

## ***Lawyering 2.0 – An Experiment in Lifestyle Design through Technology***

*“Extreme busyness...is a symptom of deficient vitality....Perpetual devotion to what a man calls his business, is only to be sustained by perpetual neglect of many other things.”*

*Robert Louis Stevenson, “An Apology for Idlers” 1876.*

It’s 2014. You have finally gotten on the bandwagon for this “paperless” office idea, but you are still struggling with the same work satisfaction issues. There isn’t enough time in the day to practice law and have a “life”. You are beginning to curse technology. If anything, your time is more fragmented and work continues to overflow into your home life. Mobility is just another name for work overload, with emails and calls following you home.

You aren’t alone. In fact, the way we use technology has altered human physiology. It makes us think differently, feel differently and even dream differently. It affects our memory, attention spans and sleep cycles. [Nearsightedness](#) has increased from 25% to 42% of the population over the past 30 years. The more education you have, the more likely you are to be nearsighted. One [explanation](#) - an increase in “near work” (screen time) and a substantial decrease in our time spent outdoors using distance vision. Light emitted from electronic devices used in the evening have the effect of [disrupting our sleep cycles](#). The average [human attention span](#) is now smaller than that of a goldfish. Goldfish – 9 seconds; Humans – 8 seconds. The average number of times an office worker checks email: 30 times per hour.

Juggling e-mail, phone calls and other incoming information undermines our ability to focus. These “pings” act as intermittent stimuli, playing on our primitive brain impulse to respond to immediate opportunities and threats. The constant stimulation provokes excitement – which in turn causes your brain to excrete a squirt of [dopamine](#) – a process that researchers say can be addictive. Games and apps are well designed to dovetail with how our brains work. In other words, our brains are attracted to the way in which technology interacts with us.

Unfortunately, while our brains get hooked on these intermittent stimuli, our productivity suffers. Heavy [multitaskers](#) have more trouble focusing and shutting out irrelevant information. They also experience more stress.

Brains need rest. Naps, meditation, physical activity, nature walks and companionship are all [highly correlated](#) with increased productivity, improved attention span, memory function and creativity.

The task ahead, for lawyers and non-lawyers alike, is to create (*and follow*) a plan for a great life in which you take charge of your technology use and create use patterns that actually support the lifestyle you want. Simpler said than done, isn’t it? How can technology help us work

effectively and how can we give our brains the rest they need as well? How do we reduce “busyness” and increase our freedom to live a more enjoyable life?

Last year I decided to make a change in how I worked. I wanted to spend more time (a lot more time) outside of the office doing things I enjoy. I didn’t want client service to suffer. In fact, I wanted to improve our client’s experience. I wanted my legal work to focus more on creative solutions and less on processes and I wanted my staff to have a chance to enjoy more flexibility as well. Could I work fewer hours and produce better work? It has been a year of improvement and several hiccups along the way. It is certainly still a work on progress – but one that I would like to share with you.

My goals were to:

- Be able to work anywhere, but not to overwork. (I like my office, but after twenty years in the chair – the allure is beginning to fade.)
- Focus more of my energy and time on creative pursuits rather than (my perception) a gridlock of never ending processes... ping... there’s another email.
- Walk more, move more, gaze into the distance more.
- Develop my attention span. I desire to be more than a “goldfish.” (*If the “goldfish” reference threw you for a loop, you have been skimming...a clear symptom of tech overload.*)
- Do all of the above as an active, practicing lawyer.

This is our plan for a better life:

**Data Storage.** If we wanted mobility, then we needed to move from an office based server to a web based file server. We transferred all of our data (client documents, forms, office administration – everything we kept on the server) to [Dropbox for Business](#) (\$15/user/month.) We had previously used the free version of Dropbox (basic) and it worked well for us to collect discovery from our clients and share discovery with opposing counsel. We looked at Dropbox Pro (\$9.99/month) as our next step, but because I wanted to add mobility options to our workforce, I decided it was worth the extra cost to gain the significant administrative controls available in the Business version. Dropbox for Business allows us to monitor and protect our data. If a device is lost or stolen, I can remote wipe the Dropbox data from that device. Staff can be added or removed from access to Dropbox or sections of our Dropbox with a simple click. I can also monitor my staff members’ activity in Dropbox with a robust audit trail.

