An illustration of a hand holding a smartphone. The screen displays a numeric keypad with numbers 2, 3, 9, 0, 1, 6, and symbols # and *. The background is a solid blue color.

Productivity in the Legal Profession: The Impact of Mobile Technology

A report from ALM Legal Intelligence

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PREFACE

Productivity in the Legal Profession: The Impact of Mobile Technology is an ALM Legal Intelligence special report. ALM Legal Intelligence gathered data, conducted interviews, and administered the online survey. Alan Cohen wrote the report, Nigel Holloway edited it, and Jennifer Tonti conducted the survey. We would like to thank all those who participated in the survey and agreed to be interviewed for this report.

– NOVEMBER 2011

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EXECUTIVE SUMMARY

IN A HARSH ECONOMY, LAW FIRMS FIND THEY NEED TO BE NOT ONLY MORE responsive to their clients, but also more efficient in the way they operate. Within companies, legal departments are faced with higher demands from the C-suite, without a corresponding increase in resources. Mobile technology promises to help both law firms and legal departments to do more with less.

For today's smartphones and tablets, e-mail access 24 hours a day is just a starting point. With their brawny central processing units, ample storage space, high-resolution screens, and ability to run many software applications, the latest generation of mobile devices put small, powerful computers into the hands of lawyers. But are lawyers taking advantage of these capabilities? And are law firms, legal departments, courts, and clients encouraging or hindering the use of these new forms of mobile technology?

An online survey of 266 lawyers in the United States conducted by ALM Legal Intelligence in October 2011 sought answers to these and other questions about mobile devices in the legal industry.

The main findings include the following:

1 TODAY'S SMARTPHONES AND TABLETS ARE POWERFUL AND UNDEREMPLOYED Nearly 90 percent of respondents use a smartphone for work-related tasks, and 40 percent are using tablets. Yet while these new mobile platforms offer computer-like capabilities, only 13 percent of respondents use them entirely or mostly in lieu of their laptop or desktop PCs. Indeed, handheld devices are mainly used for e-mail.

2 SOME LAWYERS ARE USING THEIR MOBILE DEVICES TO DEVELOP THEIR BUSINESS A small but significant minority of lawyers are using their smartphone or tablet to assist in business development: Eighteen percent listed it as one of the top three functions for which they use their mobile device. Social networking sites, in particular, are being leveraged.

3 LAWYERS NEED MORE TECHNICAL SUPPORT TO IMPROVE PRODUCTIVITY FURTHER Law firms and law departments are not helping attorneys make more sophisticated use of their mobile devices. Much technical support is ad hoc or nonexistent. Nearly 40 percent of respondents who use a smartphone—and 54 percent of those using a tablet—do so without any official support from their law firm or law department. This lack of guidance compounds the difficulty of finding useful apps.

4 BUT SOME KINDS OF SUPPORT MAY ACTUALLY HINDER RATHER THAN HELP Yet official support is not a cure-all. Some firms and law departments have started using mobile device management software to enhance the security of mobile devices and to troubleshoot problems. But 53 percent of respondents who have mobile device management software say it has limited the usefulness of their smartphone or tablet.

5 LAW FIRM CLIENTS SEEM UNAWARE OF THE SECURITY ISSUES POSED BY MOBILE DEVICES So far, few clients are asking questions about how lawyers are securing the data that resides on, or is transmitted from, their mobile devices. Yet nearly a quarter of respondents don't use a password to access their device, and 17 percent don't even know how their device is secured. Less than 40 percent say their device can be wiped remotely—an important security measure.

