

TECHNOLOGY UPDATE

ABA TechShow 2017— A New Technology World

By Joseph G. Hodges, Jr., Esq.

I have previously written a few columns about the American Bar Association's annual TechShow Conference and Expo that has taken place for 31 years now in March of each year in Chicago, the home of the Association. See, e.g., CCH JOURNAL OF PRACTICAL ESTATE PLANNING, TechShow 2008 in the June/July 2008 issue, and TechShow 2007 in the June/July 2007 issue. Since those reviews were published, a whole host of technology advances have occurred that have already brought forth or soon will bring forth a brand new era of technology advances for people who are involved in the estate, trust and financial planning fields. In addition, the agenda for the 2017 TechShow was substantially revised, making this year's show all that much more worthwhile and interesting.

More importantly, the issue of using technology ethically has come to the forefront in the last few years to the point where using it without a reasonable understanding of how it works can now be considered a violation of the Lawyer Rules of Professional Conduct, and in particular Rules 1.1 and 1.6. See, e.g., Federal Bar Association CLE entitled "Using Technology Ethically: A Legal Ethics Guide to Data Security, Metadata, Cloud Computing, and Other Tools of the Modern Trade," re-broadcast on April 7, 2017, and taught by Tom Mason, a nationally recognized expert in legal ethics, and Adrienne

Mr. Hodges is an attorney in Denver, Colorado, and formerly served as Co-Chair of the American Bar Association's Real Property, Probate and Trust Law Section Technology Committee. He currently serves as a member of that Section's Communications Committee and the Technology in the Practice Committee of The American College of Trust and Estate Counsel.

Fowler, a leading practitioner of privacy and securing the cloud. These presenters discussed the professional responsibility obligations that come with using and securing the cloud, in leveraging technology, and in preventing and mitigating the effects of security incidents, with an emphasis on client confidences and the ethical use of search engines and metadata.

Thus, now seems like a particularly good time to once again revisit this premier lawyers' technology annual event and report on some of the more significant developments that occurred there this year.

The 2017 show (www.techshow.com) took place on March 15-18, 2017 at the Hilton Chicago, where it has been held for several years in the past. As has always been the case, this event was planned and presented by a special Planning Board of the ABA Law Practice Division, which was chaired this year by Adriana Linares, who is with Law-Tech Partners. Over those four days there were three days of CLE with over 60 sessions in 19 different tracks, in addition to an Expo Hall that was full of service providers and product makers who were armed with loads of information relevant to legal technology. In addition, for the first time, TechShow hosted a Start-Up Competition showcasing 12 innovative legal technology startups that participated in a competition wherein the attendees were the judges who chose the most innovative start-ups. (First place went to Ping, an automated timekeeping program that allows lawyers to automatically track and bill their time).

TechShow also introduced a new concept called Communities as a means of identifying

and collaborating with attendees, vendors and speakers with the same interests or areas of the practice, including one for Trusts and Estates and Elder Law. Something else new was the Hands-On-Labs where attendees could bring their own devices and learn firsthand from an expert about such things as encryption and how to use LinkedIn. Coupled with this was another first, an Academic Track whereby faculty and staff from several nearby law schools helped to develop a special program just for faculty and staff interested in learning and sharing more about integrating technology and law practice management into their law school curriculums. Lastly, so as to enable everyone to get through this busy program agenda in good shape, a three-day Fitness Challenge was added to the program that included such things as yoga, meditation, and a 5k run.

As for the CLE tracks, the ones on Thursday included Cyber Security: Protecting Your Practice, The Business of Law, Advance Your Practice, Core Production Tools, DIY: Check Your Tech, Marketing and The Media, Project Process & Management, and Tips. The one on Friday included Money Matters, Power Users, Modern E-Discovery, Trends in the Profession, The Legal Lifestyle, Document Generation, Automation & Security, Innovative Lawyers, and Advanced IT. Thus, as you can see, there was something for everyone and then some. As for the Thursday tracks, I was particularly interested in cyber security, the core production tools, do it yourself DIY and TIPS, plus the estate planning community session that was held on Thursday morning. As for the Friday tracks, I was especially interested in money matters, powers users (especially PDF and Email), trends in the profession, and document generation, automation and security. As should be obvious from the foregoing, it is sometimes necessary to split your time between two sessions in a given hour in order to cover as much as you can of each session.

In addition to the CLE Tracks, there were a whole host of other activities, both educational and entertaining. TechShow kicked off in its usual fashion on Wednesday evening with its Arrival Reception in the Expo Hall. This venue gave the attendees the first of many opportunities to rub elbows with the vendors and start collecting those often fantastic, handy, tasty, or free vendor handouts.