Dropbox protects our data using SSL encryption anytime our devices are syncing with the Dropbox web server. Dropbox also encrypts all of our data on their servers. If I want added security, I can use [Viivo](#) to encrypt some or all of the data on my devices. With Viivo I control the encryption keys completely, making the data we store on the Dropbox server unreadable without my key. If you worry about allowing a web based server to hold your encryption keys,

then Viivo is a great option. If you want more security, Dropbox offers two-step verification when logging onto the web server.

Dropbox syncs with all of our devices and mirrors the files onto our devices. This means I don't have to wait for my web browser to open a file and I can work without an internet connection. When the internet connection is available again, Dropbox automatically syncs any changes I've made and mirrors those changes to all of our linked devices.

Dropbox has unlimited version control. Draft changes are saved automatically and easily rolled back if a mistake is made.

**Document Drafting.** For document creation and editing we use the standards: Microsoft Office, Word Perfect and Acrobat Adobe XI Pro (\$109/license). If you want to improve the clarity of your writing, try [WordRake](#) (\$129). This program scans your Word document and suggests edits. For those of us prone to wander around the subject for a while before landing on our point, WordRake is a great tool.

**Dictation and Transcription.** Dictation and voice controlled apps and software are a great way tools for mobility and they create a different way to interact with your technology. If I'm on my iPad, I'll use the [Dragon Dictation app](#) (free) to dictate a note, task or instruction to staff. The transcription is automatic and surprisingly accurate. I can email the text file or copy the text and paste it into any other application.

When I want to send complex dictation or instructions to staff for transcription, I use our [NCH Software](#) (\$60). NCH allows me to use my computer microphone, my cell phone or a land-line phone to enter dictation. The dictation is uploaded to our transcriptionists and cued for processing. We added the NCH Dictation Workflow Management Software to allow multiple transcriptionists to efficiently manage their workflow. Each transcriptionist can pull an audio file from the cue and transcribe it (traditional foot pedal/headphones setup.) NCH can use a wide variety of [audio file formats](#) – so when clients bring us audio or I record a meeting using another application, the transcriptionist can upload that file to NCH and transcribe it easily.

My phone is a Samsung Galaxy (android) and I use the new [Dragon Mobile Assistant App](#) (free) to search the web, dictate emails and text messages, set timers or alarms (“set my alarm for 7am” or “set my timer for ten minutes”) as well as get traffic, travel and weather alerts. DMA allows me to create a custom wake up phrase that creates a voice print to open this app.

I can wake up my phone and ask it to make a call, send a text message, and check my calendar, all with simple voice control. When DMA senses I'm in a moving vehicle, it switches automatically to hands free/eye free mode. Incoming texts and notifications are read to me. Want to open an app? DMA can search your phone and open the app for you. DMA is fully customizable. You can turn on or turn off any of the features. The iPhone's “Siri” can do many

of these same tasks, but I'm partial to Google's navigation feature and Samsung's large phone size, so I've stayed with the android system.

I expect to see devices begin to read body language more effectively, allowing us to use [gesture](#) and eye movement to control the interface in the future. From my perspective, a real advance would give us the ability to stand and move using our larger muscle groups (like we would at a chalkboard) as we work on some of our projects.

**Notes and To-Dos.** For my personal on the go to-do list, I use a [Moleskine app](#), which has the look and feel of a Moleskine journal. A close second choice is [Google Keep](#). This free app uses Google voice recognition, creates colorful sticky notes and checklists and it can transcribe my dictation into text. Google Keep is part of my Google account – so this app syncs with my computer and my phone. It is very fast, accurate and keeps my to-do list handy. I can also use it to dictate a quick note to the file and send the transcribed note to Dropbox, my [Evernote](#) account or as an email to staff.

I could write an entire article on how wonderful it is to work with Evernote. Instead, I'll provide you with a few useful links to articles written by lawyers using Evernote.

