

Digital innovations and in-house legal practice

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Technology | Intellectual Property | Brand

Digital innovations

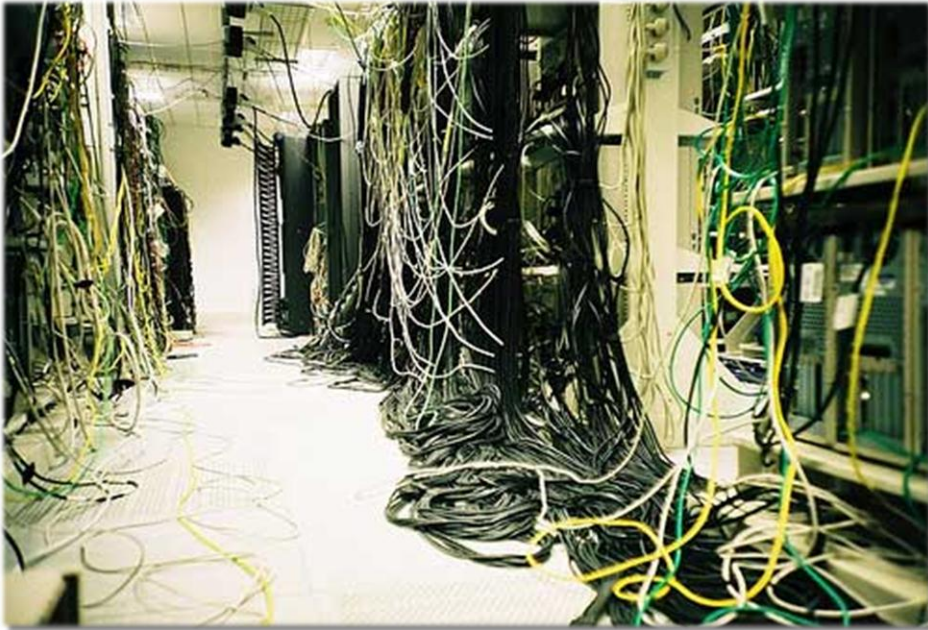
- cloud computing
 - back-end and basic components
 - dropbox and friends
 - office apps
 - practice management systems
- mobile computing
 - mobiles and tablets – state of play
 - mobile apps for lawyers
- document automation
- decision-support and expert systems

And the survey says...

- “most exciting technology or trend”
 - tablets / BYOD support
 - virtualisation
 - cloud computing
 - sharepoint
 - mobility apps
 - web apps
- median spend: \$13,000 /lawyer/year

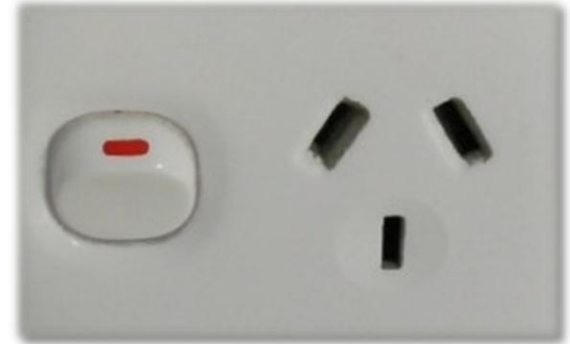
Cloud computing

- many different names
(but only slightly different meanings)
- broad definition:
 - ICT capability
 - provisioned remotely, delivered as a service
 - with abstraction of detail



← less of this

more like this →



...

...connected to these →



Back to the survey: cloud

- “what cloud services will be used?”
 - disaster recovery / business continuity
 - storage / backup / archive
 - email
 - document management
- “cloud concerns and challenges?”
 - security / confidentiality
 - accessibility of data

Opportunities

- sure, cost reduction
 - local IT headcount
 - server, storage, infrastructure cost
 - licence costs
- but main benefits reported as
 - resilience (backup and DR)
 - scalability and flexibility

Opportunities – ubiquity

- nature of cloud services is to be available anywhere there is internet connectivity
 - mobile devices
 - out-of-office locations
- reduce “synchronisation” issues
- improve security
 - fewer copies
 - particularly on notebooks, data sticks

Opportunities – service levels

- replication, redundancy, scale, dedicated organisation = higher quality service (?)
 - eg, both Microsoft and Google offer 99.9% availability, even on low-end cloud products
 - ie, down no more than 43 minutes/month
 - *much* better than the average for in-house systems