On Thursday morning after the 7:00 AM start of the Physical Therapy Activities and 7:30 breakfast, the Welcome Introductory Session was held, at which time the Planning Board was introduced. The end of that day was concluded with a welcome Happy Hour from 5:00 to 6:00 PM, followed by a Welcome Reception hosted by Thomson Reuters from 6:00 to 7:30 PM, and then the first of two rounds of the ever popular Taste of TechShow Dutch Treat Dinners out on the town.

Friday began with the usual breakfast time and a Let's Connect: Women Rainmakers Networking Breakfast. The much anticipated Keynote Address (see further, below) sponsored by Clio was held after the noon lunch hour. At the end of the day a Friday Plenary session was held called Women in Legal and Legal Tech. This was followed at 6:00 PM with the 5th Annual Cocktails and Comedy sponsored by RocketLawyer, and at 7:00 PM with the second of two rounds of Dutch Treat Dinners out on the town.

On Saturday, after breakfast, another Plenary Wrap Up Session was held at 9:00 AM called A Look at the Profession Today and Tomorrow and the Hackathon (see further, below) wrap up and awards. This was followed by three simultaneous one-hour long CLE tracks on Mobile Apps (the best for IOS and Android), TechShow Take Aways (Wrap-It-Up) and a Microsoft Office Encore (Just the Facts Jack). And, as if to put the frosting on the cake, so to speak, the 2017 Techshow concluded with the ever popular and fast-paced, but must-see/hear 60 Tips in 60 Minutes session.

Highlighting the Friday mid-day Keynote Panel, was "Obstacles and Opportunities - Straight Talk With The CEOs of Avvo (Mark Britton), LegalZoom (John Suh), and RocketLawyer (Charley Moore)." The moderators were Paula Frederick and Judy Perry Martinez. This panel grew out of research that was done by the Pew organization that showed that two-thirds of Americans expect that, in five decades down the road, technologies, such as semi-autonomous robots and intelligent algorithms will be doing much of the work that is currently done by humans, and yet 80 percent of those surveyed believe that their jobs will continue to exist in their current form. Lawyers, on the whole, share many of these concerns and thoughts, but also continue to believe that true lawyering is not something that can ever

be done by machines, so both will somehow have to learn to happily co-exist. With these thoughts in mind, the panel proceeded to carry on a lively discussion that focused on maintaining the legal profession's foundational values while examining the many potential opportunities that technology can provide for the benefit of both the attorneys and their clients. On the whole, the presentation was well thought out and presented and left the attendees with a positive view of the future of the legal profession in this age of continual technology innovation, especially since the Do It Yourself client is always going to be there and willing to pay for what he or she gets, in which case we at least get to straighten out the mess they made of things when the time comes.

Also held for the first time throughout the show was a "hackathon" sponsored by Thomson Reuters Westlaw and put on by Tech For Justice that focused on developing community models and tools to improve access to justice for service veterans and those who support them. According to Wikipedia, a Hackathon is a design sprint-like event in which computer programmers and others involved in software development ... and others, often including subject-matter-experts, collaborate intensively on software projects. The prize winners this year were, first place, Carry On, a project to help victims of military sexual trauma, second place, Veterans Will Center, an interactive estate-planning checkup service, third place, Vet's Panic Button, an app that quickly links a suicidal veteran with other veterans willing to help, and fourth, The Service Connection, an online portal for veterans to learn more about and apply for benefits.

Attendees Comments

Interestingly, during this year's TechShow, TechnoLawyer held a Micro-Symposium whereby they asked the Show's Chair, Adriana Linares, and 19 of the exhibitors, to share their views about what notable trends, tips, insights, highlights and interesting products (other than their own) they learned about or observed at this year's show. These observations are for the most part very informative and thought provoking with regard to what the near future of legal technology holds for all of us. Here are the highlights of what was said at that Symposium:

Leading off, Chair Linares observed that this 31st annual TechShow was a great success and continues to be one that brings lawyers and technology together. She was particularly excited about the start-up competition, the hackathon that was geared towards veteran's issues, and the partnering with law schools to develop practice management skills, plus the Keynote plenary session that featured the CEOs of AVVO, Legal Zoom, and RocketLawyer speaking together for the very first time.

Lindsay Cassell of CASEpeer observed that the show was full of useful tools, but that those relating to Artificial Intelligence (hereafter called "AI") stood out and were quite prevalent. One that especially stood out to her was 1Law's DocuBot AI that allows clients to quickly and conveniently get help with legal questions without filling up the attorneys' calendars and appointment books, and it can automate the generation of legal forms. She also likes Vijilent, which uses AI to help surf the Internet for data to help gain real-time insights into individuals.

