



The Legal Connection

where legal technology & people connect

2011-12

Always Looking Forward

December is almost always a time for reflection. As the stress of the year winds to a close; the celebration of the New Year rings in with renewed hope and faith that next year will be better.

It is at this time of year that I carefully plan my entire next year, setting dates for goals and listing out the knowns - so I can clear my mind and be open to the possibilities.

There is certainly a lot on the horizon for both me and LegalTypist in 2012:

- appearances at
 - LegalTech in New York (Jan 30 - Feb 1)
 - ABA TechShow in Chicago (Mar 29 - 31)
- 3 standard monthly webinars:
 - 2nd of each month: *DAFT Your Way To Organized!*
 - 2nd Wed each month: *Lunch with LegalTypist*
 - 4th Fri each month: *TLCxn Peer Discussion*

Of course, there's this ezine, which I will continue to publish each month – hopefully with more contributions from the regulars than I received this month!

I am also writing a book on the technology options available to attorneys when setting up their workflow and digital processes. This book may be the first that is not self published. ;)

Speaking of contributors – this month I must thank Barbara Nelson for her wonderfully playful spin on the month's theme of “tech” and “wish” with: [Visions of sugarplums? Heck no - here's the technology I'm wishing for this year!](#)

My article contribution [To Cloud Or Not To Cloud](#) discusses the issue and contains a round up of links to State Formal Opinions with regard to cloud services and providers.

This month's [Frugal Finds](#) on page 4 focuses on little changes that can make a big impact.

The last page lists the calendar of upcoming events, including the weekly chat which takes place on twitter re: legal – 11am ET on Fridays - #legalchat.

I hope you enjoy this last edition of the ezine this year as much as I enjoyed putting it together .

All of us at LegalTypist wish you and yours a happy, healthy and prosperous New Year!



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To Cloud or Not to Cloud

I have spent over 10 years actually working on and through the web. Not marketing my services; nor working my lists for the all elusive "passive" income.

I have been actually using carefully selected cloud based technology to offer and deliver legal transcription and secretarial services to solo attorneys and US based law firms for over a decade.

In that time, I have gone from a one woman shop and 7 solos, to having a team of Digital Assistants in place to process the day to day workflow of firms as large as 100 attorneys.

LegalTypist's services remain as relevant, secure and state of the art today as they were 10 years ago.

That is because I have always had to consider the needs of my client base – who have enormous demands placed on them with regard to who and how their client's information can be accessed.

Simply put, legal workflow is unique and if not set up correctly, can cost an attorney their license.

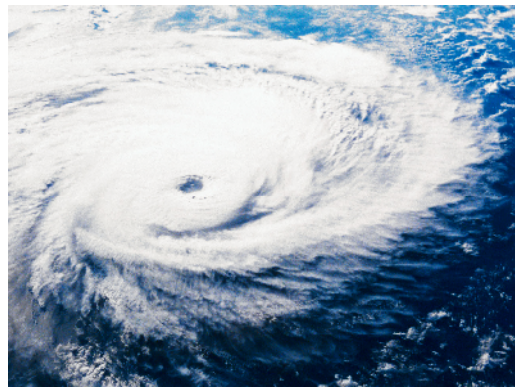
Thankfully, many Bar Associations are coming out with formal Opinions on the topic of using the cloud and services such as LegalTypist for legal based client work product.

I think the digest of New York's Opinion 842 sums them up best:

A lawyer may use an online data storage system to store and back up client confidential information provided that the lawyer takes reasonable care to ensure that confidentiality will be maintained in a manner consistent with the lawyer's obligations under Rule 1.6. In addition, the lawyer should stay abreast of technological advances to ensure that the storage system remains sufficiently advanced to protect the client's information, and should monitor the changing law of privilege to ensure that storing the information online will not cause loss or waiver of any privilege.