Blog @ [www.attorneyatwork.com](http://www.attorneyatwork.com) [Using Master Checklists in Evernote](#)

Blog @ [www.reallifeppractice.com](http://www.reallifeppractice.com) [Why you should be using Evernote](#)

Book – [Evernote for Lawyers](#) Kindle \$9.99

I use Evernote as my virtual brain. Anything that peaks my interest can become a note in Evernote. Notes can be in text, photo/scanned image or audio format, or clipped from web pages. Text, handwriting and images are fully searchable. Notes can be stored in “notebooks” and tagged with categories.

I still like to use pen and paper and I often use a whiteboard when I'm working on my case plans or brainstorming. Paper notes are scanned and added to Evernote, where handwriting is fully searchable. I can take a photo of my whiteboard notes, send it to Evernote and again, the handwriting is searchable.

[Penultimate](#), a virtual notebook, with the look and feel of a [Moleskine](#) booklet, resides on my iPad. I use it to take notes in meetings and on the phone, as I tend to use a style of note taking with lots of arrows, notes in the margins etc... that just doesn't translate well to typing. Penultimate integrates with Evernote, so my Penultimate pages can sync with Evernote, creating searchable text. Penultimate pages and notebooks can also be sent to Dropbox as PDF documents and filed with the case.

**Laptops Instead of Desktop Computers.** Retiring our Microsoft office server has allowed us to begin our migration to laptops (PCs). We could just as easily use Macs or combination of

different operating systems. Desktop computers will be replaced with laptops over time and we expect the process to take about eighteen months to complete. Our office workstations will include a docking station for our laptops, multiple screens and a wireless keyboard/mouse.

We plan to make this transition slowly, allowing me to refine my leadership skills for a somewhat mobile workforce and giving our staff time to adapt as well. How much time will we work outside the office? We are fairly sure that working remotely will increase productivity because it will allow our team to work with fewer distractions. However, we may suffer when we need “all hands on deck” to prepare for a hearing or trial. We plan to introduce mobility slowly and methodically while we continue to measure production, team satisfaction and client service.

**Phone System.** We have used a traditional telephone system for our office and that system is now ten years old. It works well, but it will not support our desire for a mobile work force. We are migrating to [RingCentral](#), a “cloud” based pbx (private branch exchange) phone system. The setup is simple. The architecture of the system resides in the cloud. We simply sign up for service, plug our IP desk phones and laptops into the internet connection and install the RingCentral Mobile App on each employee’s smartphone and tablet. We can manage the phone system from our login page without the need for IT assistance. Staff can use their own mobile devices and RingCentral can ring through to these devices as if they are extensions to our phone system. Adding and subtracting users is done on the simple web interface.

RingCentral offers a cloud platform for voice, fax, texts, audio and video conferencing. Staff can be working in the office, at home or traveling – the call experience is the same. Since you set the call answering rules, calls can be routed through your user’s devices in any pattern you choose.

RingCentral uses “*presence*,” a feature that identifies whether workers are unavailable or if they have busy lines. Lines will “blink” on the desk phone, just as they do now with a traditional phone system. Incoming calls can be easily routed and forwarded to voicemail.

Power or internet outages are easily managed. When setting up the call answering rules, just identify cell phones as the forwarding line for calls and faxes when other devices are down.

The cost for basic service is \$24.99 per employee, an amount comparable to our current cost to maintain phone lines and a virtual fax number.

**Video Conferencing.** How will we communicate during the day if we aren’t in the same office? RingCentral provides one solution. It gives us messaging, calls and video conferencing. Other great options for remote work communications are [Google+ Hangouts](#) or [Skype](#). Both applications feature instant messaging, phone calls and video conferencing for up to ten people without cost.

We hold short morning meetings at the start of each day, a “huddle” of sorts that includes catching up with each other about our cases and sharing the ups and downs of our personal lives. Our meetings support teamwork and transparency in our work and we plan to continue them, allowing staff working out of the office to join us with video feed.

**Automate Tasks and More.** I’m most excited about the new developments in products for consumers to use to create integrations between different applications and web software ([application-programing interface](#) or API.)

