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MARCH 2010  
Vol. 9, No. 1

- [Home](#)
- [Features](#)
- [Columns](#)
- [About GPSolo](#)
- [Feedback](#)

• [Download](#) 

• [Past Issues](#)

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## Features

- [New Technology Puts Jury Research at Your Fingertips »](#)

Online jury research can provide a powerful, sophisticated, quick and cost-efficient tool for attorneys to get the answers they need to the pressing questions they have about their cases.

- [Moving Your Practice Into the Cloud »](#)

What considerations should be taken into account prior to opening a law office in “the cloud.”

- [Cold and Dead, From My Hands »](#)

Love means never having to use new gadgets.

## Columns

- [MacNotes »](#)

Come on over to iPad.

- [TechNotes »](#)

Is Canson Papershow ready for the Big League?

- [ProductNotes »](#)

ScanSnap S1300, QuickBooks 2010 for the Mac, and BigHand voice software.

- [DivisionNotes »](#)

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# Technology eReport



MARCH 2010  
Vol. 9, No. 1

- [Home](#)
- [Features](#)
- [Columns](#)
- [About GPSolo](#)
- [Feedback](#)

• [Download](#) 

• [Past Issues](#)

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## New Technology Puts Jury Research at Your Fingertips

*By Aref Jabbour*

For complex and high-profile cases, and cases for which there is a lot at stake, jury research has become an accepted part of the case preparation process. Although jury research remains a powerful tool in evaluating cases and in developing trial strategy, it can require a great deal of time and money to accomplish. Often the cost puts it out of reach of lawyers with smaller cases and from smaller firms that could still benefit from jury research. In addition to the consulting fee, the costs include recruiting and paying jurors, renting space and audiovisual equipment, and food and travel expenses. Lawyers may also spend a great deal of time and money getting to and from the research site as well as being present at the research. These expenses are often in the tens of thousands of dollars.

Online jury research presents the possibility of a massive reduction in expenses. Even though online jury research has been around for a few years, it has remained pretty rudimentary. Often, jurors are presented with written descriptions of the case, there are no juror discussions or deliberations, and data analysis and presentations can be very basic. Consequently, the attorney is left with little data or data that are not very informative for his or her case.

However, a new breed of online jury research services are now offering more sophisticated and useful options at a reasonable cost for cases of all sizes: for example, the ability for jurors to view video presentations of attorneys' arguments, rate them in real-time, and answer questions. Juror discussions or deliberations are available, and the data reports are comprehensive, informative, and easy to navigate. These new advanced capabilities give attorneys with numerous cases an opportunity to conduct powerful, effective, quick, and cost-efficient jury research.

Online jury research puts jury research in the hands of all attorneys from solo practitioners to members of some of the largest firms. In essence, online jury research is a powerful, sophisticated, quick, and cost-efficient data collection tool. It allows attorneys to get reliable answers to the pressing questions they have about their cases. More specifically, online jury research is an ideal tool to get a quick read on cases, even as soon as they are filed. Many times, attorneys wish they can get quick insight into what jurors think about their or their opponents' damages requests, as well as their key arguments or evidence pieces. Online jury research allows attorneys to do all of that, and more.

## **What Is Involved in Conducting Online Jury Research?**

### ***1. Understand the Many Benefits of Online Jury Research***

Online jury research allows you to get many of the benefits of traditional or live jury research, but at a fraction of the cost. With online jury research, you can test your case strengths and weaknesses, figure out which arguments and evidence pieces work and which do not, and find out the characteristics of your best and worst jurors. All of this can be done in the venue for your case, and with a representative sample of jurors. Data from such research can inform your discovery process and many other trial preparation procedures.

### ***2. Find the Right Online Jury Research Firm***

There are a few online jury research firms out there, but only a select few offer convenient and sophisticated services to meet all of your needs. The right firm should be able to offer a user-friendly process, tailor the research questions to

get the answers you need, and provide a data output that is easy to use, exciting and informative.

The validity and reliability of the results are only as good as the sample of jurors from which they come. What this means is that the right online jury research firm must be able to recruit a representative sample of jurors from your venue, or a matched venue in extremely sensitive cases. Although it may be tempting to conclude that mock jurors with Internet access may not be representative of the real jurors, recent studies show that close to 80 percent of the U.S. population has Internet access at home. The online population is quickly becoming the same as the population. With that in mind, it is critical for an online jury research company to be able to find the right sample of willing participants for jury research

Another critical factor to consider in picking the right online jury research firm is how it goes about presenting the case information to the mock jurors. Most firms out there only have the capability to present written information. One of the cardinal rules in arguing before a live jury is to keep them engaged in your “story” to make sure that they remember as much as possible of your arguments. The same is true for a sample of jurors online. Reading text about your case and then answering questions will not keep jurors engaged, especially if they are participating from home. On the other hand, having video presentations of your arguments and those of the opposition will certainly capture and maintain jurors’ attention. Video presentations will also allow you to tap into one of the most important and informative features of jury research—real time ratings of your arguments (if using the right online jury research firm, of course).

As mentioned earlier, one of the greatest benefits of online jury research is the capability to test the strengths and weaknesses of your arguments, and determine which arguments and evidence pieces work and which do not. The leading-edge online jury research firms can have jurors rate the attorneys’ arguments as they are watching the video presentations. When the research is completed, the attorneys can review the videos of each side’s arguments and see which arguments garnered high and low ratings. This gives attorneys direct feedback on which arguments and evidence points they need to highlight, as well as which ones they need to respond to when the other side presents them.

### ***3. Determine the Key Arguments That You and Your Opponent(s) Will Make***

A crucial step for conducting jury research is to whittle down your mountain of evidence and arguments to a few central themes that you will communicate to

the jury. However, you also need to figure out what the other side will say, so as to be able to prepare for and counter their arguments. Investing time and effort early on to produce brief and informative video presentations ensures that the mock jurors are listening to the key arguments and themes that each side will emphasize. Furthermore, attorneys who have participated in jury research of any type almost always appreciate spending time fine-tuning their arguments early on; it makes them that much more prepared when the time comes for trial.

#### ***4. Generate the Key Questions That You Want Jurors to Answer About Your Case***

Online jury research allows you to get answers to standard questions about your case, such as which side do jurors favor after each presentation, and how much damages they would award. However, you can also come up with specific questions that you want jurors to answer. Different online jury research firms have varying capabilities when it comes to the types and number of questions you can ask jurors. Some companies allow a limited number of questions, and others do not allow for any open-ended questions. The right online jury research firm should give you options, in the number of questions you can ask about your case, as well as the ability to ask jurors to tell attorneys what the best arguments were for each side.

Once you have prepared each side's main arguments and generated any questions you want answered, you can then conduct online jury research, and see how your arguments resonated with jurors.

#### ***5. Decide Whether or Not You Want Jurors to Discuss the Case***

Online jury research can have a subset of jurors participate in a discussion/deliberation group. Jurors can view and interact with each other, as well as the moderator, just as they would in a live jury research. The attorney can either listen in anonymously to what jurors are saying, or actively participate and ask them questions about their case.

#### ***6. Use the Data Reports to Your Advantage***

Online jury research is the ultimate data collection tool for any case. The right online jury research firm can show you which of your arguments worked and which did not, show you the characteristics of your best and worst jurors, and get you the information you need about damage figures. You can then use all of these data to impress your clients and show them that you have armed yourself with solid information about their case, all while being cost-conscious.

