Teaching Technology to the "Techie" Generation

MAALL Annual Meeting

October 6, 2014
Where We’re Headed

1. Why Teach a Course in Legal Technology?
2. Course Approval and Development
3. Teaching the Course and What’s Next?
4. Lessons Learned
Reason No. 1
Technology and law practice are intertwined like never before.
The 10 Most Important Legal Technology Developments of 2013
Survey Says...

- 31% use “The Cloud” for law-related tasks.
- 58% email confidential or privileged information to clients at least once every day.
- 15% say their firm has experienced a security breach.
- 91% use a smartphone for law-related tasks while away from the office, while 48% use a tablet.
- 43% have downloaded a legal-specific app for their smartphone.
- 35% of firms maintain a presence on Facebook, 56% on LinkedIn, and 19% of Twitter.
- 75% of solo practitioners, and 57% of small firms, have no in-house technical support.
Reason No. 2

Lawyers now have an ethical responsibility to be technology-competent.
Engaged in a “thorough review of the ABA Model Rules of Professional Conduct and the U.S. system of lawyer regulation in the context of advances in technology and global legal practice developments.”
To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject.
A lawyer may use nonlawyers outside the firm to assist the lawyer in rendering legal services to the client. Examples include the retention of an investigative or paraprofessional service, hiring a document management company to create and maintain a database for complex litigation, sending client documents to a third party for printing or scanning, and using an Internet-based service to store client information. When using such services outside the firm, a lawyer must make reasonable efforts to ensure that the services are provided in a manner that is compatible with the lawyer’s professional obligations.
ABA & State Ethics Opinions

Cloud Ethics Opinions

[Map of the United States showing states with ethics opinions highlighted in blue]
Designing the Course
The Course Approval Process

Majority Opinion
These are important skills for our graduates to possess.

Dissent
Law firms, not law schools, should subsidize technology training.
We Have a Course. Now What?
Learning About and Selecting Topics
Legal Technology Resource Center

About the Center
The LTRC educates and assists ABA members with the latest legal technology, allowing lawyers to boost efficiency and ultimately provide clients with the highest quality service.

Featured Resources

Legal Technology Buyer's Guide
Explore your options for a variety of technology products and services. Find the right tools to boost your practice.

Law Technology Today
Stay on top of the latest legal technology news, tips and announcements with the LTRC's legal technology blog: Law Technology Today.

Upcoming CLE
September 18th: Leveraging Technology for Practice Efficiency

Law Technology Today Blog
- The Future of Wearable Technology for Lawyers
- Making The Move: Taking My Law Office to Abacus Private Cloud
- Day 1 of the Clio Cloud Conference: Fastcase, Data and Android

Featured LTRC Resources
- ABA Legal Technology Buyer's Guide
- Cloud Computing Ethics Opinions
- Software Comparison Charts
Clio Cloud Conference

SEPTEMBER 22 – 23, 2014 · CHICAGO, ILLINOIS

Where forward-thinking lawyers and cloud technology converge.
Our Choices

1. Data security
2. Cloud computing resources and ethics
3. Virtual law practice
4. Law practice management software
5. Social media marketing and ethics
6. E-Discovery
7. Internet beyond legal research
8. Courtroom and presentation technologies
Teaching the Course
First Attempt: Summer 2013

Format
• Combination of lectures, guest speakers, and student presentations

Evaluation
• Course Paper (45%)
• Mini-Assignments (25%)
• Paper Presentation (15%)
• Class Participation (15%)
Second Attempt: Spring 2014

Format
• Made portions of class virtual (videos, podcasts, and discussion boards)

Evaluation
• Same but added additional mini-assignments
Mini-AssIGNMENTS

1. Evaluate a legal mobile app and share your results with the class
2. Draft a social media policy for your law firm
3. Find and evaluate a virtual law practice
4. Manage a case matter using Clio
5. Create an automated form in Word
6. PACER exercise
The Result

Students seemed to enjoy the course and evaluations were positive, but...
Third Attempt: Summer 2014

• Students still allowed to write papers, but we encouraged other options:
  
  1. Website or blog  
  2. LibGuide  
  3. Powerpoint or Keynote presentation  
  4. Video of technology demonstration
Privacy on cell phones. Supreme Court Says Phones Can’t Be Searched Without a Warrant nyti.ms/1pB3Fzz #vutechlaw

**The New York Times**

**Supreme Court Says Phones Can’t Be Searched Without a Warrant**

In a unanimous decision, the Supreme Court ruled that the vast amount of data contained on modern cellphones must be protected from routine inspection.

View on web

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**Jesse Bowman @rjesse_bowman · Jun 24**

Ethical considerations for attorneys considering Deal-of-the-Day marketing programs via @ABAesq: americanbar.org/publications/y... #vutechlaw

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**Jesse Bowman @rjesse_bowman · Jun 19**

Are social media threats protected by the First Amendment? Coverage of Elonis v. U.S. via @SCOTUSblog: scotusblog.com/case-files/cas... #vutechlaw
Examples of Final Projects

- Law firm website using Wix.com
- Law firm data security blawg
- LibGuide directory of virtual law practices in all 50 states
- Video demo of deposition using voice recognition apps
- PowerPoint and in-class demo of encryption and remote access options
Looking Down the Road
To cut costs, cut associates’ billable hours through technology, says Casey Flaherty

Flaherty says he’s just going after low-hanging fruit—associates billing five hours for something that, with a few knowledgeable mouse clicks or keystrokes, should take no more than 20 minutes and cost $100 instead of $1,500.
Access to Justice Clinical Course Project

1. Access to Justice
2. Public Interest Law

The Center for Access to Justice & Technology
AT IIT CHICAGO-KENT COLLEGE OF LAW

Idaho Legal Aid Services, Inc.
A nonprofit public law & community education organization

CALI Classcaster: podcasting and blogging for legal education

Home | Course Information | Assignments | Student Work | Time Table
Online Course?
Legal Tech Talks

Throughout the year, join us for a series of episodes, each on a separate type of technology important to lawyers and law students.

**Fall**

Episode 1: Online Privacy and Security, September 4, 2014

Episode 2: Mind mapping, September 18, 2014

Episode 3: Formatting Tips and Tricks for Academic Papers, October 2, 2014

Episode 4: Link rot and preserving web content in citations, October 16, 2014

Episode 5: Metadata, October 30, 2014

Episode 6: TBD, November 13, 2014

**Spring**

Episode 7: Legal Apps, January 22, 2015

Episode 8: Blawgs, February 5, 2015
Lessons Learned

1. An interest in legal technology is necessary, but an IT background is not.
2. Guest speakers are valuable and available.
3. Give students non-research paper options for evaluation.
4. Have fun!
Additional Resources

- Ron Dolin & Stephanie Kimbro, *Course Correction: Teaching Tomorrow’s Lawyers Legal Technology Skills*, Peer to Peer, Summer 2014, at 58.


Thanks!

Any Questions?