

Addendum

In this issue:

- » *Alabama Civic Legal Aid: Volunteer Attorney Helps Client from Help Desk to Courtroom and Wins!*
- » *Client Relations: How to Master Difficult Conversations with Clients*
- » *Casemaker and CosmoLex Team up for Webinar*
- » *Member Benefits Spotlight*
- » *Important Notices*
 - *Amendment of Alabama Rules of Civil Procedure*
 - *2016 Eleventh Circuit Judicial Conference*
 - *Notice of and Opportunity for Comment on Amendments to the Rules of the U.S. Court of Appeals For the Eleventh Circuit*
 - *Local Bar Award of Achievement*
 - *Books for Sale: 2013 Alabama Rules of Court—State*
- » *Beyond Baby Steps: Technology Infrastructure*

Short articles of general interest are always welcomed from ASB members. All materials submitted for publication in the *Addendum* are subject to editing for style, space and content. Send submissions as Word documents to margaret.murphy@alabar.org.

Addendum, official online newsletter of the Alabama State Bar, is published six times a year (December, February, April, June, August, October) by The Alabama Lawyer Board of Editors, P.O. Box 4156, Montgomery 36101-4156. Contributions from members are welcomed and encouraged. Views expressed are those of the authors, not necessarily those of the board of editors, officers or board of bar commissioners of the ASB.

Copyright 2016. The Alabama State Bar. All rights reserved.

ALABAMA CIVIC LEGAL AID: Volunteer Attorney Helps Client from Help Desk to Courtroom and Wins!



Pictured above are the BBVLP client, Judge John Amari and Preston Martin.

ALABAMA CIVIC LEGAL AID

When **Preston Martin** of Bressler, Amery & Ross volunteered at the Birmingham Bar Association Volunteer Lawyers Program ("BBVLP") Civil Help Desk one day in March, he did not imagine he would be in court with a client the next day.

The client came to the help desk because a painter, to whom she had already paid \$1,000, was suing her for another \$600, despite failing to do a decent paint job, damaging the client's floors and generally making a mess of the client's home. The client had photos and a court hearing set for the next day.

Martin talked to her and decided she needed an attorney to help her in court. He went with her to plead her defense to **Judge John Amari**. After hearing Martin's argument and seeing the photos of the shabby paint job, Judge Amari dismissed the painter's claim with prejudice.

"It's great to be able to make such a quick positive impact in someone's life," Martin said. "The BBVLP Help Desk helps clients get immediate relief from bad situations."

The BBVLP sees approximately 60 clients a week at four help desks: two at district court, one at domestic relations court and one at an area homeless shelter. In 2015, BBVLP attorneys helped 2,305 clients with more than 90 percent starting their cases at a help desk. ■

The total Net Social Return on Investment for Alabama's civil legal aid services programs during the 2014 fiscal year was 884 percent or a return of \$8.84 for each dollar invested in the programs.

CLIENT RELATIONS:

How to Master Difficult Conversations With Clients

By Linda Hazelton

(This article originally appeared in the April 7, 2016 edition of *attorney@work*.)

Have you been avoiding a potentially difficult conversation with a client for fear of it going badly? The good news is that you are in solid company—some of the best and brightest lawyers procrastinate and avoid conflict. Introverts—and research finds a majority of lawyers are introverted—are especially prone to avoiding confrontation, according to Sondra Vansant in *Wired for Conflict*.

Dr. Larry Richard has written and spoken extensively about the typical lawyer personality type based on Caliper test scores from thousands of lawyers. Resiliency is one of the measured traits, and many lawyers score on the low end of the bell curve for the ability to recover quickly from setbacks. So if you have had a difficult or unpleasant conversation with a client in the past and are a lawyer with low resiliency, you may be especially keen to avoid a repeat of such a conversation.

Whatever your personality type or personal style, the bad news is that fretting about the conversation while avoiding it won't make the issue go away. A better approach is to map out a strategy that maximizes the possibility of a favorable outcome.