The time has come for jury research to be available for law firms and cases of all sizes. Online jury research can provide a powerful, sophisticated, quick and cost-efficient tool for attorneys to get the answers they need to the pressing questions they have about their cases. However, the answers attorneys can get are only as good as the online jury research firm they use. The right online jury research firm should provide you with a) a large sample of jurors, making it easier to do juror profiling; b) the ability to present video presentations to mock jurors to keep them engaged; c) the choice to ask open and closed-ended questions to get as much information as possible; d) focus group capability with a subset of jurors, to really get at how jurors understand a case; and e) ratings of the attorneys' arguments so they can learn what worked and what did not. Armed with this information, attorneys, whether in solo practice or in a large firm, will have certainly done their homework when preparing for their clients' cases.

*Aref Jabbour, PhD., is president and managing director of LookingGlass, LLC ([www.lg-juries.com](http://www.lg-juries.com)), which provides online jury research. Aref has a doctorate in clinical psychology and is an experienced trial consultant. He has worked on an extensive variety of litigation and jury research for law firms of all sizes nationwide. Aref can be reached at [ajabbour@lg-juries.com](mailto:ajabbour@lg-juries.com).*

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# Technology eReport



MARCH 2010  
Vol. 9, No. 1

- [Home](#)
- [Features](#)
- [Columns](#)
- [About GPSolo](#)
- [Feedback](#)

• [Download](#) 

• [Past Issues](#)

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## Moving Your Practice Into the Cloud

*By Jack Newton and Jay Foonberg*

Web-based technologies are part of an exciting new frontier aimed at delivering efficient, accessible, and affordable products and services to their clients. The rapid advance of web- or cloud-based technologies has opened up a wealth of opportunities that weren't available to lawyers just one generation ago; chief among these is the ability to open and operate a completely cloud-based or virtual law office.

The following article will discuss what technologies help make this new way of working possible, and what considerations should be taken into account prior to opening a law office in “the cloud.”

## What Is “The Cloud”?

One of the hottest technology trends of 2009 is what is referred to as “cloud computing” or, simply, “the cloud.” The concept of cloud computing is that computing will increasingly be delivered as a service over the Internet. The shift to “the cloud” will mean you’ll need less software on your desktop computer and, increasingly, it will matter less and less which computer you’re sitting down at to get your work done: your documents, emails, pictures, and all other types of information will be stored and securely accessed online. The shift to cloud-based services typically offers increased security and dramatically reduced overhead and IT costs as compared to on-premises servers and software. Although much of the concept of practicing in the cloud may seem novel, most web-savvy computer users have, perhaps unknowingly, been using cloud-based technologies for a number of years via longstanding services such as Hotmail, Gmail, or Yahoo Mail among others. These technologies were among the very first to pioneer the idea of centralized services delivered efficiently over the web, and they’ve succeeded in laying the groundwork for a software revolution that’s gradually resulting in most applications evolving toward a web-based mode of delivery.

## Moving Your Practice Into the Cloud

The profound shift away from hosting on-premises servers and software to web-based service delivery via “the cloud” offers begs the question: why can’t legal service delivery undergo a similar revolution? Why are lawyers meeting with clients in expensive downtown offices, printing off reams of paper, and otherwise conducting business in a fashion that is not much different than what they did 200 years ago? Can’t all of this be done faster, more efficiently, and more securely via the web? The answer is that, although some of the essential parts of operating a law practice may never lend themselves to full digitization, many of the frequent transactional elements of legal practice can be accomplished with reduced friction by adopting the appropriate complement of technologies. Although “the cloud” may not be the silver bullet in terms of total practice efficiency, for many practitioners, a move toward greater integration of online technology can yield opportunities to significantly reduce overhead, gain unprecedented mobility, and afford access to technology that offers security and availability typically only available to peers in large firms.

## **What Is a Cloud-Based Law Office?**

A cloud-based law office parallels a traditional bricks-and-mortar law office with several key differences. First, most, if not all, client communications will be performed online via the lawyer's secure website—the "virtual law office." Client interactions, from client intake to questionnaires to work product delivery to billing, are all mediated via a single, online website. Lawyers and clients can communicate asynchronously via a secure online messaging system. Phone calls and in-person meetings are rarely, if ever, needed.

The benefits of moving to a cloud-based law office are numerous:

### ***Competitive Advantage***

Consumers are increasingly researching and seeking legal services online. Google has replaced the Yellow Pages. Although an increasing number of lawyers have a website, in some cases supplemented with a blog or other social media tools, relatively few lawyers offer a true cloud-based law office. The demand for online legal service delivery will soon outstrip supply that the relatively few cloud-based law offices can provide. Migrating into the cloud offers an opportunity to stand at the forefront of a technology evolution that could serve to set your practice apart from the competition, and establish you as an innovator in your field—something that could provide significant competitive advantage in what is a fast-growing market.

### ***Efficiency***

A cloud-based law office delivers many efficiencies. Cost efficiencies are realized in the form of reduced overhead—expensive trappings of a primarily bricks-and-mortar office can be dispensed with; regular costs of IT maintenance and upgrades can be minimized, if not eliminated altogether; and much work product such as letters, bills, and other collateral are delivered electronically, which not only reduces material costs, but is also better for the environment.

Communicating with clients online can often be more efficient and focused than in-person meetings, realizing substantial time savings. Your cloud-based law office can be run out of your home or a convenient, lower-cost office location, delivering both cost and time savings. Virtual practitioners can recover more hours in the day lost to long commutes, insufficient access to appropriate technologies, and time-consuming transactions that could be more efficiently communicated online.

### ***Security***

Unlike unencrypted e-mail communications, all communications through a

virtual law office are typically secured using 256-bit SSL encryption. This is the same grade of encryption employed by banks and e-commerce sites to ensure secure, confidential transmission of sensitive data. Some jurisdictions, such as Massachusetts, have implemented strict secure communication standards that will deprecate insecure communication methods such as email in favor of more secure, web-based communication portals.

### ***Synergy With Other “Virtuals”***

As you move your practice into the cloud, you’ll notice other areas of your practice that could be made more efficient via cloud-based service providers. Rather than finding extra office space and hiring an on-premise assistant, why not choose one of the many “virtual assistant” firms to help. Moreover, many leading attorneys in small firms are competing more effectively with their “big firm” counterparts by choosing to virtually collaborate with colleagues online in the form of transient partnerships. A practice that exists in the cloud can be more easily shared and collaborated on, which allows virtual practices to rapidly involve necessary resources on an on-demand basis.

### ***Freedom***

The freedom associated with running a cloud-based law office may be something you only truly appreciate once you’ve taken the plunge. You’ll realize you can get your work done anywhere. You’ll be able to provide responsive, professional service to your clients on a schedule that works for you, regardless of your location. If an urgent situation with a client comes up while you’re on vacation, you’re only an Internet cafe away from being able to meet their needs. This not only means that you’re no longer required to support much of the overhead that accompanies a more traditional law practice, but it also creates an opportunity to gain more control over your time, and often more freedom to enjoy time away from the job.

### **Preflight Checklist**

Before taking your practice into the cloud, consider the following:

#### ***1. Check With Your State Bar***

While some state bars have issued ethics opinions or other guidance on opening a cloud-based or virtual law practice, it is advisable to seek formal approval from your state bar prior to opening a cloud-based law office. Rules regarding information storage, protection, and archival are receiving a great deal of current attention, and the law in this regard is evolving rapidly. Ensure you’re aware of, and compliant with, your bar rules as they apply to the use of web-

based technologies.

## **2. Be Aware of Jurisdictional Issues**

A virtual law office blurs the geographic boundaries a typical bricks-and-mortar law office imposes. While this can be a huge benefit if an attorney is licensed in multiple jurisdictions, it can present a potential problem if a cloud-based law office is seen to be soliciting clients from a jurisdiction in which the attorney is not licensed to practice. Ensure your virtual law office prominently displays what jurisdictions you're licensed to practice in, and ensure appropriate client screening measures are in place. Moreover, as detailed above, because the bar rules regarding the use of web-based technologies may vary between jurisdictions, we advise that you consult each local and state authority for a formal opinion on approved information management practices prior to accepting clients from any of your licensed jurisdictions.