Here's a list, by state, of Opinions on the topic, with live links to each on the website page for this issue:

<http://www.legaltypist.com/2011-12TLCxn>



Arizona:

State Bar of Arizona Ethics Opinion 05-04: [Electronic Storage; Confidentiality](#)

State Bar of Arizona Ethics Opinion 09-04: [Confidentiality; Maintaining Client Files; Electronic Storage; Internet](#)

Iowa:

Iowa State Bar Association Committee on Ethics and Practice Guidelines: Ethics Opinion 11-01: ["Use of Software as a Service – Cloud Computing"](#)

Maine:

Maine State Bar Professional Ethics Commission: ["Client Confidences: Confidential firm data held electronically and handled by technicians for third-party vendors;"](#) Opinion 194

New Jersey:

New Jersey Bar Advisory Committee on Professional Ethics: ["Electronic Storage and Access of Client Files;"](#) Opinion 701

New York:

New York State Bar Association Committee on Professional Ethics: [Opinion 842](#)

New York State Bar Association Committee on Professional Ethics: [Opinion 820](#)

North Carolina:

North Carolina State Bar Association Proposed 2011 Formal Ethics Opinion 6: ["Subscribing to Software as a Service While Fulfilling the Duties of Confidentiality and Preservation of Client Property"](#)

Pennsylvania:

Pennsylvania Bar Association Committee on Legal Ethics and Professional Responsibility: Informal Opinion 2010-60 unfortunately is only available on line to Pennsylvania Bar members. However, the Spring 2011 issue of At Issue - a publication by and for the Young Lawyers Division of the Pennsylvania Bar Association has an article discussing that opinion: [Cloud Computing 101 for Lawyers](#) (pg 8)

Oregon:

Oregon State Bar Association Formal Ethics Opinion Number 2011-188: ["Information Relating to the Representation of a Client: Third-Party Electronic Storage of Client Materials"](#)



Visions of sugarplums?

Heck no- here's the technology I'm wishing for this year!

1. AutoPrioritizer: rapidly assesses and assigns priorities based on personal and professional goals and values, reacts to incoming stimuli and holds until assigned priority level is allocated time.

2. FearZapper: uses biochemistry to identify fear before it manifests and applies rules-based zaps to self-generated fears such as: "I'm not ready"; "what if I fail"; "I'm/it's not perfect"; "but no one else"; "but everybody else"; etc. Additional module can be added to address negative self-talk such as: "I don't deserve"; "I can't"; "I should"; "what if"; etc.

3. NoSaurus: generates friendly and professional ways to say "no" and "not now" on demand. Fully compatible with AutoPrioritizer.

4. TaskTimator: accurately estimates work effort and time required to complete tasks with a 99% confidence level. Recalibrates constantly based on experience.

5. FocusKeeper: based on the Cone of Silence, the FocusKeeper makes it impossible to procrastinate, surf the web, chit-chat or otherwise break focus for user-defined time periods. Limited override capabilities.

6. DeleGator: this is an advanced capability that works in conjunction with the AutoPrioritizer and TaskTimator to identify opportunities for delegation and outsourcing. Provides a cloud-based status engine to facilitate management and tracking of delegated tasks.

7. AttaBoy/Girl: provides random and on-demand cheerleading functions, with specific references to thank-you's, compliments and other acknowledgements and accolades received. Soundtracks and theme songs are available for an additional fee.

8. GrammarFixer: automatically ensures the proper use of ellipses, colons, semicolons, dashes, etceteras, etc., and the placement of punctuation relative to quotation marks and parentheses.

Dang it. If I could only figure out where to send my list!

May everyone enjoy the last month of this year. Take good care of yourself. Appreciate what you've accomplished and learned. Notice the impact you've had in the world. Enjoy family and friends. Then, get ready for a fantastic new year- in fact, your very best year yet.

Cheers, Barbara



Barbara Nelson helps lawyers and other professionals learn the simplicity of action. She's grateful for the opportunity to show up here and share her unique perspective. Barbara is a huge fan of writing to improve productivity. To learn more, visit Barbara's blog: <http://www.successfullysolo.com/blog>



Andrea's *frugal finds* ...