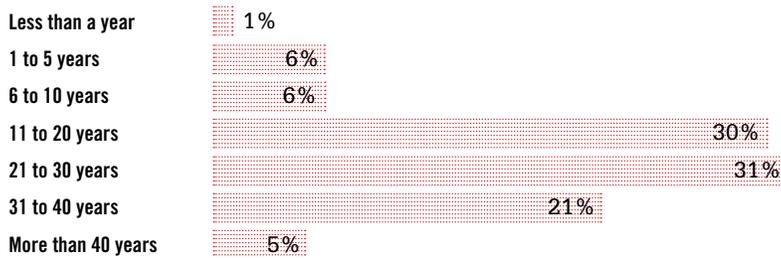
6 JUDGES ARE CRACKING DOWN ON THE USE OF SMARTPHONES AND TABLETS Courts, by contrast, are heavily restricting mobile devices. More than 40 percent of respondents say they faced limits on the use of smartphones or tablets in the courtroom. Often they are being told to turn off their devices—even though they could be used to assist in presentations, oral arguments, on-the-spot research, and attacking hostile witnesses.

7 MOBILE TECHNOLOGY IS IN ITS INFANCY Technical limitations are also preventing lawyers from realizing the full potential of mobile devices. Difficulty in inputting text; slow and unreliable wireless connections; and poorly designed apps are all challenges. So, too, is the immaturity of the app market: Sixty-eight percent say better apps would help them to use their smartphones and tablets.

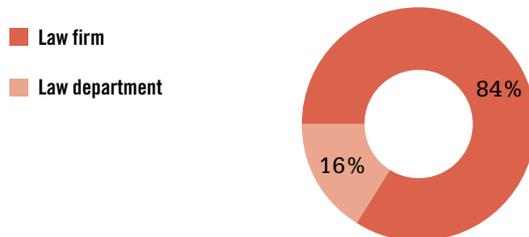


SURVEY DEMOGRAPHICS

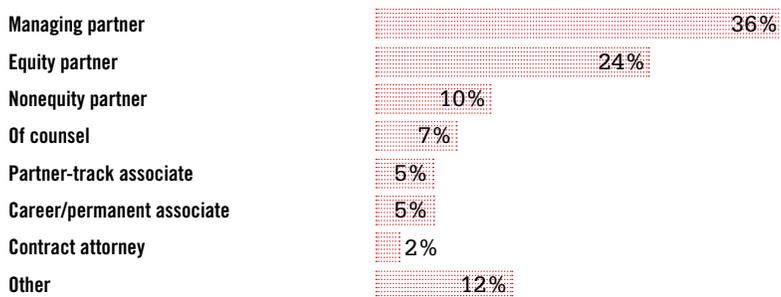
How many years have you been a lawyer?



Do you work in a:



If at a law firm, what best describes your current professional status?



About the Survey

ALM Legal Intelligence fielded an online survey between October 13 and October 24, 2011 to find out how U.S. lawyers were using mobile devices for their work. A total of 27,134 were invited to take the survey, and 266 people responded, of which 84% were attorneys at law firms and 16% were attorneys at legal departments. Among those who responded from law firms, 70% were partners. Most respondents worked in law firms with one to 20 lawyers. Seventeen percent were employed at firms with more than 150 attorneys. Lawyers in legal departments had a broad range of titles; 25 percent were chief legal officers or their deputies. Forty-eight percent were employed at companies with more than \$500 million in annual revenue.



SURVEY DEMOGRAPHICS

How large is your law firm?

1 to 20 attorneys	68%
21 to 75 attorneys	9%
76 to 150 attorneys	5%
151 to 500 attorneys	5%
501+ to 1,000 attorneys	9%
1,000+ attorneys	3%

If in a legal department, what best describes your title?

Chief legal officer/General counsel	8%
Deputy chief legal officer	17%
Division (or Group) general counsel	6%
Managing attorney	14%
High-level specialist	17%
Senior attorney	28%
Attorney	11%

What is your company's annual global revenue?