## **3. Clearly Define the Attorney-Client Relationship**

As with traditional bricks-and-mortar law offices, it is important to clearly define the attorney-client relationship with a cloud-based virtual law office. This can be accomplished via a click-through agreement that defines the scope and nature of the attorney-client relationship. Given that many cloud technologies sit at the leading-edge of technology adoption, ensuring client comfort with the use of these technologies is paramount. In many cases clients should be made aware of the standards of communication, the web-based services being used to host their information, and the security measures in place to ensure that client confidentiality and privacy protection are maintained to the highest standard available.

*Jack Newton is president and founder of Themis Solutions, Inc., which created [Clio](#), a SaaS product for solo and small firm attorneys. He can be reached at [jack@goclio.com](mailto:jack@goclio.com).*

*Jay Foonberg has served in the ABA House of Delegates; he is on the Advisory Council for the ABA Commission on Evaluation of the Rules of Professional Conduct, and he was a founder of the ABA Law Practice Management Section. His book, *How To Start and Build a Law Practice (5th edition)*, is the book that is most frequently stolen from law libraries in the United States. It has earned more than \$2 million for the ABA, and has been their best seller every year since 1977. Mr. Foonberg is the author of three other important books, all available from the ABA: *How to Get and Keep Good Clients (3rd edition)*; *Finding the Right Lawyer*; and *The ABA Guide to Lawyer Trust Accounts*. A much sought-after speaker, Jay has led seminars and taught client relations, malpractice prevention, ethics, and client development in every one of the 50*

*states and every one of the 6 U.S. territories ( the only person ever to have done so) and as far afield as Europe, South America, and Asia in English, Spanish, and Portuguese. Jay earned his JD from UCLA Law School, has done advanced studies at Harvard Law School, Cambridge University, England, and Duke University School of Law. He has received the prestigious Harrison Tweed Award, CLE's highest honor. He lives and practices in Beverly Hills, California. He is the only person ever to receive four Lifetime Achievement Awards from the ABA Sections. His hobby is running marathons. He ran his 36th marathon in March 2010 at age 75.*

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# Technology eReport



mARCH 2010  
Vol. 9, No. 1

- [Home](#)
- [Features](#)
- [Columns](#)
- [About GPSolo](#)
- [Feedback](#)

• [Download](#) 

• [Past Issues](#)

## Features

- **New Technology Puts Jury Research at Your Fingertips »**

Online jury research can provide a powerful, sophisticated, quick and cost-efficient tool for attorneys to get the answers they need to the pressing questions they have about their cases.

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## Cold and Dead, From My Hands

*By Samantha Blake*

As far as non-techno-geeks go, I am an early adopter of new technologies. It’s hard to avoid, having come of age in Microsoft Country (Seattle), then married a rocket scientist. However, when I find something I like, I hang onto it until its dying breath. I am mourning the impending passing of my last in a long line of Palm PDAs, a T|X, as it goes gently into that good night. I know in my heart of hearts that it is time to let go. Since I recently switched to a laptop with a 64-bit operating system, I have had to give up my once-glorious Palm desktop graphical user interface in favor of a third-party programmer’s shadowy approximation. My full-sized folding keyboard no longer works. I am faced with the daunting task of finding another PDA that will perform the functions I have come to know and love over the past 12 years, and onto which I can migrate my



hundreds of contacts, countless memos, and thousands of calendar entries. I will have to print out a hard copy of everything to make sure no data slip through the cracks. I *hate* Microsoft Outlook, but I fear I must embrace it after many years of keeping it at arm's length.

I got my first PalmPilot in early 1997 (U.S. Robotics was still the manufacturer), back in the days when the larger law firms still had separate word processing departments and partners rarely had their own desktop computers. The Internet had just been unleashed on the public. Laptops weighed upward of 15 pounds and were prohibitively expensive for the likes of me, a lowly associate barely making the payments on my student loans. I would show up in courts all around Southern California for various law and motion matters and whip out my nimble PalmPilot when the time came for the judge to schedule our next rendezvous. I would deftly enter the information into my electronic calendar using the Palm's unique "Graffiti" handwriting recognition system while opposing counsel hurriedly flipped through the pages of a paper calendar or, worse, admitted that he or she had not brought a calendar and would have to call back to the office.

As I would turn to leave, attorneys waiting for their turn at bat would invariably ask, in hushed wonderment, "What is *that?*" I would take them out to the hallway and demonstrate the amazing acrobatics this device could perform. I am sure I was responsible for many PalmPilot sales at the time. Now, after several generations of the Palm operating system and several changes of company ownership, as well as years of market-flooding by hollow imitations, when I whip out my two-year-old Palm T|X, I get a disdainful "What is *that?*" accompanied by pejorative descriptors such as *dinosaur* or *ancient*.

When the PalmPilot first hit the market, nothing of the kind had been seen *anywhere*. The touch screen and the Graffiti were awe-inspiring. It was so small but could do so much. No more unwieldy DayTimers! No more messy writing, erasing, and rewriting addresses and phone numbers by hand as colleagues changed firms or friends moved around! As an information management tool, the PalmPilot was indispensable. My first one was built so well, it lasted five years before it finally gave up the ghost. By that time, the technology and user interface had advanced quite a bit, the folding keyboards were available, and there was a second version of the Graffiti handwriting to learn. Competitors such as iPAQ, Axim, and BlackBerry had emerged, but their operating systems didn't hold a candle to the Palm OS.

As I progressed through successive iterations of the Palm, BlackBerry went viral, and the iPhone came on the scene. Companies continued to develop apps for the Palm, and the Palm's memory and capabilities kept expanding. With the folding



keyboard, I could be away from the office, on the phone with a client or colleague, typing notes directly into my Palm. I didn't have to bring a laptop with me—everything fit neatly into my small handbag. I could take notes on my Palm during a deposition or while sitting in MCLE classes. With the wireless connection that came available later, I could check my email and surf the Internet with a beautiful, high-resolution screen display. I could carry my photo album with me.

Then Palm started developing smartphone models and moving away from the Palm OS, embracing the Microsoft Windows Mobile OS with its Trēo (although it held onto the Palm OS for awhile with the Centro). The end was in sight, but I held on, hoping against hope that the diehards like me would create enough market share for Palm to justify continued expenditure of R&D dollars on the Palm OS. Then, a few months ago, *poof!* Palm stopped offering its traditional PDAs. The Palm OS was unceremoniously killed off. Now Palm offers two models, the Prē and Pixi smartphones, which operate with Palm's new webOS. The Pixi has an integrated BlackBerry-style thumb keyboard. You can only use the Palm smartphones if you are a Sprint or Verizon customer (as of this writing, Sprint is still offering the Trēo Pro). It is Palm's last attempt to rage against the dying of the light.

Yes, I know the writing has been on the wall for quite some time. I can no longer find a PDA that doesn't have a phone attached. I actually liked that feature, because I could be on my cell phone and type notes at the same time. I don't think anybody makes a PDA with a full-sized portable keyboard now. That means I'll have to start lugging my laptop everywhere. My current laptop is billed as "ultraportable," but it is not nearly as ultraportable as my Palm T|X with the folding keyboard. I guess I'll have to get a bigger handbag. As I finish this, a tear slides down my cheek. *So long, old friend. You've served me well.*

*Samantha Blake has been admitted to practice in California since 1993. She is a Director of EXTTI, Incorporated, which provides consulting services in the employment area, including expert testimony, training on the avoidance of harassment and discrimination to managers and employees, workplace investigations, assistance with disability accommodations and the interactive process, and executive coaching.*

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# Technology eReport



MARCH 2009  
Vol. 9, No. 1

- Home
- Features
- Columns
- About GPSolo
- Feedback

• Download 

• Past Issues

## Columns

- **MacNotes**  
Come on over to iPad.
- **TechNotes »**  
Is Canson Papershow ready for the Big League?
- **ProductNotes »**  
ScanSnap S1300, QuickBooks 2010 for the Mac, and BigHand voice software.
- **DivisionNotes »**  
A CLE event and Spring Meeting.

