as virtual home and branch offices become more common? Is it necessary to have associates when specialized legal memorandum can be contracted for over the Internet with hundreds of lawyers?
- *Virtual associates* - Will the traditional few partners and many associates give way to many partners and few associates since our fees will be based on value and not hours?
- *Virtual filing of court documents* – Will documents in the future be filed electronically with the court?
- *Virtual information* – Will the Internet be your gateway to newsletters, newspapers, magazines and all other information?
- *Virtual information experts* – Will every firm contract or have in-house information experts to locate information over the Internet?
- *Virtual depositions* - Depositions will no longer be handled by traveling to the remote locations. With fiber optics, ISDN lines and video cameras, audio,

and graphics depositions will be handled virtually.

- *Virtual communications with clients* - Networked connections with your client will enable the transmission of information, documents, photographs, and voice at any time.

- *Virtual documents* - The paper will be stored digitally and there will not be any requirement for large bookshelves and storage area for your office or case documents. Information and documents can be immediately transmitted anywhere in the world.

- *Virtual courtroom* - If a trial is held, will it be videoconferenced? What electronic form should my evidence be in to persuade the trier of fact?

- *Virtual library* - The location of factual and legal data will reside throughout the world and will be available on-line.

Technology moves ~~where I want it~~ and when I want to do it, in a way that I want it done

- *Virtual presence* - Parties can be anywhere, clients, lawyers, judges, witnesses, etc. can be physically located anywhere and still meaningfully participate in legal proceedings or meetings.

There are many personnel and logistic problems that need to be addressed under the “virtual law office “. The loyalty and trust to a firm is partially generated by daily person-to-person interactions and meetings. Would clients appreciate that the new law firms will not occupy a significant amount of space in commercial buildings?

Law firms of the future are being designed to facilitate conferencing with clients, the court, witnesses, or others, but not to house a large number of attorneys and associates in professional offices. What about the need “ to press the flesh” of clients and others? There will also be a need to realize that to maintain your quality of life, at times you need to turn off the pagers, faxes, and computers and

commit to your family and community.

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