December

As long time readers know, I'm frugal to the bone so I've started this page to share my frugal finds and help you find some too.

Crocheting taught me that small things, over time, can yield amazing results. This month I'm going to apply the little bit over time concept to a few every day doings:

1. Moisturizer

I know this one is weird and not business related – but we all want to look good ... right? I have very sensitive skin. My mom did too. Luckily, she turned me on to Oil of Olay Regenerist about 10 years ago. Available at any drug store for about \$20 per bottle, it is much less expensive than the creams she had to purchase in department stores her whole life or suffer through rashes and allergic break outs.

My 2 Cents:

Keep your hands looking young at the same time! Pump a dot or two on the back of your hand; turn over and smear on back of other hand. Dab from backs onto fingertips to spread lotion on to your face. When done with face, rub "left over" moisturizer into the back of your hands/fingers.

When the bottle won't pump anymore, unscrew the cap and use the plastic tube to scrape the moisturizer off of sides (like a knife and almost empty peanut butter container). From plastic tube, place small bit on back of hand for spreading as above.

2. Piles

Don't deny it – you pile stuff. Everyone does. Perhaps your office doesn't runneth over with piles; but I can almost guarantee you've got stuff somewhere that needs to be somewhere else.

Piles are insidious little things that become monsters over time. They are like the Tribbles from Star Trek –

they keep multiplying until an entire room/every surface is inundated with them.

When piles get to that point, the mere thought of organizing is exhausting – so the piling continues until you can't take it any more and you spend entire DAYS "cleaning up". No one can afford days away from their regular doings, so here's the trick –

Only do ONE pile. Just one. Select one, put everything in that pile where it goes and be done. Do NOT allow yourself to touch another pile until the next day – but pick which pile will be next.

Next day, do the pile you selected, only this time allow yourself to do more, if you wish. Time yourself and keep track of how many piles you do. ONE PILE IS PERFECTLY FINE. You do not need to do more but you do need to select the pile you will do the next day.

Continue selecting and doing only one pile per day, figuring out which pile will be done tomorrow, until there are no more piles.

When you get to this point, you can start assessing better ways to do things, so that the piles stop piling.

3. Write Stuff Down

This one little change in how you do things could mean all the difference. Those who are techy or who use digital tools forget that writing involves a whole different part of the brain; and engrains things into your memory (or allows you to completely remove from your brain altogether) those pesky tasks, to dos, reminders and such.

Buy a notebook (my fav is the Mead 3 subject) – flip to a new page every day, place the date in the upper right corner; and take notes ALL DAY LONG.

At the end of the day, look over all your notes – transfer the information/data as needed to digital; and cross out.

Done.



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LET'S CONNECT!



THE LEGAL CONNECTION HAS A LINKEDIN GROUP

Join our group and connect with other legal professionals interested in technology, networking and sharing of practical information.

www.tinyurl.com/TLCxnGroup



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Calendar

Mon Jan 2, 2012	1:00pm – 1:30pm	⊕ DAFT Your Way To Organized - Webinar/Conference Room
Fri Jan 6, 2012	11:00am – 12:00pm	⊕ #legalchat - twitter ☞ ☐
Mon Jan 9, 2012	All day	⊕ National Clean Off Your Desk Day ☞
Wed Jan 11, 2012	12:30pm – 1:30pm	⊕ BYOB Podcast + Lunch with LegalTypist - Live from any internet connection or phone (as any self respecting virtual assistant should be) ☞ ☐
Fri Jan 13, 2012	11:00am – 12:00pm	⊕ #legalchat - twitter ☞ ☐
Fri Jan 20, 2012	11:00am – 12:00pm	⊕ #legalchat - twitter ☞ ☐
Fri Jan 27, 2012	11:00am – 12:00pm	⊕ #legalchat - twitter ☞ ☐