- **Begin with the end in mind.** What's the most desirable outcome you can imagine? What other outcomes might exist? Are any others acceptable to you?
- **Change your shoes.** Can you put yourself in your client's shoes and see the issue from his perspective? What might your client be *feeling* about the situation?
- **Examine your blind spots.** Your client may not share your communication style. You may be familiar with communication style terminology—we each have a preferred style. Does your client tend to be talkative

and friendly? Is she direct to the point of abruptness? Does he seem to want to know all the facts and to have them presented logically? Adapt your style to that of your audience, for the best possible result.

- **Don't skip the dress rehearsal.** Enlist a trusted friend or family member to role play with you. Act out all the possible scenarios: a relaxed talk followed by a wonderful outcome; a medium, but tolerable, result; a disaster. If you can't rehearse with someone else, at least say what you anticipate saying out loud until the words flow naturally.
- **Timing and location are key.** Neutral ground is best, or at a minimum, orchestrate a neutral seating arrangement. Share a meal or a snack first, if possible. Low blood sugar has tripped up many an individual. Be very careful with alcohol, though.

One drink may be relaxing and lead to a more convivial atmosphere, but more, especially on an empty stomach, can be inflammatory.

- **Honor the word.** If things are bad, say so. Don't sugar-coat a messy situation (though don't catastrophize it either). Own your part in the drama and don't point fingers. Don't try to make light of the situation with humor: "I've got good news and bad news."
- **Listen with your heart.** Pay full attention, make eye contact, turn your torso to face your client. Listen for the meaning, not for an opening to rebut. Listen to the feeling behind the words. If your client becomes angry and vents his grievances, let him do so (within reason). Draw him out. "Was there anything else that was upsetting for you?" Often, after a person has been able to express their emotions to their content, they will become more willing to listen to your side of the story. If you try to cut her off before she's finished—before she feels she's been fully heard—it often exacerbates the problem.
- **Know when to say when.** If the conversation has taken a turn for the worse, and things seem to be escalating, table the issue and reschedule. "We seem to be getting off track. Why don't we revisit this later, after we've both had a chance to think over our different perspectives?"

Not every conversation will be truly difficult. Some will simply be awkward or even surprisingly benign. But planning for all eventualities will help you take the challenge in stride.

(For more about personal styles measured by instruments such as the Myers-Briggs Personality Indicator, check out *CAPT.org*.) ■

Linda Hazelton is the founder of Hazelton Marketing & Management (www.lindahazelton.com), a Dallas-based consultancy offering communication and strategy, organization and business development, and profitability counsel to law firms. She has more than 20 years of experience at the helm of law firms. She has an MBA from the University of Minnesota and is a CAPT-qualified Myers-Briggs trainer and coach.



Casemaker and CosmoLex Team up for Webinar

Casemaker has teamed up with CosmoLex practice management to make it much easier for lawyers to accurately bill clients for the time spent on legal research. A seamless integration with CosmoLex allows Casemaker users to automatically track research time by client matter and assign it to client invoices, eliminating the "leakage" and billing compliance issues typically associated with legal research.

Join Casemaker and CosmoLex for a 30-minute webinar presented exclusively to Alabama State Bar members to learn all about this new integration partnership.

What:
Casemaker–CosmoLex
Integration Benefits

When:
Wed., May 18,
12:10 pm–12:40 pm CST

How:
<https://attendee.gotowebinar.com/register/3933823179518648322>

Can't make the date? Register anyway and they'll send you a recording of the webinar by email the next day. ■



MEMBER BENEFITS SPOTLIGHT



Local Lawyers Adds Social Media Sharing

All Alabama State Bar Members with upgraded lawyer profiles on *AlabamaLawyers.org* and its city websites (*BirminghamLawyers.com*, *HuntsvilleLawyers.com*, *MobileLawyers.com* and *MontgomeryLawyers.com*) now benefit from Local Lawyers social media network.