## MacNotes

### iPad: The News Today (Oh Boy!)

By Jeffrey Allen



To almost nobody's surprise, Apple announced the birth of its newest product at a press conference on January 27, 2010. The announcement caught some pundits off guard, as they had predicted Apple would call its new product the iSlate. Apple, however, had another idea. It has had tremendous express with "iP" names, such as the **iPod** and the **iPhone**. (One can't help but wonder if that has a double meaning, as many people use the letters IP to refer to *intellectual property*.) Anyway, Apple chose to continue with its **iP** formula and name its

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new baby the **iPad**.

As the iPad has not shipped yet, I have not had the opportunity to see it or try it out. Accordingly, this commentary will deal with the theory of the iPad to help you decide whether you want to consider adding one to your technology tool chest, once they are released. All things being equal, the first wave of iPads should ship right about the time you get the chance to read this column.

Many of the comments I have seen about the iPad have criticized Apple for not making it a full-fledged tablet computer. True, Apple, does not have a tablet computer in its stable of laptops, but Apple never intended the iPad to compete with its laptop computers. Apple designed the iPad to fit in between the iPhone/iPod Touch and the laptop. More than the former and less than the latter, it gives users a functional Internet appliance with a screen much easier to use than that on an iPhone or an iPod Touch and a device that packs up easier and weighs less than a laptop.

Many (most) of the iPhone apps will work on the iPad. Apple's website claims that 140,000 apps will work on the iPad. That number may be somewhat misleading because some of those apps will likely require modification to take full advantage of the iPad's technology and screen size. Apple intends for the iPad to provide productivity functions for business and personal use. It has created a special mobile version of its iWork applications Pages, Numbers, and Keynote, each designed to work with the iPad and take advantage of its features.

A number of those applications provide reading material or the ability to stand-in for an eBook device such as the Kindle, Nook, or Sony eBook Reader. Interestingly, many people speculated whether Apple's new device would answer the ebook reader niche with an Apple product. The iPad, in fact, does that. Numerous apps function as book readers (including the Kindle app). The recently released Zinio app allows you to read electronic magazine subscriptions. Although books have proven quite readable on the iPhone/iPod Touch, a larger screen would make things easier. The Zinio app does a nice job presenting electronic editions of magazines, but the screen size of the iPhone makes it hard to read the magazine without expanding it and looking at the page in sections. Again, a larger screen alleviates the problem. Simply put, the iPad should serve nicely as an ereader.

Not wanting to miss a profit opportunity, Apple has announced a new app for the iPad to turn it into an effective ebook reading device. It has named the new app iBook (there's a shocker) and announced it in conjunction with plans to expand the iStore to include a book department. The iBook app will let you acquire electronic books from the iStore, just as you can now acquire apps, music, audio books, and video files. Pricing for Apple's electronic books is not yet known, but expect them to sell for prices about the same (or perhaps a trifle less) than those available from Barnes & Noble, Sony, and Amazon. Time will tell whether Apple establishes its own inventory or partners with one of the major booksellers for inventory, but expect to see a good selection of reading material in the iStore.

Since Apple's announcement of the iPad, I have seen what I consider to be silly criticism of

the iPad as a reader for its failure to employ the e-ink technology used by Sony, Amazon, and Barnes & Noble in their readers. While the e-ink technology has proven itself functional and has the advantage of a lower power draw than the screen on the iPad will enjoy, the e-ink devices lack the ability to display color, while the iPad will do so beautifully. Moreover, the e-ink devices require a supplemental light source to allow the reader to see the text in the dark. The iPad has its own lighting built into it.

I have used the e-Ink technology as employed by Sony, Amazon, and Barnes & Noble. It works just fine. In truth, however, I am just as happy with the display of text on the iPhone/iPod Touch; actually, I prefer it. Additionally, reading magazines and the like has proven much more enjoyable in color, and the iPad display allows for that capability.

The iPad's screen size, 9.7 inches diagonally, will also make it much better than the iPhone or the iPod Touch for watching movies, television shows, podcasts, and the like. The larger screen size will also save on eye strain when using your calendar, reading notes, and doing many of the other tasks we have started doing on our iPhones. The fact that it offers up to 10 hours of battery power makes much more useful for a variety of tasks than the iPhone with its charge-life issues. The multitouch display (like the iPhone) will make for an excellent interface and the 1024 x 768 pixel resolution will make for an excellent viewing experience.

The fact that the iPad will be about the same size as most of the eBook reader devices (9.56" x 7.47" x .5") makes it very easily packable in a brief case or even a large purse. It weighs in at 1.5 (WiFi only) or 1.6 pounds (WiFi plus 3G), making it a very portable package.

Apple has announced that the first iteration of the iPad will actually come out in early April instead of March, as originally announced. That version will operate on WiFi only and will not have 3G cell capabilities. In April an updated version will come out that will have both WiFi and 3G cell capability. Pricing for the 3G versions is about \$130 more per unit than the WiFi only versions. The other price variation relates to internal memory (it will come in 16, 32, and 64 GB versions). Like the iPhone, what you buy is what you get, because you cannot add memory to the iPad.

Like the iPhone, the iPad comes with a virtual keyboard built-into its operating system. It has no physical keyboard. Apple reports, however that the iPad will connect with its wireless keyboard, and you can use that with it if you like. In fact, the Apple website lists a keyboard docking station as a to-be-available accessory.

Although the iPad will do most of what the iPhone does and some of what a laptop does, the simple fact of the matter remains that the iPhone does things that the iPad cannot and so does a laptop. In other words, Apple figured out how to cut features that leave the iPad wanting in comparison, while leaving enough in and adding enough to make it desirable, thereby creating a new niche.

| <b>iPad Pricing</b> | <b>16GB</b> | <b>32GB</b> | <b>64GB</b> |
|---------------------|-------------|-------------|-------------|
| <b>WiFi</b>         | \$499       | \$599       | \$699       |

Speaking of what it does not include, my list of things that I will miss in the iPad follows:

1. It has no built-in camera. I consider this a mistake. If Apple intends the device to serve as an Internet appliance, it should have a built-in camera for videoconferencing and iChat. Having to add an external camera makes no sense for the user.
2. The absence of even a single USB slot may prove problematic as all accessories will have to have a wireless connection. That includes the missing camera and any printer used with the iPad. Alternatively, when it comes to printing, you can move documents off the iPad to a computer and print from the computer.
3. I would like to see Apple add a memory slot to the iPad (and, for that matter to the iPhone and the iPod Touch). Alternatively, I would like to see Apple make a 128GB version available. I have found that 64GB doesn't cut it for me, and I am constantly shuffling things on and off to stay within that limit.

Now, for the bottom-line question: should you buy an iPad. My answer to that is "yes," and I intend to put my money where my keyboard is and get one. For many trips I will no longer need to take a laptop, and for use around town and in court, I believe it will prove its worth and serve me better than my iPhone (which I will continue to carry for telephony reasons as well as to give me the option of its various features and apps).

Whether you think of the iPad as a glorified ebook reader or a new level of technology makes no difference; the simple fact is that it will prove a useful device for many of you.