Less than \$100 million	43%
\$100 million to less than \$500 million	9%
\$500 million to less than \$1 billion	11%
\$1 billion to less than \$5 billion	14%
\$5 billion to less than \$10 billion	14%
\$10 billion or more	9%



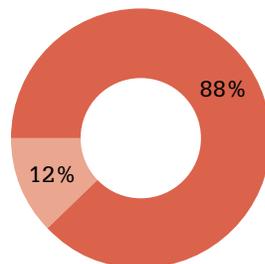
POWER TO THE PEOPLE

THERE WAS A LAWYER JOKE THAT RANG TRUE FOR A LONG TIME: Take a hot new technology, give it five years to be rendered obsolete—and then watch an attorney embrace it. Anyone looking for the cutting-edge of high tech knew that a law firm or legal department was not the place to find it. Mobile e-mail changed this preconception. When the first BlackBerry device was introduced by the Canadian company Research In Motion in 2003, it made possible access to e-mail anytime, anywhere, which, in turn, made possible contact anytime, anywhere, with clients and colleagues. This was a concept even tech-averse attorneys could grasp. Law firms adopted the BlackBerry soon after its launch, and in the years that followed, the device transformed the way attorneys work, making them available and responsive to a hitherto-unimagined degree.

But e-mail, it turned out, was just the start of what mobile devices could do. Today's smartphones and tablets—boasting computer-like capabilities such as high-resolution screens, dual-core processors, gigabytes of storage, and the ability to run apps—let lawyers access the Web, edit documents, give multimedia presentations, and perform all sorts of specialized tasks.

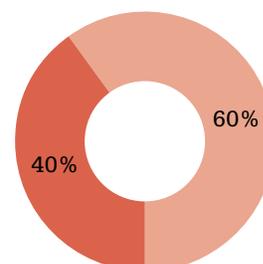
Do you use a smartphone for work-related purposes?

■ Yes
■ No



Do you use a tablet for work-related purposes?

■ Yes
■ No



Not surprisingly, lawyers are embracing these powerful new products, too, at what would have seemed not long ago a very un-lawyer-like pace. Indeed, when *The American Lawyer* surveyed CIOs at Am Law 200 firms in 2011, more than 96 percent of respondents said they had users on iOS, the platform powering both Apple's iPhone and iPad, and 67 percent counted users on Google's mobile operating system, Android. Tablets were not even a product category two years ago and have turned out to be particularly popular, with users at all but 4 percent of firms.

But how big an effect have these new devices had? Have they brought productivity gains even beyond those of the original BlackBerry units? Are lawyers leveraging, or even using, the new abilities? If so, what benefits are they seeing? If not, what's holding them back—and how can CIOs and managers help knock down the barriers?

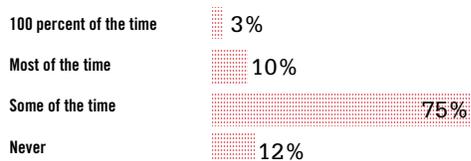
To answer these questions, ALM Legal Intelligence surveyed 266 lawyers—both within law firms and in corporate legal departments—on whether, and how, they used smartphones and tablets. After the survey was concluded, 12 lawyers, all mobile device users, were interviewed about the results.



In terms of work productivity, which activity – if any – has been improved most by using your smartphone or tablet? (Select up to three)



How often do you use your smartphone or tablet in place of a laptop or desktop for work?



are simply unaware of what they can do with their mobile devices. Finding useful apps is often difficult, dependent on word of mouth instead of guidance from employers or professional organizations.

The technical fixes may come, but will the right policies materialize? Already, there are signs that when law firms and legal departments do manage mobile devices, the results are mixed. Security is increased but sometimes at the cost of usability. At the moment, these challenges are hindering this new generation of mobile devices from realizing its full potential. But these obstacles can be tackled. The survey results and follow-up interviews point the way.

Some of the survey results showed how little progress has been made since 2003. While 88 percent of respondents use a smartphone for work, and 40 percent use a tablet, e-mail still accounts for, overwhelmingly, both the devices' core use and the biggest payoff: 91 percent of respondents say anywhere-anytime access to e-mail—something BlackBerry devices provided nearly a decade ago—is a main benefit of the devices. By contrast, only 8 percent use the much-touted videoconferencing capabilities of smartphones and tablets to collaborate with colleagues.

