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## **TAKING TECH TO TASK: TACKLING TECHNOLOGY'S TROUBLESOME ISSUES**

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### ***Overview***

Technology is supposed to make our lives easier, our communications more fluid, and our services more effective. Why then do technology “solutions” too often fail to meet expectations? When do they create unintended new risks and challenges? How can we address those problems? Our panel focuses on identifying issues that impact our daily work and discuss solutions developed by you and your colleagues. We will also discuss common hurdles in the use of communications, devices, programs and apps – missteps that erode efficiency, effectiveness, confidentiality, or security in our professional use of technology. From reducing cyber risks to improving our use of email, this session will discuss better ways to manage our technology.

### ***CASE STUDY #1 – Case of the over papered paperless file***

Sarah is a bright and talented litigator – savvy, fearless, motivated, and eager to tackle complex challenges. She is the perfect fit for the firm’s growing book of business, representing small and emerging companies that are being challenged by competitors in various kinds of unfair competition litigation. These matters are “break the company” cases, in which the plaintiffs true business objective is to eliminate competition by attrition through legal costs. The claims are defensible, there is coverage for defending some of the claims, and Sarah and the firm are excellent in the courtroom. But, and the adversary has the resources to prosecute the case through trial.

Unfortunately, this litigation will push the firm and the client into electronic discovery on a larger scale than they have ever experienced. The security concerns and privacy worries increase with every new discovery request. The office IT department only sanctions outside access to work product using a virtual private network (VPN) connection, but VPN doesn’t play nicely with all of Sarah’s devices in all the locations she uses to do work. So she has transferred files on thumb drives, and increasingly uses cloud transfer services.

While the ultimate issues at trial will rely heavily on documents, the number of documents that will ultimately be probative will be manageable. But, winnowing those materials from the morass exchanged in discovery will be daunting.

Sarah is asking for advice. E-discovery vendors are clamoring to present their web-based and their stand-alone total solution products. Case management programs, trial presentation apps, and outsourced document review services also claim to solve litigation and discovery related challenges. What advice do you have?

### ***Discussion points***

- What issues will using the cloud present?
- Which technology solutions will deliver case and document management for all aspects of the case development?
- Are there any “traps” to avoid?
- What logistical issues will technology address, and what issues might it exacerbate?
- What deployment and installation issues need consideration?
- Are there infrastructure and support considerations?
- Assess training and acceptance challenges, and determine whether feedback can be accommodated.

### ***CASE STUDY #2 – Case of the inappropriate appropriate response***

George is trying to embrace technology. He really is. Not that long ago the phones he used outside the office required that he keep quarters in his pocket. Now his pockets have to be enlarged to quarter his phone. He loves his tablet, but finds that a laptop is still needed to work effectively on many projects. He knows that his life would be better with more family time, and he needs technology to help achieve a healthier balance between work and personal time. Thanks to technology, the briefcases and boxes that once got lugged between home and office have lightened and often disappeared in recent years.

But the basic problem is no better; maybe it is getting even worse. Clients, customers, and bosses have constant access, and there is an expectation and desire to provide an immediate substantive response.

Pretty soon the phone contract expires and it might be worth changing devices. The software vendors are still pushing new operating systems every couple of years, and his most vital software is moving to subscription services that require payments ad infinitum. What technology should George be considering to simplify his life and alleviate his concerns?

### ***Discussion Points***

- To what degree are these technology issues, with technology solutions?
- How does one assess the practical human performance issues that arise with pervasive work demands, and increasing expectations for responsiveness?
- Is there technology and infrastructure to address these issues?
- If there are solutions, how are they successfully implemented, and maintained?

### ***CASE STUDY #3 – Case of the back office misunderstanding***

Your administrator repeatedly emphasizes that this is a knowledge based business. Our firm's value is increased by the acquisition of experience and information, much of which is captured in our employee's research, communications, and other work product. Our efficiency, competitiveness, and profitability should be dramatically improved if we can simply access that work product. You have been asked to address this need and are vaguely aware of document management software and services. Any potential pitfalls?

#### ***Discussion points***

- What are the most often encountered problems when selecting and introducing new technologies into the workflow?
- How should the product performance claims made by a vendor be assessed?
- What non-obvious implementation pitfalls need to be considered?
- Will document management software result in the desired increase in efficiency, competitiveness, and profitability?