[Zapier](#) and [“If-This-Then-That”](#) (my two favorites) allow our different applications to talk to each other and follow rules that we set up for processing information. This allows us to identify repetitive processes that used to take up staff time and convert these processes to an automated work flow. With the help of these tools we can tailor the way our Evernote, Dropbox, Gmail, Calendar and tasking programs work together.

We can now:

- Automate repetitious tasks;
- Sync data between multiple web apps;
- Reduce duplicate data entry;
- Automate notifications;
- Integrate data; and
- Enjoy using a variety of web based software.

**Supervision of Workflow and Staff.** How will we be able to keep track of our activities as a group, particularly if we aren’t all working in the office? While each application we use has an audit trail, I wanted to be able to review staff activity and case productivity easily. [Catchapp](#) solves that challenge by creating a newsfeed. In real time, we can monitor everyone’s activity in Dropbox, Evernote, email, tasking apps and more. Moreover, Catchapp allows you to create lists that monitor activity on specific folders, notebooks and tags; an instant diary, if you will, for each case.

**Brain Rest.** Finally, I’ve created some technology free zones in our day, breaks intended to shift our focus away from screens. To counteract the very addictive quality of apps, we leave our phones behind on regular breaks throughout the day. Meals and walks are enjoyed without checking technology.

At night, I often turn off the email and text functions on my phone and limit calls to family and friends. I dock my cell phone in a charger in our mudroom when I come home. Our cell phones paired via Bluetooth to our [Panasonic wireless phone system](#). Incoming and outgoing calls can be made from our wireless phones throughout the house. I’ve found that just docking the cell phone has the effect of helping me avoid the habit of constantly checking and responding to emails/texts/calls throughout the evening.

Our team is experimenting with how we use technology. While we see clear benefits in our work life, we've been surprised at the positive impact these changes have had on our personal lives as well. Automating tasks has created some space in our day. I'm struck by how often we take short walks with each other to talk about a case issue. Stress has been reduced and teamwork has increased. Productivity continues to improve and, I suspect, we'll see a surge in production when mobile staff can work for blocks of time away from office distractions.

In summary, we have shifted our focus to quality of life and, along the way; we have developed better habits for technology use. Once we identified how we wanted to work and live, the technology plan was simple to design. Adding movement and mobility to our work day and interrupting screen time has helped our work flow, productivity and *attention span*. If I'm lucky, I might beat a *goldfish*, with seconds to spare.

Below I've listed some of the hardware and software we've reviewed in our journey in hopes that these reviews will help you harness technology for a more enjoyable practice!

## Document Storage



### **DropBox: Pro \$9.99/month; Business \$15/user/month**

Cloud based file storage with file sharing. Dropbox integrates with many other applications.



### **Egnyte: 5-24 employees \$8/user/month with 1 TB storage**

Cloud based file storage with file sharing. Focused on more robust security features.



### **Box starting at \$5/user/month**

Cloud based file storage with file sharing and automation of workflow by creating simple, repeatable processes (ie., you can automatically move files to specific folders or assign tasks to approvers for automatic notifications and reminders.)



### **Microsoft OneDrive for Business \$2.50/user/month**

Works with Microsoft Office well at a great price point. However, it is designed to be centric to Microsoft products.

# cubby



## **Cubby starting at \$3.99/month**

Very simple to use cloud based storage; syncs to your connected devices.

## **Netdocuments starting at \$25/user/month**

Designed with lawyers in mind, netdocuments works well with many web based practice management systems and allows you to “check out” documents for editing.

## **Viivo starting at \$4.99/month**

Encrypt your files before storing on Dropbox, Box, Google Drive, OneDrive and more.

## **Tablets**



## **Surface Pro 3 from \$799**

Microsoft’s newest tablet – the Surface Pro 3 is an ambitious rival for your laptop. With a 12 inch full HD screen and good resolution, the Surface is comfortable to use for work. It includes a stylus and clip on keyboard and it runs a full desktop version of Windows 8.1, giving you the power and function of a desktop computer.



## **iPad Air from \$499**

Arguably the best tablet on the market, the Air is thinner, lighter (1 lb.) and more portable than any iPad before it. With a 9.7 inch display, high resolution (2048x1536) and Apples 64-bit A7 chip ruling iOS 7 for impressive speed. (Air 2 likely release date in October 2014.)