What's available – infrastructure

Product Name	Type	Cost
Amazon Web Services (AWS)	Full range of cloud infrastructure building blocks (compute, storage, DB)	Compute/DB: 9c-92c/hour Storage: 5.5c to 12.5c/GB/month Network: 19c/GB out
Google App Engine	Application-focused low-level infrastructure	Scaled automatically according to demand and limited by budget; min 8c/hour compute, 13c/GB/month storage, and other metrics
Microsoft Azure	Full range of compute, DB, storage and network infrastructure	Compute: 3c-97c/hour DB: from \$5/mth Storage: from 12.6c/GB/month Network: from 19c/GB out

What's available – Dropbox & co

Product Name	Type	Cost
Dropbox	User-friendly storage available on multiple platforms	2GB free \$20/month for 100GB or \$13/user/month
Apple iCloud	User-friendly storage available on multiple platforms (not Android), with integrated backup in iOS 5	5GB free \$20/year for 15GB \$100/year for 55GB
Amazon Cloud Drive	User-friendly storage available on multiple platforms	5GB free \$20/year for 20GB \$100/year for 100GB
Microsoft SkyDrive	User-friendly storage available on multiple platforms; Office integration	25GB free
Google Drive	Coming soon!	Unknown

What's available – office apps

Product Name	Type	Cost (/user/month)
Google Apps	Documents (including spreadsheet, presentation graphics), email, calendar, contacts, collaboration tools, document storage	\$5
Microsoft Office 365	Email, calendar, contacts, MS Office web apps, document storage, collaboration tools, document storage	\$8
Salesforce	Customer relationship management (account and contract data, approvals and workflow, email, calendaring, contacts, quotes, analytics)	\$21-\$180

What's available – legal practice management

Product Name	Type	Cost (/user/month)
Rocket Matter	Legal practice management	\$50
Clio	Legal practice management	\$25-\$50
LawRD	Legal practice management	\$19
Gomatters	Legal practice management	\$8-\$16

Typically including: calendaring, contact management, task tracking and time capture, and accounts and invoicing

Clearly trust accounting would need to be localised and approved before that function was made available locally

Issue – data sovereignty

- the Big Issue with cloud services
- your data does not reside on your own infrastructure
 - right and continuity of access
 - security / confidentiality
 - compliance
 - jurisdiction

Information privacy compliance

- NPP4 Data Security: must take reasonable steps to protect personal information
 - should be reflected in service provider agreement
- NPP9 Transborder Data Flows: o'seas recipient must be bound by similar privacy law
 - should take care to determine which jurisdiction the data is located/stored in, if not Australia
- IPA s33: special rules for Qld Govt agencies proposing to transfer data o'seas

Information privacy compliance

- Concerns about government access
 - “library records” provision of *USA PATRIOT Act* allows access to records of entities located in the US, or which are US-based
 - *Bank of Valletta v NCA* [1999] FCA required an Australian branch of a foreign bank to produce o’seas documents in Australian criminal proceedings
 - Australia is party to a number of mutual legal assistance treaties allowing access to data for the purpose of criminal investigations

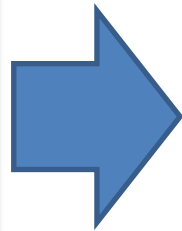
Mobile computing

- smartphone/tablet shipments have exceeded notebook/desktop since Q4-2010
- 1B smartphones/tablets now in use
- mobile internet users to exceed desktop users by Q1-2014
- *"consumers increasingly expect service 24x7 from palms of their hands"*

Mobile apps for lawyers

App type	Examples
Task managers, note takers	Note2self, Evernote
Time recorders	(Many)
Voice recognition, text-to-speech	Becoming built-in
“Virtual Assistant”	Siri, Vlingo, becoming built-in
Legislation and caselaw reference	AustLII, LexisNexis Mobile Case Search
Cloud storage and access	Dropbox, Evernote
Specialist single-purpose legal	Consumer Law Converter
Law firm house apps (brochureware)	(Many)

Example: AustLII mobile app



Tablet functionality for lawyers

- support mail, calendar, contacts
- for review, annotation not creation
- support data ubiquity (Dropbox or similar)
- support dictation (Siri or similar), annotation (PDF Expert or similar, CloudOn or similar)
- ideally support paperless (or paper-lite) workflow
- consider 'read not write' rule in meetings