By sharing some posts of law firms and lawyers in its network, Local Lawyers increases the local, target audience for the law firms and lawyers' social media posts. On Facebook, these posts are shared onto the Facebook page for *AlabamaLawyers.org*. Or if the post is targeted toward a city audience, it is shared on its city Facebook pages, such as *BirminghamLawyers.com*'s Facebook page. On Twitter, Local Lawyers retweets on *AlabamaLawyers.org*'s Twitter page. Or if the post is targeted toward a city audience, it is retweeted on its city Twitter pages.

If you do not have an upgraded lawyer profile, you may upgrade before May 31, 2016 to receive the first month free and to take advantage of the social media sharing. For more information, contact Jordan Copeland at (205) 329-3848 or Jordan@LocalLawyers.com.

Ship and Save up to 50 percent with UPS®

Let the ASB help improve your bottom line with some of the most competitive rates available on shipping services with UPS. Save up to 34 percent* on a broad portfolio of shipping services including air, international, ground and freight services.* *Plus, get 50 percent off UPS Next Day Air®, UPS Next Day Air Saver®, UPS Worldwide Express® export, UPS Worldwide Saver® export and UPS Worldwide Expedited® export shipments for up to four weeks after you enroll.** You can receive these discounts even if you already have a UPS account. Remember, the more you ship, the more you can save with UPS. Put the power of logistics to work for you. To enroll and start saving, visit savewithups.com/asb or call 1-800-MEMBERS (1-800-636-2377), M-F, 8 a.m.–6 p.m. EST.

*See savewithups.com/asb for specific services and discounts. Introductory program discounts will be applied to accounts for weeks one through four on the UPS Savings Program. Week one includes the date that discounts are applied. Weeks are calculated Sunday through Saturday.



Discounts Available From ABA Web Store

The Alabama State Bar, through an arrangement with the American Bar Association, offers a full selection of materials from the ABA Web Store, including great books on law firm finance, management, marketing and technology produced by LPM Publishing, at a 15 percent discount. Orders will be shipped directly from the ABA within seven to 10 business days, but usually arrive sooner. Use discount code **ALABAR** when checking out.



Clio Offers Legal Practice Management Solution

Clio is the world's leading cloud-based legal practice management software, proudly committed to assisting law firms by helping grow and simplify their practices.

Clio is invaluable for law firms of all sizes. Incredibly easy-to-use software that handles everything a growing practice can throw at it, from matter and document management to time-tracking and billing, plus seamless integrations with other popular applications such as email, Google apps and Dropbox.

Clio is an effortless tool that helps keep lawyers focused on what they do best—practice law.

Benefits for members of the Alabama State Bar include:

- A 10 percent lifetime discount,
- A free trial,
- Live 1:1 web demonstrations,
- Unlimited access to live support and training centers

Learn more at <https://landing.goclio.com/alb.html> and sign up as an **ALABAR** member. ■

IMPORTANT NOTICES

Amendment of Alabama Rules of Civil Procedure

In two separate orders, the Alabama Supreme Court has amended Rule 4, "Process: General and Miscellaneous Provisions," and Rule 45(b)(1), *Alabama Rules of Civil Procedure*. The amendment of these rules is effective July 1, 2016. The orders amending Rules 4 and 45(b)(1) appear in an advance sheet of *Southern Reporter* dated on or about March 3, 2016. The amendment to Rule 4 makes certain changes to service of process, including, among others, providing that a judgment of default is a possible consequence of a served defendant's failure to respond rather than an automatic result; changing the age of a minor who must be served personally, including an incarcerated minor, from over the age of 12 years to over the age of 16 years; stating the manner for acceptance or waiver of service of process; increasing the age of persons designated to serve process to 19 years and providing that persons designated to serve process not be related within the third degree by blood or marriage to the party seeking service of process; setting out new, specific requirements as to how service of process and the return of service is to be made; and increasing to 60 days the timeframe for failure of service. The amendment to Rule 45(b)(1) increases to 19 years the age at which a person can serve a subpoena and to further provide that such person shall not be related within the third degree by blood or marriage to the person seeking service. The text of these rules can be found at <http://www.judicial.state.al.us>, "Quick Links–Rule Changes."