Indeed, for all their computer-like powers, mobile devices have yet to replace the PC in a significant way. Only 13 percent of survey participants said they use them in lieu of a laptop or desktop all or most of the time. In fact, just 4 percent of respondents say mobile devices have helped them come up with new ways to solve problems.

One might infer that for all their bells and whistles, today's mobile devices don't boost productivity any more than those old BlackBerry handhelds did. It's a reasonable conclusion—except for one thing. The survey also reveals small numbers of attorneys who are finding, and leveraging, innovative new uses for their smartphones and tablets. Nearly 20 percent of respondents list business development as one of their three top uses of the devices. And 14 percent say the handhelds have improved their ability to build relationships and, potentially, land new work.

The big question is why there are few advanced users. One answer, of course, is the technical challenge: Poor wireless signals, small smartphone screens, apps that are difficult to use or don't live up to their promises. But there's another factor at work, too: Many lawyers



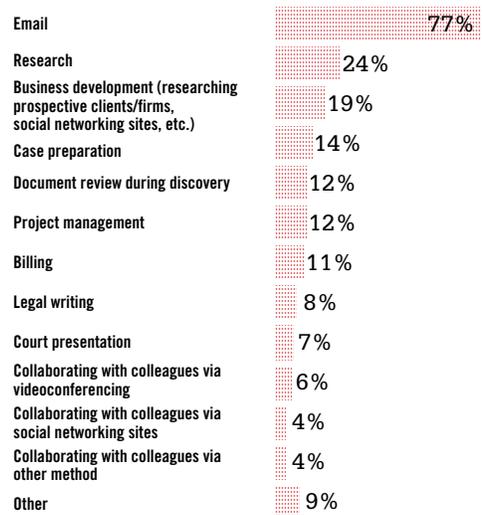
WIN FRIENDS AND INFLUENCE PEOPLE

ONE OF THE MORE SURPRISING FINDINGS OF THE SURVEY WAS THE NUMBER of lawyers using mobile devices for business development: 18 percent say it is one of the three tasks for which they use their smartphones or tablets most. This number is not huge, but it is higher than some of the widely touted tasks that can be performed by mobile devices, such as videoconferencing.

Granted, for many lawyers business development often consists of simply making a good impression. And by this measure, smartphones and tablets have certainly proven effective. “When I use the iPad to make a presentation to a client it shows our facility with new technology,” says James Roberts III, managing principal at Global Capital Law Group. For solo practitioners, in particular, a large-screen tablet that turns on instantly—no three-minute wait for a computer to boot up—can be a simple, elegant way to introduce themselves to prospective clients or referral sources. “I’ll bring my tablet, show them my Web site, it’s so much nicer than handing them a brochure and a business card,” says Susan King, an elder law and estate planning solo practitioner in Boca Raton, Florida. “I can very quickly page through my site and give them an idea of what I do.”

Other lawyers have found a more advanced way to leverage mobile devices for business development. They’re using the mobile apps developed by the major social networking sites—particularly the business-oriented site, LinkedIn—to develop a sort of high-tech pay-it-forward strategy. “I use [LinkedIn’s mobile app] all the time when I’m not at my desk,” says Michael Adler, a partner at Weber Gallagher Simpson Stapleton Fires & Newby in Philadelphia. “A client may have a need for something, I can make the introduction, open my network of contacts to them, share leads.”