Having made the decision to acquire the iPad, only two decisions remain: which memory size and whether to get the WiFi only or the 3G versions. For me, memory size is a no-brainer; I want the 64GB version. If you have a 32 GB iPhone and have only used 5–10 GB of the memory, you might find a lower memory version satisfactory for your use. The answer to that question will depend on the size of your music library, how much additional media you want to add to it, and how many apps you want to put on it.

The question of whether to get a WiFi only or one of the 3G versions may prove more difficult. Most of us will find ourselves in situations where no WiFi network exists or is available to us from time to time. The lack of a WiFi connection will limit the use of the WiFi only iPad to whatever information you have stored on it and preclude you from accessing email or the Internet. I have been told by Apple that the iPad will come under the rubric of its partnership with AT&T. That means that 3G connections for the iPad will require an account with AT&T unless and until someone figures out how to jailbreak the iPad. If you live and work in an area that does not get good AT&T reception, you probably won't want the 3G iPad. If you have an iPhone and it works satisfactorily, the iPad should too, but it will mean another account with AT&T. The actual cost of the account is uncertain at this time, but likely will be in the same range as the iPhone accounts. Accordingly, I recommend that you do one of two things with respect to the purchase of an iPad.

1. Either wait until Apple releases the 3G version and see what requirements come with it respecting network affiliation and contracts for 3G services; or

2. Get the WiFi only version and set up an account with Verizon or Sprint using the MiFi modem/router that sets up a hotspot for you anywhere that you get the provider's signal. I use the MiFi and a Verizon connection with my laptop and my iPhone and have found it quite satisfactory. This approach has some cost efficiency for you as well, as you can use the MiFi with computers, iPhones, iPod Touches, and other wireless devices. Having only one wireless data account (two if you have an iPhone) and sharing the data account with all your compatible devices will certainly cost less than having several accounts.

*Jeffrey Allen is the principal in the law firm of Graves & Allen with a general practice that, since 1973, has emphasized negotiation, structuring, and documentation of real estate acquisitions, loans and other business transactions, receiverships, related litigation, and bankruptcy. Graves & Allen is a small firm in Oakland, California. Mr. Allen also works extensively as an arbitrator and a mediator. He serves as the editor of the [Technology eReport](#) and the Technology & Practice Guide issues of [GP Solo Magazine](#). He also serves on the Board of Editors of the [ABA Journal](#). Mr. Allen regularly presents at substantive law and technology-oriented programs for attorneys and writes for several legal trade magazines. In addition to being licensed as an attorney in California, Jeffrey has been admitted as a Solicitor of the Supreme Court of England and Wales. He is an associate professor at California State University of the East Bay and the University of Phoenix. Mr. Allen blogs on technology at [www.jallenlawtekblog.com](http://www.jallenlawtekblog.com). You can contact Jeffrey via email [jallenlawtek@aol.com](mailto:jallenlawtek@aol.com).*

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# Technology eReport



MARCH 2010  
Vol. 9, No. 1

- [Home](#)
- [Features](#)
- [Columns](#)
- [About GPSolo](#)
- [Feedback](#)

• [Download](#) 

• [Past Issues](#)

## Columns

- **MacNotes** »

Come on over to iPad.

- **TechNotes** »

Is Canson Papershow ready for the Big League?

- **ProductNotes** »

ScanSnap S1300, QuickBooks 2010 for the Mac, and BigHand voice software.

- **DivisionNotes** »

A CLE event and Spring Meeting.

## TechNotes

### The Canson Papershow

*By Nerino Petro*

Have you ever found yourself in a meeting and wishing you could just draw a concept so everyone could understand it? Or be giving a presentation and want to add text and other information but can't? With the introduction of their Papershow™ Bluetooth digital pen and its Papershow™ interactive paper, Paper maker Canson and Arches is hoping to change this. One company statement sates that "Papershow is a revolutionary Plug&Play solution which makes it possible to project one's handwritten notes on the screen directly during a meeting." So what makes Papershow unique?

Start with the fact that the Papershow is the first wireless product that allows you to capture your handwriting and see it in real time on a computer monitor or projector. Being wireless allows the Papershow to avoid issues that come with graphics tables or other digital pen capture devices that need to be physically



connected to the computer (usually by USB ) and that also require specific software already installed on the computer. Other digital capture pens also don't provide for real-time display of your writing, requiring you to download the information from the pen after you've finished. Buying a Papershow kit is also much less expensive than purchasing a Tablet PC for its pen interface and avoids the need to connect to a projector or larger screen at your destination since you're connecting to a computer that is already connected.

At \$199 (MSRP), the Papershow kit is not inexpensive, although you can find it for around \$170 on the Internet. The Papershow kits includes everything you need to display and capture text, create images, and markup pictures and PowerPoint presentations. The kit includes the Papershow Bluetooth digital pen, Papershow interactive paper, and the Papershow USB key. The USB key serves as the pen's Bluetooth receiver, serves up the Papershow software, and provides storage for Papershow files. You also get a plastic carrying case for the pen, a spare battery and USB key, as well as a plastic portfolio to hold pages you print on the special Papershow paper. With the Papershow kit, you can go anywhere there is a Windows-based computer (sorry: it isn't Mac compatible) and use the Plug & Play Papershow pen and paper to capture your handwriting and project it on a screen or a display without the need to take your own computer. The pen is a bit large, and some may find it a bit uncomfortable or awkward to use.

Installation is straightforward: plug in the USB key to download the Papershow software from the Internet, then install the USB drivers and prepare to pair with the Papershow digital pen. The installation process is easy and requires you to insert the USB key and download the latest version of the Papershow software to the USB key.

Once the USB key has been inserted in an open USB port, Windows will open a selection window, and you select Papershow from the list of available actions. If you last used the Papershow on a different PC, you will receive an instruction to pair the Papershow pen with the USB key. Pairing is a simple process, done by removing the cap of the Papershow pen. Once paired, the main Paper application window will open, and you are ready to start. There have been some reports about the pen failing to pair correctly if other Bluetooth adapters are in use on the computer, but this seems to be an a limited problem on a few systems.

From the main application, you can select a new whiteboard, Import from a PowerPoint, or Open a file. When you select a new whiteboard, you have to select the size of the paper you will be using: the Papershow kit comes with a pad of A4 size paper that is used for on the fly input when using the whiteboard and



A3 (letter) size for printing out PowerPoint slides and images. And this is another important point with Papershow (and many other similar voice and image capture devices): you must use the specialized paper for the Papershow to work.

The Papershow pen uses technology from Anoto (<http://www.anoto.com>), which holds the patent on the special pattern used by the Papershow and other digital devices such as the Pulse audio recording pen. Anoto Paper has thousands of tiny black dots printed on it in a unique pattern that allows the digital camera in the Papershow pen to recognize its location when drawing. Although you can erase what's drawn on the screen, since the Papershow uses actual ink on the paper, after a certain amount of use, the paper must be discarded and a new sheet used, and the paper is anything but inexpensive. A 48-page A4 size pad of Papershow paper is \$12.99, while a 200-sheet package of Letter size Papershow printer paper is \$19.99. Luckily, when printing PowerPoint presentations, you can print 1, 4, or 9 slides to a page, so the amount of Papershow Paper required is somewhat reduced.

Once the pen has been paired, everything you write on the Papershow paper is projected onto the screen or monitor. You control attributes such as selecting colors, line thickness, and perfect shapes including lines, arrows, squares, or circles using either the controls on the top of the main application screen or by using the preprinted toolbar on the right side of the paper. For normal use, you will use the toolbar icons pretty much exclusively.