–Bilee Cauley, reporter of decisions,
Alabama Appellate Courts

2016 Eleventh Circuit Judicial Conference

The 2016 Eleventh Circuit Judicial Conference will take place May 5–7 2016 at the Grand Hotel in Point Clear. The conference is being convened by the judges

of the Eleventh Judicial Circuit (the appeals, district and bankruptcy courts in Alabama, Florida and Georgia) to consider the business of the courts and to discuss means of improving the administration of justice within the circuit.

A limited number of spaces, on a first-come, first-served basis, are available to attorneys admitted to practice before the court of appeals or any of the district courts of the Eleventh Circuit. Attorneys interested in attending this conference may get registration and conference information by emailing judconf@ca11.uscourts.gov or calling the office of the circuit executive, at (404) 335-6535.

The non-refundable conference registration fee of \$375, plus any fees for events, must be received in the circuit executive's office by Friday, April 15, 2016.

Notice of and Opportunity For Comment on Amendments to the Rules Of the U.S. Court of Appeals For the Eleventh Circuit

Pursuant to 28 U.S.C. § 2071(b), notice and opportunity for comment is hereby given of proposed amendments to the *Rules of the U.S. Court of Appeals for the Eleventh Circuit*.

A copy of the proposed amendments may be obtained on and after April 6, 2016 from www.ca11.uscourts.gov. A copy may also be obtained without charge from the Office of the Clerk, U.S. Court of Appeals for the Eleventh Circuit, 56 Forsyth St., NW, Atlanta 30303 (phone 404-335-6100). Comments on the proposed amendments may be submitted in writing to the clerk at the above address by May 6, 2016.

Local Bar Award of Achievement

The Alabama State Bar Local Bar Award of Achievement recognizes local bar associations for their outstanding contributions to their communities.

Awards will be presented during the Alabama State Bar's 2016 Annual Meeting at Baytowne Wharf.

Local bar associations compete for these awards based on their size—large, medium or small.

The following criteria will be used to judge the contestants for each category:

- The degree of participation by the individual bar in advancing programs to benefit the community;
- The quality and extent of the impact of the bar's participation on the citizens in that community; and
- The degree of enhancements to the bar's image in the community.

To be considered for this award, local bar associations must complete and submit an award application by May 6, 2016. Applications may be downloaded from www.alabar.org or obtained by contacting Ed Patterson at (334) 269-1515 or ed.patterson@alabar.org.

Books for Sale: 2013 Alabama Rules of Court–State

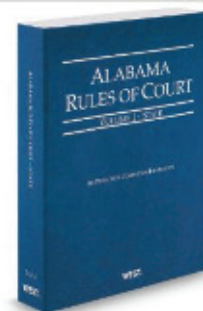
The 2013 *Alabama Rules of Court–State* books are for sale at \$10 each. These are available for purchase in the Supreme Court and State Law Library by cash or check only.

Note: All rule changes and effective dates are available at <http://judicial.alabama.gov/rules/Rules.cfm>.

Please mail a check or money order, made payable to AL Supreme Court and State Law Library, to:

AL Supreme Court and State Law Library
ATTN: Public Services–Book Sale
300 Dexter Ave.
Montgomery AL 36104

Contact any Public Services staff member at (334) 229-0563 with questions. ■





BEYOND BABY STEPS: Technology Infrastructure

By Brian C. Focht

Presented at the 2016 ABA TECHSHOW by Brian Focht and Rochelle Washington and reprinted with permission

(This is part one of a three-part series. This installment will concentrate on hardware.)

ASKING THE RIGHT QUESTIONS

Starting a new practice requires a lot of thought, a lot of luck and, hopefully, a little bit of money to help you get by.

You've already built up enough courage to open your practice. You've decided the basics of your new law firm, and you know what kind of clients you're going after, and you can't wait to get started. You've got this whole self-confidence thing down, right? Of course!

Let's face it, starting a new law firm isn't exactly for the risk-averse. So you're not ashamed to admit that you have questions. You know what you need to be *able* to accomplish to be successful, but you're not necessarily sure exactly which tools are the best ones to get you there. You need answers.

Getting answers starts with asking the right questions.