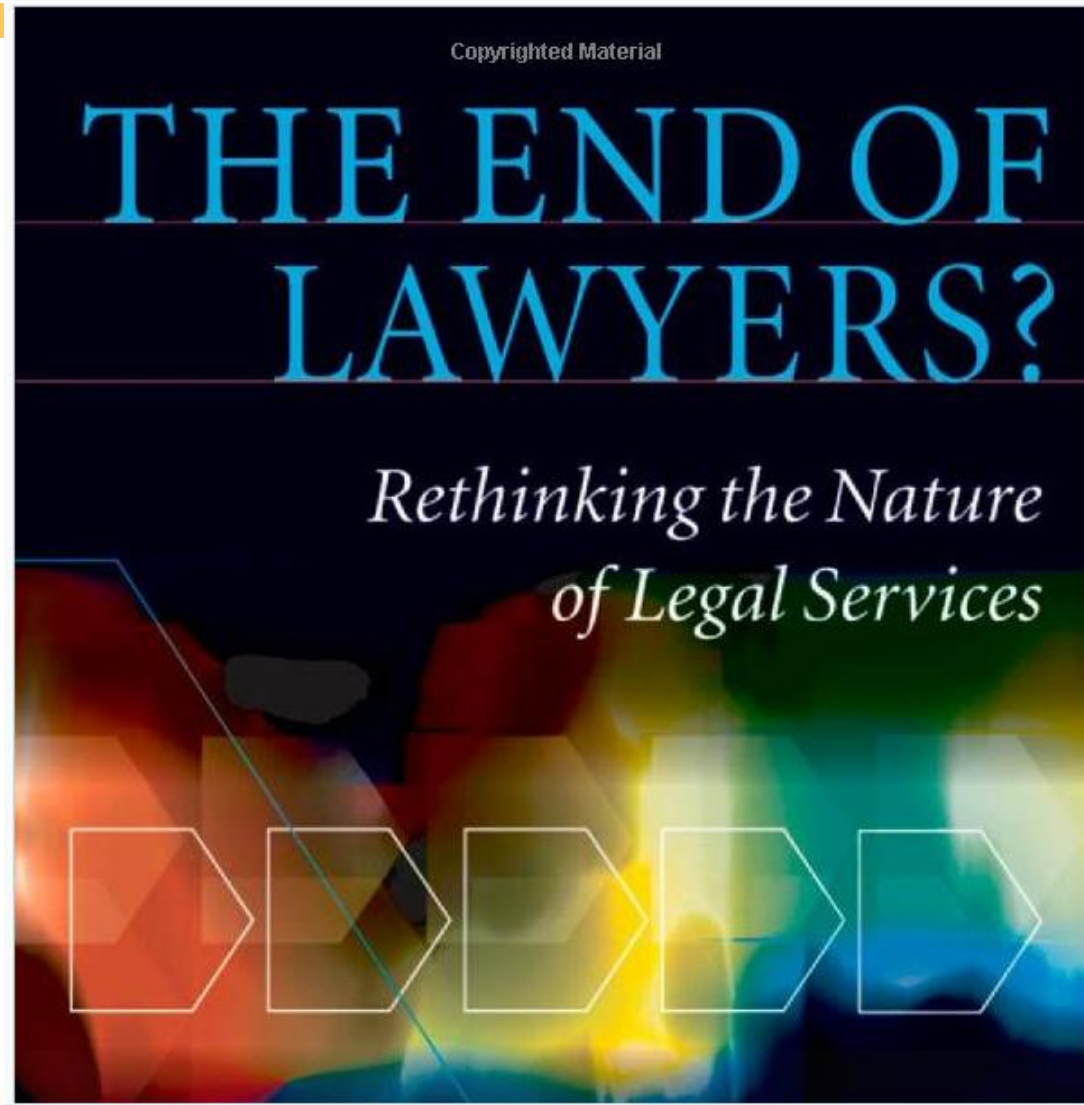
Security and encryption

- important
 - more so if data outside control
- subtle and complex
- seek expert advice

Document generation

- moving from templates to document generation / automation / assembly
- systemises some stages of legal work
- eg, Exari, Rapidocs LawDraft, Intelledox, Kiiac, Softdocs/HotDocs
 - more sophisticated templates & libraries
 - on-line questionnaire style with guidance, followed by document assembly
 - learning from financial services
 - ideally database-driven from “source of truth” DB
 - some going to cloud-based systems

Legal expert systems



Legal expert systems

- Haley/RuleBurst ->
Oracle Policy Automation
 - “Enterprise policy automation”
 - policy modelling and automation software for legislative and regulated industries
- Neota Logic
 - “Microsoft Excel for compliance”

Issues

- work well when there are objective (“bright line”) tests, narrow (even if complex) problem domains
- can’t make value judgements; can provide factors, criteria, examples; can work in conjunction with expert (“decision-support”)
- can be costly, time-consuming, error-prone to extract and formalise expertise / regulation

Thank you



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