

Technology affects the practice



By David Susler
National Material L.P.



By Christina Martini
DLA Piper

Here is a portion of the conversation. An extended version is on video at chicagolawyer.com.

How has technology made life easier?

Tina Martini: Technology has really made life as a lawyer easier, particularly in the last five years. I think we have easier and better access to clients and information and to ways to service our clients.

When you look at how we practice law today — PDAs, for example, give you access to people and enable you to contact them in a way that wasn't possible before. VPNs provide the same type of thing. Look at how much easier it is to dial into your office through desktop applications. You can set up a virtual office as long as you can get on the Internet. ... You are more efficient and able to get things done for clients in a way that requires less effort.

Also, when you take a look at how you are able to interact with people, you don't have to travel for business as much as you used to because you are now able to video conference. A few years ago you weren't able to do that. And the video conferencing is so advanced at this point that you feel like you are across the table from someone and when you have that ability it really does minimize the need to travel.

Also, e-mail and social networking enable you to stay in contact with your clients and your professional network in a much easier way. Given that we are in a profession that relies on relationships and on the personal touch that ends up being very important.

David Susler: ... Technology has untied lawyers from their offices and their desks. It makes it much easier to travel and to work from home. Research is much faster and you can do it from anywhere that you can access the Internet. For example, I have an app on my

iPad that's tied into my online legal subscription database so I can do research from my iPad wherever I want to.

Technology gives me peace of mind when I'm on vacation because I can be accessible. ... I know things are not blowing up at the office because I can check in.

I would rather take a few minutes here and there while on vacation because it helps keep some order for when I get back to the office. Technology also helps level the playing field for solo practitioners and smaller firms so they can better compete with larger firms, which have larger staffs. We tend to talk about the fancy bells and whistles with the latest technology, but it really can be as simple as using a cell phone to call the courthouse to say you will be late because you are stuck on the expressway behind an accident, which actually happened to me in the mid-1990s. But I had no way to contact the court because I didn't have a cell phone.

How has it made life more difficult?

Martini: It makes it more difficult because there are increased expectations and it's a phenomenon that we observe across other professions not just in the law. Back when I first started practicing, we used computers mainly to work on documents and there really wasn't any e-mail back in 1994 when I started out. These days, when you look at the way business is done you've got e-mail, PDAs and VPNs and it's a very different story.

More than 10 years ago there really wasn't any instantaneous delivery. The quickest you could get something to somebody was by messenger, fax or overnight delivery. These days you can get documents and information to people instantaneously through e-mail. ... For lawyers, there is an unspoken or sometimes spoken expectation that you will respond

more quickly. ... This means longer hours, longer days and working weekends. That really has dramatically changed the practice. The expectation, even when out of the office and on vacation, because of the ease with which you are able to check into the office, is that you will check in at least once a day or sometimes more than once a day. ... On the flip side, when the technology isn't working there is a lot more anxiety than there used to be. Ten years ago when my computer wasn't working people would say, "Okay we will wait until it's working again." These days, there are several ways of working around technology, so there is an expectation that you won't skip a beat as a result. ...

Susler: I think the pressure to turn work around so much faster has virtually destroyed our ability to thoroughly think through and analyze matters. The ability to think and analyze are two of the key components of a lawyer's currency in trade. The ability to take that time is being destroyed by the demands placed on us by technology.

Technology can also destroy work/life balance. ... With the speed at which technology moves it alters our perception of time and our patience. For example, I practiced for nine years before I had a computer at work. I would dictate a letter, give it to my secretary and wait for her to give it back to me and it could be a day or two before the final product was in the mail and out the door. It would take even longer for a brief. That was nothing. Now, I can't imagine waiting that long to get a letter back on my desk and then out the door. ...

David and Tina are not only lawyers who practice on different sides of the table, but they are also married to each other. ■

christinamartini.insideout@gmail.com
davidsusler.insideout@gmail.com