Chapter 4 - The Internet and Telecommunications

Construction of the Web Site: In-house or outsourcing

One difficult question to address is whether to construct your web site in-house or hire a third party to build it. There has been a proliferation of self-help articles for lawyers on how to construct your own web site. The literature generally touts the ease of use of HTML programming and how over a weekend a professional site can be constructed. This is simply not the case. The actual construction of a web site, even with web programming software is not easy. In order to build a site you need to understand HTML programming, the different graphic image formats, how to scan images, the FTP protocol with the ISP you have contracted with to host your web site, and a myriad of other issues. Lawyers are experts in the practice of law and may find they have to invest many, many hours in constructing a web site. This does not mean that a firm on a daily basis should not maintain a web site by publishing new material, etc. However, unless the firm is willing to hire an employee to spend a substantial amount of time on the project, you should seriously consider hiring a third party to construct the site.

Choosing a Web Site Provider to Host and/or to Build Your Web Site. If you intend to have an ISP host and/or build your site, there are several important considerations:

-       *References and reputation in the community.* How many web sites have they successfully completed? Check out the sites for content and appearance. Don't be misled by jazzy tools like animations or flash technology. Determine whether they completed them on time and on budget. Are former clients satisfied with their work? Do a credit reference check. Make sure they actually did the work for which they are taking credit.

-       *Who are the members of their team?* Are the members actual employees, or are they free lancers who are brought together for this project? How many other projects have they completed together?

-       *Are they responsive?* If you have problems with your site, how quickly do they respond to your calls? Do they have a knowledgeable support department? Are they familiar with latest technology advancements on the Internet? Is their support available 7 days a week, 24 hours a day?

-       *Send out a request for proposal.* What do you want the company to do? What will the firm do? Who owns the site after it is finished – graphics, layout, etc.? What is the total contract price and what are the payment intervals and schedule? How do you handle disagreements? What is the time completion schedule? Are there any penalties for late completion?

-       *Pricing.* Do they bill by the hour or by the page of development? How do they break down their costs? Generally, status reports on how many people visited your site are free.

- *Total bandwidth of provider – Speed of the ISP's inbound line.* The ISP must maintain sufficient inbound connection to handle the access calls into your web site. Know exactly what network connection your ISP has to the Internet! This will determine whether your ISP can handle peak load periods and potential outages. Determine if the speed actually exists or is in the planning stage.

- *Maintenance.* Negotiate a maintenance program site before you develop your site. Will the ISP check for dead links, file transfer problems, etc.?
- *Total server space*. What is the amount of server space provided? How much does additional space cost?
- E-mail server. Is an e-mail server included as part of the price? How many e-mail accounts are available for employees? Do they have auto responder, forwarder, and mailing list capability?
- *Domain name registration.* Is this included in the web site development?
- *Listserv setup.* How much does it cost to set up a listserv? What are the monthly charges?
- *Telnet access*. Does telnet access cost additional?
- *Extensions.* Does the site support RealAudio, RealVideo, and Microsoft FrontPage extensions?