Selecting which drawing tool you want to use such as a pen, line, sticky note, etc., is as easy as tapping the appropriate toolbar icon with the pen. You combine multiple taps to achieve different results such as a red arrow by clicking on the red color icon and then one of the two arrow icons—it's that simple. You can even add sticky notes that have a yellow background on which you can write. You can erase what you've drawn (although it doesn't erase what's been written or drawn on the paper) using the eraser tool or using the undo last stroke or undo all strokes icons. You can also add new pages, delete pages, and navigate between pages using icons in the toolbar.

When you have finished using Papershow, you can save the whiteboard contents into a Papershow file that can be reopened at a later time. Papershow files are stored on the USB key until its memory is full, and then you can archive your files to your computer. You can export your Papershow files in Adobe PDF or MS PowerPoint format and can also email them from within the Papershow application.

If you want to work with existing images, drawings, or PowerPoint slides, you need to first import them into Papershow and then print them on the Papershow printer paper. You must use a color printer (inkjet or color laser are fine) that prints your image onto the paper in blue. Once the image has been printed on the paper, you can then open the Papershow file and draw or comment on the image or slide. These files can also be saved for further changes at a later time as well as for exporting to PowerPoint or Adobe PDF format. This is where the some of my excitement for this product started to wear off: unless you are able to import and print off your image or slides in advance, you can't manipulate your drawings or slides but are limited to the application's whiteboard capabilities only. Calibration of the pen to the actual image can be affected if the paper is properly aligned in the printer's paper tray or if a newer version of the file is reimported into Papershow. For the former, you can easily recalibrate the pen, but for the latter, you can only reprint the images or slides.

Papershow might be considered a niche product in the legal marketplace when you weigh the cost of the Papershow kit, the need to use expensive special paper, and a color printer for working with existing images and the limitations for working with preexisting files. However, when you consider its mobility and feature set as well as not having to worry about having a whiteboard available, its value might just be priceless.

*Nerino J. Petro, Jr., is a practicing attorney, as well as CEO/Senior Legal Technologist for CenCom, which he founded in 1994. He is a member of the Illinois State Bar Association's Committee on Legal Technology, the ABA GP Solo and Small Firm Division Technology Committee, and served on the ABA TECHSHOW Advisory Board – Tech University Track for 2005. He is a regular contributor to local, state and national publications.*

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# Technology eReport



MARCH 2010  
Vol. 9, No. 1

- **Home**
- **Features**
- **Columns**
- **About GPSolo**
- **Feedback**

• **Download** 

• **Past Issues**

## Columns

- **MacNotes** »

Come on over to iPad.

- **TechNotes** »

Is Canson Papershow ready for the Big League?

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ScanSnap S1300, QuickBooks® 2010 for the Mac, and BigHand voice software.

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A CLE event and Spring Meeting.

## ProductNotes

» *ScanSnap S1300*

» *QuickBooks 2010 for the Mac*

» *BigHand voice software*

### ScanSnap S1300

Reviewed by Jeffrey Allen



(Image courtesy of Fujitsu, Inc.)

For the last several years, the folks at Fujitsu ([www.fujitsu.com](http://www.fujitsu.com)) have made some of the best scanners and offered them at very reasonable prices in packages that made good sense. Fujitsu has continued in that role by upgrading their 300 series portable ScanSnap to the S1300. The S1300, released in February 2010, offers a nice set of features and some improvements over the S300. Unlike its predecessor versions, Fujitsu offers no S1300M (for Mac) version. That does not mean that Fujitsu has abandoned the Mac platform. To the contrary, Fujitsu has reduced its own production and marketing costs and, at the same time, helped those of us who use both the

Mac and Windows platforms by offering a cross-platform scanner. The S1300 works pretty much with equal effectiveness and efficiency on both the Mac OS and Windows. *Well done Fujitsu!*

The S1300 still lists for \$295, and you can find it online for about \$40 less than the list price. It weighs in at a shade more than three pounds and measures 11.8" x 3.9" x 3.03". It is the same size as its predecessors and, in fact, uses the same optional case.

Like the other ScanSnap models, it has no Twain driver and comes with a ScanSnap-specific driver that enables it to scan to PDF, Word, and Excel. You can also choose the destination, scanning to a file, a folder, email, or your printer. The S1300 connects to your computer through USB, and you can power it through either a USB connection or the AC adapter.

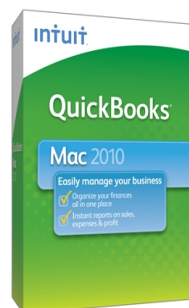
The S1300 has a 10-page sheetfeed that works best with eight or fewer pages. The recommended paper weight for use with the scanner is 17–28 lb. The S1300 scans in duplex and simplex modes, automatically determined. Resolution ranges from 150 to 600 dpm for color and up to 1200 dpm for grayscale. Scanning speed depends on resolution and whether you scan color or grayscale, simplex or duplex. Fujitsu rates the maximum speed at eight double-sided pages per minute.

Fujitsu did not design the S1300 for heavy-duty scanning, and you should not consider it for that use. Fujitsu built the S1300 for portability and relatively light-duty scanning. It will serve you well as a scanner to take to a deposition, or to court, or for use while travelling. For most law offices, the S1300 represents a very good choice as a secondary scanner and not the primary scanner.

Fujitsu made an S1300 available for evaluation in connection with this review.

## QuickBooks® 2010 for the Mac

Reviewed by Jeffrey Allen



The folks at Intuit released a new version of QuickBooks for the Mac this year. They provided a copy for me to evaluate in this review. I have looked at it and explored it and concluded that a) it improves over the prior versions; b) it leaves room for further improvement; and c) it still has less power and fewer features than the Windows version. That said, I believe that it is worth having around, even if you don't run your office on it (more about that later), so I have no problem recommending it.

You can get more information about the features in the Mac offering and the comparison of features to the Windows version on Intuit's website [www.intuit.com](http://www.intuit.com). The program costs \$199.95; and you can buy it online, downloading it for immediate gratification, or buy a boxed copy, complete with a CD to save for posterity. I prefer downloading software these days because I get it immediately, I can save it on a hard disk, and I don't have to figure out what to do with a collection of outdated CDs.

I continue to have mixed feelings about Intuit's Mac offering of QuickBooks. On the one hand, they continue to favor the Windows platform, providing more power and more features to Windows users. On the other hand, they do provide a very good accounting program for the Mac and offer a means of allowing Mac and Windows

users to exchange accounting data with some reliability.

On the Mac side, Intuit offers QuickBooks 2010 for the Mac. On the Windows side, you can choose among QuickBooks Simple Start, Pro, Premier, Premier for Accountants, and Enterprise Solutions. Interestingly, while I have never had any difficulties running a Windows version of QuickBooks on a Mac using Parallels and an XP operating system, Intuit does not recommend using its Windows products on a Mac in a virtual PC environment. On the other hand, they have built a purely Mac product that allows you to run a fairly full-featured accounting system in a configuration that actually looks like you have it running on a Mac. QuickBooks 2010 for the Mac does not support OS 9 (it is probably about time that we gave up the ghost on OS 9 anyway). Neither does it support the Power PC. It requires a Mac running on an Intel processor and at least OS X version 10.5.7 to work. It also supports OS X version 10.6.

Those of you who accept credit cards will be pleased to learn that so does QuickBooks 2010 for the Mac. (Note that because my office does not accept credit cards at the present time, I was not able to check out this feature.)

Intuit still does not offer a multiuser version of QuickBooks for the Mac. I keep hoping the next version will have that feature, but so far, I have to keep hoping.