TAKING THE NEXT STEPS

Why can't we just give you the answers? Because we're lawyers—meaning the answer would always be “it depends.” Sad, but true, because there is no cookie-cutter solution for technology in a small law firm. Different types of practices will have different needs. Instead, we are going to help you find the right questions.

So stick with us. The questions we give you may be something for you to ask yourself, or to ask a vendor. They might relate to your practice, your preferences or the vendor's policies. But they're all important.

Generally, technology issues relate to one or more of these three topics:

hardware (equipment), software and services (including Software-as-a-Service).

HARDWARE

The tools and equipment that will run your office. Having the right workstation can have a dramatic impact on how efficiently and effectively you can work. There are certain things that you are going to absolutely need, so expect to spend some money getting this stuff set up. Failing to sufficiently invest in the right equipment puts your clients, your law firm and potentially your law license in jeopardy!

That being said, bigger is not always better. Sometimes smaller tools can actually handle big jobs better than the bigger tools can, while saving you money.

SOFTWARE

Choosing the right software is also critical. Most of the software you will use in your practice will be dictated by your practice area. Picking the wrong software could not only cost you

money, but hurt your ability to successfully represent your clients. So there's a lot of pressure to choose correctly.

To make things even more confusing, many of the software options available now are also offered on a subscription-based system (Software-as-a-Service, or "SaaS"). These systems, which usually offer fully featured versions of the software at monthly rates, can be nice for small law firms that lack significant capital for up-front purchases, but they come with their own potential pitfalls, so be thorough.

At the end of the day, you want the software you need *and* that you're the most familiar and comfortable with. Don't be afraid to spend a little more for software you already know or that provides greater functionality over time.

SERVICES


You'll find that there are several questions that aren't addressed by hardware or software, but are met by subscriptions or other services. Unlike hardware

and software, finding the right vendor to meet your law firm's needs has an extra dimension—your ethical obligations to your clients.

Anytime you hire an outside vendor, remember that your state requires that any of the information they have access to be treated with the same level of protection (<http://apps.americanbar.org/litigation/committees/commercial/articles/winter2015-0215-ethical-issues-implicated-by-use-of-third-party-cloud-services.html>) by your vendor as by your law firm. (For your specific ethical responsibilities, please consult your state bar's *Rules of Professional Conduct*).

For all third-party vendors your law firm retains, you need to ensure that adequate protections are in place to secure your clients' confidential information. (Here's an interactive checklist of potential questions for any vendor: <http://www.thecyberadvocate.com/downloads/third-party-vendor-checklist-2/>.)

Now that we've gotten that out of the way, let's get down to it. First up:



You take care of
your clients, but
who takes
care of **YOU?**

For information on the
Alabama Lawyer Assistance
Program's **Free** and
Confidential services, call
(334) 224-6920.

**Alabama Lawyer
Assistance Program**

Question: Who are my clients, and how do I plan to help them?

Answer:

This might seem like an odd way to begin, but this is a critical question that you need to answer before we can go on. Why? Because the nature of your practice will dictate a lot of where you go next.

Create an outline of your client's case, including the people and institutions you'll have to interact with on a regular basis, the types of documents you'll be creating and filing, and where you'll be conducting your client's business.

Once you've answered that question, it's time to proceed.

Question: I need a new computer; should I get a desktop or a laptop?

Answer: Where is your favorite "workstation" in your office?

Your workstation is the center of your law practice—treat it as such. Wherever it is, the primary tool you'll be using there is your computer, in whatever form. There's a lot to consider, including the speed and power of the computer you're purchasing, but also how comfortable you are using it.

Whether you're the type who almost enjoys being "chained to your desk" or the person who works in various places around the office, but for no more than 20 percent of the day at any one place, you need a computer.¹ How you are most comfortable doing your work is the best guide to what type you need.

In reality, most people have their answer by now. If you like having a fixed workstation, and you'll be fine using a tablet when you're mobile, you'll go desktop. The same goes for people who prefer a laptop. There is not, absent some particularly acute financial conditions, a significant difference in price or capabilities between laptops and desktops to override clear preference for one or the other.