Tom Boyle, a co-founder of TrustBooks, a leading trust accounting software, felt the trend was to help small law firms run more efficient practices and help build their client base. He liked Ping and UniCourt for their efficiency and Court Buddy for marketing.

Bahar Ansari, a co-founder of Case.one, liked ClariLegal, which is a vendor management and marketing platform that simplifies the buying of services needed for legal work, like ediscovery.

Scott Clasen of TimeSolv, a timekeeping and billing program, liked the integration of multiple cloud-based software products so they could talk to each other, especially given the reality that many firms still use programs like Word, Outlook and Excel as desktop installed programs along with Office 365.

Chad Gilles of MailControl.net, which sponsored the cybersecurity CLE track, was particularly impressed by Roy Zur's presentation that showed how easily information can be collected even by someone with little or no technical skills using free and publicly available tools, as well as how we can easily protect ourselves by becoming educated about this and taking some simple precautions that can thwart all but the "super sophisticated 'hackers.'"

Ed Walters, CEO of Fastcase, talked about the panel he did that debunked the idea of “robot lawyers” most of which are, in his view, “expert systems or just software.” He feels AI had great potential for the law, but that people are overestimating the power of AI, at least in the next few years.

Davit Bitton, CEO of PracticePanther, talked about interviewing Ed Walters (see immediately above) and felt that his views of the future of AI were the right ones, allowing us to do more at lower prices and in less time, thereby serving more people and creating a better and more fulfilling jobs for attorneys.

James Jones, CEO and co-founder of Court Buddy, felt his biggest take-away was that solo and small law firms should view emerging alternative legal service providers as partners that can drive new business to their firms rather than as threats to their continued existence. In other words, focus on collaboration, not on competition.

Chelsey Lambert of How to Manage a Small Law Firm, felt (and I quote) that “It’s time to get serious about financials, using technology to be more efficient, exploring alternative fee arrangements and improving the avenues of client communication.” By the way, his booth got a shout out from Ann Finlay (see below) for the most entertaining highlight award, the same being the cute puppies that were up for adoption at his booth.

Tara Cheever of LIT Software felt that “flexibility” was the big theme of the show, with a focus on multi-platform and mobile technologies, plus remote receptionist services, all designed to let the small and solo law firm lawyers practice in places other than their desks.

Allison Josephy Key of Zipwhip felt that “From case management software to quick pay options and mobile receptionists (the show) delivered on all fronts!”

Larry Port, CEO of Rocket Matter, the first cloud based practice management software system, said he particularly loved the wellness angle of this year’s show (e.g., 5K run and Yoga).

Ann Finlay of Ruby Receptionist, made the observation “When touring the exhibit hall a consistent theme became quickly apparent. . . there are an incredible number of innovators out there

using technology in unique ways to improve productivity and enhance customer service.”

Lynn Luong with Smokeball felt we witnessed a new trend for passive timekeeping software in Chrometa, Ping and Smokeball’s AutoTime, such that small law firms can now track their time more efficiently.

Rob Joyner of Centerbase observed that the consultant community was out in full force looking for cloud-based replacements for their clients who are still using legacy practice management systems but already have robust billing and customization requirements.

Nicole Black, an “evangelist” for MyCase, felt the prevailing theme this year was mobility, which brings with it the flexibility and convenience that comes with using mobile tools and cloud computing.

Clara Murray of Luminance observed that the welcome new trend she saw this year was that “. . . lawyers don’t just see Artificial Intelligence as mere theory anymore. It is a practical tool that augments human teams, it doesn’t replace them.”

Finally, Cash Butler, founder of ClariLegal, an ediscovery platform, indicated that “Technology can help you gain and manage more business more efficiently.” She feels that case management tools like Case.One, Clio and MyCase, and ediscovery tools like ClariLegal help level the playing field and will become game changing.

Needless to say, I could go on and on with more of the details of TechShow 2017, but there is neither the time nor space here to do so. Also, part of the fun of exploring such a meeting is finding out for yourself the details of the various technologies and presentations that might be of particular interest to you. In order to help you out in this regard, I simply refer you to the following URL: <http://www.abajournal.com/topic/aba+techshow>, which is a compiled list of various in depth Journal articles and podcasts about this year’s show, including the ever popular Saturday ending session “60 Tips in 60 Minutes,” the Friday morning Keynote session, the veterans hackathon and the startup competition, and even a Roundup for those of you who may have missed the show containing live links to the full text of each of the in-depth articles.