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More attorneys practice tech

Digital tools used, in the courtroom, office; multimedia plays well to juries

BY VICTORIA RIVKIN

As the lead plaintiff's counsel in the suit brought by the nation's retailers against Visa and Master-Card, Constantine & Partners needed something unconventional to explain its unusually complex story to the jury.

In preparing the case, the firm digitized 3 million pages of documents and created multimedia presentations combining key video taped depositions with the most crucial documents. Before settling, the firm had intended to use 50 inch flat screens to present its arguments in the courtroom.

"Technology can convey the issue more clearly to jurors and, speed up the trial," says Paul Neale, vice president and general manager of DOAR Litigation Support & Trial Services, which helped Constantine & Partners prepare the case.

Although not every trial is complex and document-intensive, technology is playing an ever-increasing role in the practice of law. As computers and other electronics become more affordable, lawyers at almost every level are using technology to keep track of their documents, communicate better and to more effectively present their cases in the court room.

Technology has become so integral to the legal profession, that firms are creating chief technology officer positions to oversee technological usage and advancement. Other practices have even moved some partners and associates away from billable legal work to concentrate on electronically collecting and cataloging all of the firm's documents for easier storage, access and sharing.

Nowhere to hide

"Technology is hugely changing the way lawyers practice today," says Curt Cunningham, director of information services at Chadbourne & Parke.

At the most basic level, lawyers are relying on personal digital assistants and instant messaging software in order to be more accessible to clients. Weil Gotshal & Manges, with a staff of roughly 3,000 in offices all over the world, uses instant messaging to obtain documents, answer questions, have real-time chats, schedule and invite people to meetings, and even communicate with clients.

"Tools like this knock down geographical walls," says Randy Burkart, director of information services programs at Weil Gotshal.

There's no rest for the weary

BEING AVAILABLE at all hours is becoming so crucial to the practice of law that some large New York City law firms are giving every attorney in their practice a free BlackBerry to remain in touch.

"It is not just a fun gadget," says Charles Woodhouse, executive director at Gibson Dunn & Crutcher. "We give it to every lawyer because we expect the lawyer to be available 24/7 in case of a client emergency."

"They have also increased collaboration among our attorneys worldwide.

Lawyers are also learning how to put on a good show once inside the courtroom. DOAR recently conducted research in its own high-tech courtroom into the effectiveness of graphics. It found that jurors who are shown graphics during a lawyer's presentation are more likely to understand the facts, especially in complex cases.

Graphic evidence

Mr. Cunningham agrees that graphics in the courtroom are becoming an important tool for lawyers. "Graphics in the courtroom used to be used in more complex trials. Now, lawyers rely on graphics even for regular litigation," he says.

And since some state courts and federal courts in the city and on Long Island have their own high-tech courtrooms, which include monitors, display devices and even document cameras, lawyers only have to pay for creating their graphics. The cost can range from around half a million dollars in the most complex cases to almost nothing.

"If you are suing for \$45 billion, as in the Visa case, you won't spare any expenses," says Mr. Neale. "But if it's your average slip-and-fall case, then you might just need the court's free video projector and document camera to present your case."

In addition to display devices, courts are also using technology for other purposes. For instance, the bankruptcy courts and the federal courts now require lawyers to electronically file their case documents. Also, in some federal and state courtrooms, lawyers can get a live feed of the ongoing witness testimony sent to their laptops just a few minutes after the court reporter types it up.

Some federal and state courts even allow wireless technology during trials, permitting lawyers to communicate with colleagues and clients who are not present in the courtroom.