Unfortunately, Intuit did not design QuickBooks for the Mac to run a law office. If they had, it would prove somewhat easier to do so on QuickBooks. Nevertheless, one can modify the program enough to make it functional in a law office (or, alternatively, hire a consultant to modify it for you). From my perspective, if you want a competent accounting program to keep a set of books in any business, including a law office, QuickBooks should work fine for you. Although it does not have a trust accounting module, you can set up a separate account for your trust account and make that work as well. The weakest point of QuickBooks use in a law office remains billing. Although you can record time entries and generate an invoice, getting an invoice that looks like it came from a law office has proven somewhat problematic. Given the choice, I would pick a different billing program.

Although some people will complain bitterly about the extra work involved in running a billing program and a separate accounting program, I have done exactly that throughout my career. In fact, it can provide a good means of double checking the accuracy of the trust records as both systems must match. I have not found it all that burdensome, particularly in a small office environment where you do not have a large number of bills going out each month.

So, the bottom line is that QuickBooks works as a basic accounting system for a law office. You can make it work for billing, but it is probably more trouble than it is worth. Having QuickBooks around, however, has another value to a law office, even if you do not run your own office on it. Many small businesses run on QuickBooks. If you need to review an accounting record from a client or obtained in discovery that was set up on QuickBooks, you can, in most cases, see it through your own version of QuickBooks. I say in most cases as, from time to time, something funky happens when you try to open a file created on another computer or another platform, usually due to some form of corruption in the file. The good news is that it generally works.

# Compare QuickBooks Products

## The QuickBooks lineup at-a-glance

Whether you're just starting out or your business is growing, there's a QuickBooks that fits your needs. Learn how different versions compare with this easy-to-use QuickBooks comparison chart.



| Online                     | Desktop                     |                             |                             |                             | Growing Businesses         |
|----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|----------------------------|
| Plus                       | Simple Start                | Mac                         | Pro                         | Premier                     | Enterprise Solutions       |
| \$34.95/month              | \$99.95                     | \$199.95                    | From \$199.95               | From \$399.95               | From \$600/user            |
| <a href="#">Sign Up</a>    | <a href="#">Add to Cart</a> | <a href="#">Add to Cart</a> | <a href="#">Add to Cart</a> | <a href="#">Add to Cart</a> | <a href="#">Try It Now</a> |
| <a href="#">Learn More</a> | <a href="#">Learn More</a>  | <a href="#">Learn More</a>  | <a href="#">Learn More</a>  | <a href="#">Learn More</a>  | <a href="#">Learn More</a> |

| Save time when tracking your finances   | Plus | Simple Start | Mac | Pro | Premier | Enterprise Solutions |
|---|------|--------------|-----|-----|---------|----------------------|
| Easily print checks, pay bills & track expenses   | •    | •            | •   | •   | •       | •                    |
| Track sales, sales taxes & customer payments  | •    | •            | •   | •   | •       | •                    |
| Manage payroll & payroll taxes; offer Direct Deposit 1 (sold separately)  | •    | •            | •   | •   | •       | •                    |
| E-mail estimates, invoices, reports 2   | •    | •            | •   | •   | •       | •                    |
| Create and customize professional-looking invoices & forms 3  | •    | •            | •   | •   | •       | •                    |
| Organize and back-up documents by attaching them to your QuickBooks records 4                                     |      | •            |     | •   | •       | •                    |
| Accept credit & debit cards right in QuickBooks 5   | •    | •            | •   | •   | •       | •                    |
| Scan and deposit your checks with Intuit Check Solution for QuickBooks (subscription required) 6                  |      | •            |     | •   | •       | •                    |
| Track time and expenses to bill clients   | •    |              | •   | •   | •       | •                    |
| Unlimited technical support, free product upgrades, 25GB online back-up, and more included for a full 12 months 7 | •    |              |     |     |         | •                    |
| Integrates with Mac OS X tools such as MobileMe, AddressBook, and iCal 8  |      |              | •   |     |         |                      |

| Get insights so you make better decisions   | Plus                       | Simple Start      | Mac  | Pro     | Premier       | Enterprise Solutions   |
|---|----------------------------|-------------------|------|---------|---------------|------------------------|
| Allow multiple users to work in QuickBooks at the same time 9   | Up to 3 users + accountant | 1                 |      | Up to 5 | Up to 5       | Up to 30               |
| One-click business reports  | 65+                        | 14                | 100+ | 100+    | 150+ Industry | 150+ Industry Specific |
| Import data from Excel, Quicken, Microsoft Office Accounting & prior QuickBooks versions 10           | QuickBooks import only     | Excel import only | •    | •       | •             | •                      |
| Track inventory, set reorder points & create purchase orders  |                            |                   | •    | •       | •             | •                      |
| Download your bank & credit transactions into QuickBooks 11   | •                          |                   | •    | •       | •             | •                      |
| Get an immediate view into your bottom line all in one page with Company Snapshot                     | •                          |                   | •    | •       | •             | •                      |
| Track international sales & expenses in multiple currencies   |                            |                   |      | •       | •             | •                      |
| Easily create a business plan   |                            |                   |      |         | •             | •                      |
| Forecast sales & expenses   |                            |                   |      |         | •             | •                      |
| Sample files, menus & chart of accounts tailored to your industry                                     | •                          |                   |      |         | •             | •                      |
| Create industry-specific reports and install industry features  |                            |                   |      |         | •             | •                      |
| Consolidate reports from multiple company files 12  |                            |                   |      |         |               | •                      |
| Create professional financial statements with the included Intuit Statement Writer (a \$150 value) 13 |                            |                   |      |         |               | •                      |

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*Jeffrey Allen is the principal in the law firm of Graves & Allen with a general practice that, since 1973, has emphasized negotiation, structuring, and documentation of real estate acquisitions, loans and other business*



transactions, receiverships, related litigation, and bankruptcy. Graves & Allen is a small firm in Oakland, California. Mr. Allen also works extensively as an arbitrator and a mediator. He serves as the editor of the *Technology eReport* and the Technology & Practice Guide issues of *GP Solo Magazine*. He also serves on the Board of Editors of the *ABA Journal*. Mr. Allen regularly presents at substantive law and technology-oriented programs for attorneys and writes for several legal trade magazines. In addition to being licensed as an attorney in California, Jeffrey has been admitted as a Solicitor of the Supreme Court of England and Wales. He is an associate professor at California State University of the East Bay and the University of Phoenix. Mr. Allen blogs on technology at [www.jallenlawtekblog.com](http://www.jallenlawtekblog.com). You can contact Jeffrey via email [jallenlawtek@aol.com](mailto:jallenlawtek@aol.com).

## **Bamberger, Foreman, Oswald and Hahn, LLP Leverages BigHand Voice Software to Increase Staff Efficiency**

By Terry Farmer

They say necessity is the mother of invention. Although our firm's decision to replace and upgrade dictation technology was on our technology to-do list, we did not anticipate the overwhelmingly positive response from the user base, our clients, and the favorable impact on the firm's bottom line. The prospect of exploring new digital dictation technology was initially introduced and endorsed by IT and firm management. However, the fact that BigHand became a catalyst for better teamwork between support staff and attorneys, increased the firm's ability to produce documents and deliver work product, and resulted in a complete return-on-investment within three months of rollout exceeded our wildest expectations.

With 41 lawyers and 45 support staff members located across six offices in central and southern Indiana, Bamberger's ability to effectively connect support staff with attorneys in order to produce high-quality client work was tested with the firm's aging Olympus dictation system. With the evaluation and selection of a new-and-improved digital dictation system, the firm also wanted to stay true to its mission of providing staff with tools to make jobs easier and more efficient. Speaking of efficiency, all IT aspects of the new system, including planning, implementation, and user training, were managed directly by Bamberger's IT administrator Gerald Duncan.