However, absent a clear preference, each has distinct benefits and drawbacks:

DESKTOP COMPUTERS

Price Est.

- \$850 (\$550-1,300) (PC) plus \$150-650 for tablet
- \$1,500 (\$1,100-1,700) (Mac) plus \$150-600 for tablet

Note: iMac includes monitor

Benefits

- More powerful (larger space allows for bigger components, running at a higher temperature);
- Greater internal storage capacity;
- More powerful graphics cards (which allow more monitors to be connected);
- More accessory ports (more accessories connect directly, don't have to rely on wireless connectivity);
- Less expensive (although how much less is debatable);
- Greater options for upgrades and expandability

LAPTOP COMPUTERS

Price Est.

- \$1,200 (\$800-1,800) (PC) plus \$200 (\$100-400) for docking station, keyboard and mouse
- \$1,400 (\$1,100-2,000) (Mac) plus \$200 (\$100-400) for docking station, keyboard and mouse

Benefits

- Mobile; you're not tied to your desk to do work (this can be important even if you're not leaving the office!);
- Allows you to have the exact same workstation at the office and at home (instead of using the mobile app version on a tablet);
- Eliminates the security concerns surrounding remote access or portals to your office desktop (although creates others re: theft, use of unsecured Wi Fi, etc.)

Another key consideration is durability and replacement cost. Laptops will likely need to be replaced sooner than a desktop, for a number of potential reasons. Not only are laptops harder to upgrade, they contain moving parts, which are always susceptible to damage resulting from normal use. Even the simple fact that you move your laptop around means there's a chance it will be damaged due

to being dropped and exposed to "environmental" hazards (like your friend's coffee at Starbucks).

All things being equal, a laptop is the option with the most flexibility (<https://lawyerist.com/33464/solo-technology-shopping-list-basics/>). However, despite the cost analysis above, unless you're really making every dollar stretch as far as it can, this is going to come down to preference.

Question: Should I go with a PC or a Mac?

Answer: Which one do you already know?

Fortunately, in recent years (<https://jurispage.com/2015/law-practice-management/does-mac-vs-pc-matter-for-lawyers-in-2015/>), this question has also become more an issue of preference (<http://www.thefrugallawyer.com/should-you-go-mac-or-pc-as-a-lawyer/>) than actual substantial differences. In today's software ecosystem, many people (including myself) are cross-platform users—I use a PC at work and a Mac at home.

Due to the increasing popularity of Macs in business, most major software applications are designed to work across both platforms. As such, a lot of the comparative advantages that used to be discussed no longer exist (i.e. Macs better for graphic design/video, PCs better for office/productivity uses—neither of these generalizations apply anymore).

So ask yourself:

- Which operating system (Windows or Mac) are you most comfortable with?
- What are the other people in your law firm used to/comfortable with?
 - *Selecting a system they're unfamiliar with will likely require significant training or acclimation—know in advance if it's worth it.*
- How tight are your financial limitations at the moment?
 - *Macs cost more up front to purchase, but many swear by the benefits, including increased durability and certain Mac-specific software.*
- Is there any practice or practice area-related reason to go with one OS over another?

- Do courts and agencies you regularly interact with have a software or system that only works on Windows?
- Do your hardware and existing systems, like accounting or timekeeping, favor one OS over another?

Although there is still some disagreement, there really isn't much of a functional difference between the two operating systems. At the end of the day, your decision will likely be based on comfort or practical concerns like training and the availability of specific tools or software.

Question: Will I need to buy a monitor?

Answer: You'll need to buy two.²

Your selection of monitors will have a significant impact on your practice—because it's how you'll use your computer.

Fortunately, you have a lot of options when you decide to look. Do you have one monitor? Two? Three? How do you want them set up? Is your system powerful enough to support them?

First, unless you bought a package deal or an iMac, you'll need to buy a monitor—even if you purchased a laptop (although you may not need one immediately). In fact, go ahead and get two.