## **iPad Mini from \$399**

The Mini with its 7.9 inch retina display is identical to the iPad Air in every way except size.

## **Samsung Galaxy Tab S 10.5 from \$499**

A 10 inch vibrant display on a thinner device gives the iPad Air real competition. Use a Galaxy cellphone? Integrated devices could be nice. Run on Android 4.4 KitKat software, the Galaxy Tab will sync with your Galaxy phone, allowing you to mirror your phone screen, drag and drop files from your phone to tablet as well as make and receive calls with your Galaxy Tab.



## Gadgets



### [Logitech Bluetooth Multi-Device Keyboard](#) K480 **\$49.99**

Designed to use with up to three devices at the same time, regardless of their computing platform. This keyboard can work with your laptop, smartphone and tablet.



### [Livescribe Echo Smartpen](#) **\$170**

This pen records audio and your pen strokes while you take notes. Stores up to 800 hours of recorded audio. Audio can be downloaded via a micro-USB connector.



### [amPen Stylus](#) for tablets **\$6.95**

Works well and, more importantly, the tether can be clicked into the audio port so your pen stays with your tablet.

## Cell Phones



### [Blackphone](#) from **\$629**

A specialized Android phone to protect your privacy (ie., governments and companies trying to harvest your personal information.) Includes Silent Circle encrypted calling, Spideroak online storage and a Security Center built into the operating system to allow you to manage your application permissions with much deeper sensitivity. Not available through U.S. carriers – you must buy this one direct at full price and unlocked.



### **Samsung Galaxy S5 from \$199 (2 year agreement)**

Looks like the S4, but packs new features including a faster processor, a fingerprint reader, a heart rate monitor, pedometer and “S Health” to monitor your progress out of your chair, a great 16 megapixel camera, download booster to increase data speed and a screen that adapts to ambient light changes well. The big thing: that camera!



### **HTC One (M8) from \$199 (2 year agreement)**

With an aluminum body and 5 inch display is elegant. Great speakers for sound and a brilliant display, this is a step up from its predecessor. However, the phone is sealed (but not water proof), which makes battery replacement more difficult.



### **iPhone 5S from \$199 (2 year agreement)**

With Apple’s new A7 chip, the 5S is one fast phone – double the performance and graphics power! The camera is improved with bigger pixels and dual flash. Touch ID uses a built in fingerprint sensor that works well. Always top in apps, this is still a strong contender for best smart phone.

*Coming Soon:* [iPhone 6 Plus](#) with 5.5 inch screen.



### **YotaPhone 2 Dual Screen from \$600 (estimate)**

Not available in the U.S. yet, but worth watching for – this phone has a screen on each side (5 inch front screen and 4/7 inch around the back.)

The second screen is fully touch capacitive, meaning you can use the back screen to browse the web, reply to and text messages. Running on Android 4.4 KitKat, you can “throw” supported apps to the back screen.

That second screen saves battery life – users will be able to get over 50 hours of life. Screen 2’s electronic paper display is always on and the most recent display remains visible after the battery dies.

Somewhat like a Kindle, Screen 2 is readable in sunshine.

## Organizers



### [Grid-It Organizer Case](#) starting at \$10

A rubberized woven elastic object retention system for gadget organization. A great way to keep everything in its place when you're in court or traveling with technology. Endless configurations and flexibility. Various sizes available.



### [Mos Magnetic Cable Organizer](#) \$23

The Mos triangular organizer holds your cables using magnetic force. The magnetic cable ties work with any cable and stick to the Mos, keeping all of your cables in one place.

*AirStick* \$15 (tiny magnetic organizer with adhesive quality – sticks onto any flat surface)

*Cable Ties* \$5 for 3 (magnetic cable clips)

## Phone Systems



### [RingCentral](#) cloud phone system starting at \$24.99/user/month

A cloud based "VOIP" phone system that allows you to create a network of phones using mobile and traditional handsets as our complete phone system. Complete mobility and control over how your lines ring through your network.

