

Law Matters

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Only Tech-Savvy Attorneys Need Apply

By Noel Edlin

In California and many other states, attorneys are required to earn continuing legal education (CLE) credit each year to avoid forfeiting their licenses to practice law. Bar associations, law schools, or other qualified organizations are authorized to grant CLE credit. The topics range from ethics, to legal theory, to practical applications of the law. But what if lawyers were compelled to keep their technology skills equally sharp? As in-house law departments and insurance companies continue to implement increasingly advanced software and systems to manage their affairs, outside counsel attorneys need to become conversant in a wide range of technologies, or risk becoming obsolete.

A recent survey of inside counsel departments conducted by *Corporate Counsel* magazine makes it clear that law firms need to be on top of the latest technology to effectively interact with client contacts and do a good job. In-house legal departments' capital expenditures on technology are up and most in-house departments have their own dedicated IT people. As a result, many legal departments are using sophisticated software to manage reporting, depositions, e-discovery, billing, and many other complex aspects of their caseloads.¹

The same survey reveals the increased use of personal devices in the workplace and the lack of policies governing their use. So another way law firms can prove their worth to clients is by developing a nuanced understanding of the privacy issues associated with using personal devices at work and taking this issue into consideration when working on matters.

Technology further factors into the law firm-client relationship in the way in-house legal departments gather data to understand how well their legal services vendors are doing their jobs.² In order to be responsive to the needs of clients and remain competitive in the marketplace, law firms need to know what metrics are being used to measure their performance and make sure they are meeting or surpassing those targets.

In the ultimate test for outside counsel, prospective clients are considering technical acumen as a crucial factor when hiring a law firm or determining how fees should be structured. Less tech-savvy attorneys are not as efficient at getting the job done. Logically, the client doesn't want to pay extra for work that a technologically proficient attorney can accomplish more quickly and more accurately using the right technology.³ The importance of these issues is underscored by an event held earlier this month, the 2013 Legal Marketing Technology Conference/West.⁴ The fact that such an event exists

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is, in and of itself, a clear indication that attorneys need to step up their technology skills if they want to be relevant in the current job market.

On the flipside, law firms also need to implement better technology of their own to stay in the game. For example, a firm that is able to do predictive coding for clients during the discovery phase of litigation can get the job done faster, with greater accuracy and much lower costs. Having that capability adds a lot of value for the client.

Bassi Edlin Huie & Blum LLP has met these challenges. For instance, we now conduct predictive coding in-house, saving our clients hundreds of thousands of dollars to review large data sets of documents. This approach to data processing and document management is a key component of e-discovery, with which all law firms should be conversant.

CITATIONS

1. http://www.behblaw.com/11-19-13-Corporate-Counsel_-2013-In-House-Tech-Survey.pdf
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