### **Out With the Old ... In With the New**

In deciding to upgrade systems, we quickly realized that our current dictation system would not be able to handle existing document production and workflow demands, let alone any planned growth or future expansion. In evaluating digital dictation options and eventually selecting BigHand, we knew our ability to manage workflow across all our offices, observe the entire process at a glance, and proactively drive the process would be critical to success. Although Olympus worked well for what it could do, BigHand impressed with its ability to allow you to assign groups to outstanding dictations, make these document workflows visible to all groups, and enable ad-hoc collaboration to get the outstanding work done. We found this very critical for our remote offices with less support staff.

Bamberger selected BigHand at the end of 2008 and had a test group up and running by mid-February. The firmwide rollout was completed by the end of March 2009. End-user training focused on our support groups, as opposed to individual support staff, and lasted 30 minutes per group. Attorney training took 10 minutes, resulting in virtually no downtime or work interruptions, something that cannot be said for most enterprise-type software implementations.

In terms of everyday use, BigHand software has now been installed on desktops and BlackBerry Smartphones across the firm's Evansville, Indianapolis, Mt. Vernon, Poseyville, Princeton, and Vincennes offices. This enables attorneys to record, edit, and send verbal files or tasks to office-based support staff. Voice tasks, instructions, and dictations are sent on-the-go via BigHand, then instantly entered in the office workflow, and tracked via status updates, priorities, and alerts. This allows our smaller offices to be supported centrally when resources are stretched, which means we have a stronger overall infrastructure producing a consistent quality of documentation.

### **Technology As a Catalyst for Collaboration**

From the beginning of the rollout and training phases, we made sure to involve the entire firm in the upgrade to BigHand digital dictation, rather than treat it as an IT or admin pet project. As a result, we were able to address any concerns related to potential staff reductions, and clearly share our vision to facilitate team building among support staff, and link certain attorneys with various secretaries they did not have access to before.

To support this open door policy of sharing information as well as implementation milestones, we briefed all attorneys that a dictation upgrade was in the works and what it would mean to them. For the initial pilot, we rolled out BigHand to a practice group that is very tech savvy and comfortable with digital dictation, resulting in a very smooth kickoff and great buzz surrounding the potential of BigHand. We gave each support team the complete authority to manage their own workflows and encouraged knowledge sharing as it related to optimal dictation techniques, as well as streamlined forms and processes. Overall, BigHand software has been a great tool in promoting team culture and encouraging work sharing. Our support staff has formed virtual teams—with names such as Digital Divas, Busy Bees, and Awesome Assistants—and really embraced the technology in an effort to expedite client service. They are in complete control of the document production workflow and realize the accountability that goes along with it. On top of that, the BigHand project has taken collaboration among support staff, IT, and the attorneys to new heights. Administration has gone from worrying about support staff bandwidth and resource challenges to being able to manage effectively and focus on more strategic initiatives.

### **The Proof Is in the Savings**

Overall, BigHand has helped our attorneys get more work done, expedite the document production process, reduce support staff time, and improve client service. Although direct cost savings was not a key objective in the original project scope, we have found that rapid return-on-investment was an unexpected byproduct of the reduction of secretarial overtime promoted by BigHand software. In addition, due to the workflow optimization and resource management features it offered, the firm has not had to replace assistants who left of their own accord.

Making the BigHand decision however, was not a no-brainer. In fact, we first rejected the IT committee's recommendation to bring in BigHand, because it looked a little expensive when compared to our existing Olympus software, but the ability to manage our resources more effectively and genuinely boost mobility proved too strong a case in the end. Looking back, we are very satisfied with our decision to opt for a more robust, strategic technology: the BigHand software has paid for itself in record time. Beyond hard data, seeing how our attorneys now collaborate with support staff in any office, utilize their BlackBerry BigHand Mobile application, and view the live progress of specific client documents via their Work in Progress interface, demonstrates overall project success.

Beyond these benefits, increased teamwork and collaboration enabled via BigHand has resulted in less overtime worked by the support teams, and more efficiency during regular office hours. Since the rollout, the firm has put a new staffing strategy in place by making support resources available to all of our offices, and giving administration lots of options with staffing levels. New workflows, enabled by BigHand's functional flexibility, are allowing the firm to get client work done anywhere, anytime, regardless of geography.

### **Digital Dictation Futures**

Bamberger's positive experience with BigHand's digital dictation solution paves the way for continued creativity when it comes to addressing firm efficiencies and ratcheting up client service. We will continue to invest in the "attorney-focused future," with an emphasis on getting various practice groups to agree on workflow and form standards as well as more reliability on mobile applications—ultimately getting even more out of our technology investment while exceeding our clients' expectations.

*Terry Farmer is the managing partner at Bamberger, Foreman, Oswald & Hahn, LLP. He began his career in Ohio at a time when a good mortgage rate was 17 percent and the major steel and rubber industries in that part of the country were facing huge layoffs. Terry went to Ohio to be a trial lawyer. Circumstances made him a bankruptcy and creditors' rights attorney. Since then his practice has expanded significantly but also remains grounded in commercial, banking, and corporate law. Within these areas his work has tended to concentrate in areas of business disputes and high-end transactional work. Accordingly, Terry's time is about*



*equally split between the courtroom and the negotiating table. Terry can be reached at [tfarmer@bamberger.com](mailto:tfarmer@bamberger.com).*

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# Technology eReport



MARCH 2010  
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- Home
- Features
- Columns
- About GPSolo
- Feedback

• Download 

• Past Issues

## Columns

- **MacNotes** »

- Come on over to iPad.

- **TechNotes** »

Is Canson Papershow ready for the Big League?

- **ProductNotes** »

ScanSnap S1300, QuickBooks 2010 for the Mac, and BigHand voice software.

- **DivisionNotes** »

A CLE event and Spring Meeting.

## DivisionNotes

### CLE Teleconferences

March 2010

**Spotlight on Electronic Discovery: What Every Attorney Should Know**  
| Tuesday, March 16, 2010 | 12:00 p.m. – 1:30 p.m. (E)

**Moderator:** Jacques Nack Ngue, CISA, Founder and President, *eClaris eDiscovery Consultants*, Los Angeles, CA

**Speakers:** Sheryl Katz, Attorney, Forensic Certified Analyst EnCE, *eClaris eDiscovery Consultants*, Los Angeles, CA  
Michael Swarz, Vice President Marketing and Operations, *eClaris eDiscovery Consultants*, Los Angeles, CA

**To register:** <http://www.abanet.org/cle/programs/t10sed1.html>



## Spring Meeting

Seize this opportunity to connect, collaborate, and learn at one low price. With more than 15 events to choose from, the conference offers a relaxed yet business-oriented environment where you can step back from your day-to-day routine to:

1. Build your network with connections that will last a lifetime.
2. Share ideas and discuss important issues with your peers.
3. Learn from the experts and hear about the latest trends and developments, including:

- Affiliate Showcase
- The Business of Law
- Criminal Law 101
- Ethical Considerations
- Intellectual Property Issues
- International Business Transactions
- New Partner Tips and Strategies
- Rainmaking

Register by Wednesday, April 14, to take advantage of the discounted registration rate of \$85 for members and \$95 for nonmembers. Registration includes programming, breakfasts, and the Welcome Reception, giving you plenty of opportunities to connect, collaborate, and learn.

### Hotel Information

The ABA room block is at the conference hotel, Wyndham Sugar Bay Resort & Spa. To make reservations, call the hotel at (340) 777-7100 or (800) Wyndham-1. Refer to the ABA GPSolo Division Joint Spring Meeting.

Discounted Rate: \$200 single/double occupancy (plus 8% tax)

Hotel Deadline: Wednesday, April 14, 6 p.m. ET

For more information and to register, visit: [www.abanet.org/yld/spring10](http://www.abanet.org/yld/spring10).

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