Second, you should buy two of the identical monitor at the same time, between 21- and 24-inch monitors,³ and set them up with adjustable mounts on your desk. This setup is critical for an efficient paperless office, and if you've never used a multiple monitor setup before, you're really missing out.

Will having an extra monitor really help?

Yes. Because science (<http://research.microsoft.com/en-us/news/features/vibe.aspx>).

Do they have to be the same monitor?

No, but it turns out that even the slight differences between two different

monitors' pixel count and screen resolution can cause eye strain and cost you productivity (<https://lawyerist.com/70399/best-computer-monitor-setup-lawyers/>) as your brain adjusts to the different screen.

Why buy them both at the same time?

Pixels wear out and fade, meaning that the same monitor purchased at different times will actually function like slightly different monitors. Also, the monitor you're looking for might no longer be available.

What's the deal with adjustable mounts?

Your monitors can now be adjusted to the right height, angle and direction to maximize user comfort. But did you know some can be rotated on their side (90°), giving you the ability to view a full document in its actual size? Make sure you know what to ask for, and more importantly, where to find the answers to those questions, when you buy!



Need more clients?

Join the ASB Lawyer Referral Service

WHY JOIN?

- Expand your client base
- Benefit from our marketing efforts
- Improve your bottom line

OVERVIEW OF THE PROGRAM

- Referrals in all 67 counties
- Annual fee of \$100
- Maximum percentage fee of \$250 on fees between \$1,000 and \$5,000
- Professional liability insurance required for participation

Sign me Up!

Download the application at
www.alabar.org
 or email LRS@alabar.org.

Question: Should I get a 3-In-1 desktop printer/scanner/copier?

Answer: No. No. No. No. Absolutely Not.

SCANNERS

Look, you're going to need a scanner. Digital copies of documents are now the standard, so you'll need to be able to scan a significant number of pages. Issues to consider include whether you need your scanner to be able to perform duplex copies (both sides of the page) and if the scanner is TWAIN compliant (can be run from the computer).

We recommend Fujitsu iX500 ScanSnap (\$410), the best desktop scanner for the paperless law firm (http://www.amazon.com/Fujitsu-ScanSnap-iX500-Scanner-PA03656-B005/dp/B00ATZ9QMO/ref%3Dsr_1_1?ie=UTF8&camp;qid=1452916254&sr=8-1&keywords=scansnap%2Bix500); Epson WorkForce DS-520 (\$328.99), top recommended (<https://lawyerist.com/71227/best-scanners-lawyers/>) TWAIN compliant scanner (<http://www.amazon.com/Epson-WorkForce-DS-520-Sheet-Fed-B11B234201/dp/B00OKBCEN6?tag=lawyerist01a-20>).

PRINTERS

You're also going to need a printer. Yep, you still need to be able to print. Don't waste your time with a printer like the ink jet you had in college. You need a laser printer, and the right one will vary greatly between law firms. For some suggestions, check out *PC Mag's* list of the 10 Best Laser Printers of 2016 (<http://www.pcmag.com/article2/0%2C2817%2C2340674%2C00.asp>) (I know, seems a bit early to be making that statement, but it's their site!).

COPIERS

And you're going to need a copier. Although generally considered the same as "scanning," the copiers I'm talking about have a "flatbed" to copy a page—where the page is placed on a glass pane, face down. While inefficient, it is oftentimes the only way to copy (or scan) fragile or unique

documents that you do not want to put through a document feeder. However, my personal recommendation for these types of documents—don't underestimate your smartphone's camera and the right scanning app (<https://www.microsoft.com/en-us/store/apps/office-lens/9wzdncrfj3t8>).

Solo/small law firms do not need an enterprise level all-in-one these days, absent a paralyzing, traumatic fear of the cloud or some highly unique practice-based justification—for most law firms, you'll save a ton of money with desktop versions.

I saw a desktop one, and it wasn't very expensive. Why shouldn't I get that one?

Because "not very expensive" is the same thing as "cheap," and the phrase "Jack of all Trades, Master of None" is instructive!