See also: 8x8; Jive; Vonage



### [ShoreTel Dock](#) for the desktop

High quality audio with handset; speakerphone, headset support; charges mobile device while docked. For iPads and iPhones.



**[iFusion Dock for the desktop](#) \$150**

Dock supplies power, battery charging and data sync via an integrated USB cable.



**[Plantronics Savi W740](#) starting at \$220**

This wireless headset allows you to move from phone calls to computer (listening and dictation) to cell phone with the touch of a button.



**[Jabra Pro 9470](#) starting at \$250**

Wireless Bluetooth headset uses a touch screen to move between calls and tasks, combining computer, phone and cell phone connections into one headset.

**Stand, Walk and Work Options**



**[Varidesk](#) starting at \$300**

Tired of sitting all day, the Varidesk allows you to shift to a standing position on and off throughout the day. It fits any standard desktop and quickly moves from sitting to standing height.



**[Ergotron](#) starting at \$399**

The Workfit systems are easily adjustable using an articulated arm. Fitting standard desks, this system provides options to readjust the working height throughout the day.



### **NextDesk starting at \$1,500**

If you want a fully automated electric desk, the NextDesk offers push button operation for varying desk heights. It is a bit expensive, but the company offers a 30 day risk free trial.



### **NextDesk Fit starting at \$999**

Combine a standing desk with a treadmill to create a work station where you can stroll through your day. Never heard of such a thing? Take a look at Dr. James Levine (Mayo Clinic) and his [research](#) on the subject.



### **Lifespan Treadmill starting at \$799**

Fitting under almost any standing desk, this treadmill boasts a Bluetooth enabled to wirelessly sync and track your activity data. It has a small remote console that you keep on your desktop to control the on/off and walking speed. The treadmill automatically stops if you step off the mat.



### **Jawbone UP24 starting at \$150**

A comfortable light fitness bracelet that tracks your steps, sleep and activity. Connect it to your phone to upload your activity 24/7. Sit too long? It will vibrate to remind you to get up and move. It knows the difference between light and deep sleep – so that it wakes you when you are in light sleep (within a window of time of course.) Link with friends and compete to reach your goals. Track food, water, calories – you name it.



### **Garmin VivoSmart \$170**

An activity tracker (steps taken, calories burned, nudges to keep to moving) plus it syncs with your smartphone and pushes notifications directly to the device. Each time you receive an email, text or call, VivoSmart gently vibrates and automatically displays the information. Touch and swipe the screen to read more.



### **Basis Carbon Steel Edition starting at \$150**

Do you like to bike? This fitness bracelet tracks your walking, running and bicycling. Track activity, calories burned, skin temperature, sleep and your pulse day and night. The online account focuses on changing habits – good motivation to get up and move. Did I mention the Italian leather wristband?



### [Motorola 360 Smartwatch](#) \$250

Classic design with traditional watch face. This device displays notifications based on where you are and what you're doing (weather, flight alerts, traffic) and with voice control – you can say “Ok Google” and send texts, set a reminder, check the weather and even ask for directions.

Plus, the Moto 360 tracks heart rate, steps and tracks your activity goals. Connect to your favorite apps – Facebook, Pinterest, Eat24 and Lyft.

[Apple Watch](#) coming by year end....



## Stop the Pings and Enjoy the Quiet



### [Freedom](#) app \$10

A wonderful app for Windows, Mac, Android and Ubuntu. Turn it on and it can lock you away from the internet when you need a break.

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Kristin received her law degree from Willamette University College of Law in 1993. In 2005 she left the partnership she founded some ten year earlier, Pierson, LaMont, Carlson and Gregg P.C., to develop a family law practice in Salem, Oregon.

In 2005, Kristin developed a paperless office system for her practice. The system has improved collaboration with clients, fostered better work flow between attorneys and staff and increased profits. She often provides informal advice to colleagues interested in developing their own paperless systems and she provides practice management consulting to professional practices on a limited basis.

Kristin is active in the American Bar Association, serving on the e-lawyering task force and she teaches Law Practice Management as an Adjunct Professor at Willamette University College of Law.

She lives on a small farm outside of Salem with her husband, Mike, and dog, Lucy.