Most experts STRONGLY recommend avoiding cheap all-in-one desktop units, because they tend to be, well, crap. As Sam Glover points out in the *Lawyerist*, inexpensive scanner-copier-printers tend to do them all poorly (<https://lawyerist.com/24865/all-in-one-solutions-one-size-fits-all/>). And Jim Calloway points out that while they may save space at home, in your law firm they don't work as well or as efficiently (<http://www.okbar.org/members/MAP/MAPArticles/Hardware-Software/Equipping2012.aspx>) as individual desktop units.

Question: Do I need a fax machine?

Answer: No. No. No. No. Absolutely Not.

There is no reason—no reason at all—why your law firm should have a fax machine.⁴ They're expensive, they break down a lot (anything made of plastic with that many moving parts will break a lot) and they generate (and require) a lot of paper. But most states still consider a faxed document as having been served properly, but not an emailed one (even the federal courts require written consent first). **Sigh.**

Electronic fax software allows you to get rid of the fax machine—helpfully eliminating one of those up-front AND repeating expenses—by using your computer to send faxes via the Internet. Faxes are sent and received as PDF files, which means that they never have to be in paper form unless and until you want them to be!

We recommend eFax (<http://www.efax.com/pricing>), RingCentral Fax (<http://www.ringcentral.com/fax/features/how-it-works.html>), MyFax (<http://www.myfax.com/>) and METROFAX (<http://www.metrofax.com/>).

The next installment will focus on software. ■

Endnotes

1. An important thing to bear in mind—every desktop computer enthusiast will have a need, albeit infrequent, for mobile access... and the purchase of a tablet. Similarly, every wanderlust-struck laptop enthusiast needs to have a multiple monitor setup with a mouse and a keyboard. Choosing either a laptop or a desktop based on purely considerations of cost or desire to avoid certain peripherals is folly. Don't do it.
2. Or, if you follow the advice from this post on the *Lawyerist*, one gigantic monitor.
3. Ernie Svenson of *The Paperless Chase* recommends two 24" monitors.
4. In fact, it's even suggested that lawyers should remove fax numbers from letterhead and business cards... even if it's just connecting to an electronic fax system!

Brian C. Focht is a civil litigator who practices with Stiles, Byrum & Horne LLP in Charlotte, NC. He is the author of *The Cyber Advocate*, a blog dedicated to helping lawyers and legal professionals improve their practice, provide better service to their clients and increase profits through technology. He also hosts the Legal Technology Review Podcast, which seeks to further *The Cyber Advocate's* mission through interviews and discussions about timely and important legal technology issues.

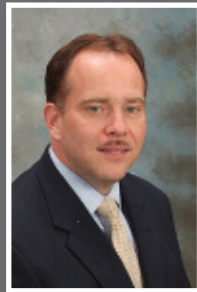


SAVE the DATE

2016 Annual Meeting

BAYTOWNE WHARF
June 22 - 25

Chance Corbett is an associate director in the Auburn University Department of Public Safety. His responsibilities include leading the Emergency Management Program for Auburn University which includes planning for and managing emergencies and disasters that affect Auburn University.



Corbett received his bachelor's degree in criminal justice and master's degree in education from Troy University. He is a POST-certified law enforcement officer, nationally registered paramedic and certified firefighter. He is also a certified emergency manager with the International Association of Emergency Managers.

Prior to working for Auburn University, Corbett served seven years as the Homeland Security/EMA director for Russell County and has more than 24 years of public safety experience, many in the law enforcement field. Corbett is a member of numerous national public safety and emergency management organizations.

During his career as a fulltime law enforcement officer, Corbett spent more than six years as a member of a local SWAT team, including

serving as the team leader for over three years. He is a senior instructor for the Alabama Law Enforcement Agency and teaches an advanced active shooter training program to law enforcement officers. Corbett leads the efforts to teach Active Shooter Response Training to the students and employees of Auburn University as well as other schools and organizations as needed.



Featuring the "**WingNuts**" Friday, June 24 at the Presidential Dinner and Young Lawyers'/Leadership Forum sections party, with lead singer **District Judge Alan Furr**, 30th Judicial Circuit, Pell City