In which area/s of work has your smartphone or tablet enabled you to come up with new ways to do your work? (Select all that apply)





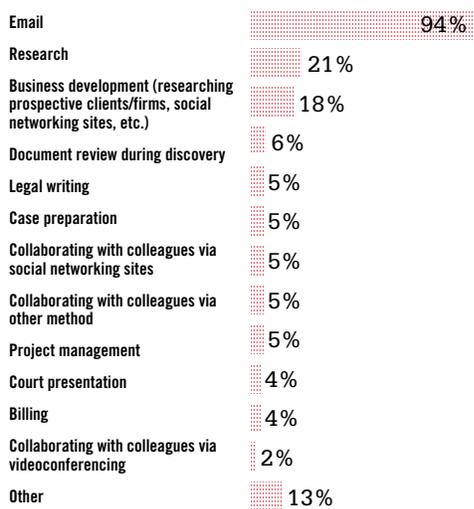
AT THE CREATION

LACKING FULL-SIZE PHYSICAL KEYBOARDS AND LARGE SCREENS, PHONE-SIZE devices have traditionally been used more for content consumption than creation. Viewing a document is easier than writing one. But tablets, with their bigger screens and virtual keyboards, were supposed to be different. And if the on-screen keyboards were inadequate, add-on physical keyboards could be attached.

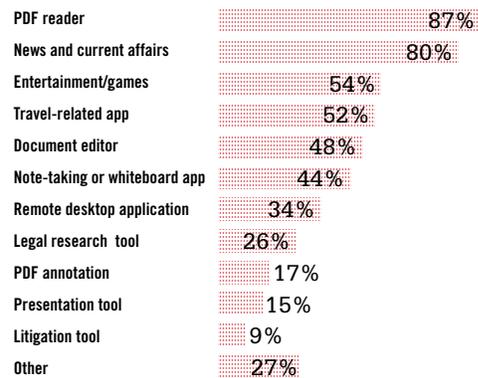
Yet the survey reveals that when it comes to reading versus writing, at least, things have not changed much at all. While nearly 90 percent of respondents use their devices to read PDFs, just 5 percent listed legal writing as one of their three main mobile tasks. And more than half of respondents—55 percent—listed text input as one of the biggest challenges they faced when using their smartphones or tablets. As for add-on keyboards, there are few enthusiasts, judging by the interviews. “You buy a bluetooth keyboard and now you’re basically carrying around a laptop,” says Adler. If that’s the case, he and other lawyers advised, just take the laptop—especially given today’s new generation of ultraportable machines, like Apple’s own 3-pound Macbook Air.

After PDF viewing, the two most popular non-e-mail uses of tablets and smartphones were following news and current affairs (80 percent) and finding travel-related information (52 percent)—both forms of content consumption. But while pure content creation—drafting

At work, for which functions do you use your smartphone or tablet most? (Select up to three)



Which of the following apps do you use on your smartphone or tablet (Select all that apply)





documents from scratch—still remains a challenge on mobile devices, software makers have entered a middle ground that is proving popular.

Leveraging the large, touch-sensitive displays of tablets, a new wave of apps (along with some updated PDF readers) let users mark up files (using keyboard, finger, or stylus) or take notes. Among survey respondents, 17 percent say they now annotate PDFs; 44 percent use their mobile device to take notes.

These functions are starting to pay off: More than a fifth of respondents say they mark up documents directly on their device and send the annotated files to colleagues—enhancing collaboration. Even continuing legal education programs can be improved. David Gryce, a transactional IP partner at Arent Fox in Washington, D.C., uses an iPad app called Auditorium Notes that records—and synchronizes—both the speaker and his notes. “When I want to refresh my memory later, I can make sense of my handwriting because I can hear exactly what the speaker was saying when I wrote something,” he says.



APPS AND LEMONS

MANY LAW FIRMS AND LAW DEPARTMENTS DON'T OFFICIALLY SUPPORT the smartphones and tablets used by their employees. But this assistance, when available, has sometimes come with policies that limit the use of mobile devices. Nearly 40 percent of respondents who use a smartphone—and 54 percent of those using a tablet—do so without any formal assistance from their employer. In these cases, the IT department will often help users link their devices to corporate e-mail, but otherwise, users are typically left on their own.

This is, to some extent, a result of the proliferation of mobile devices. In the first few years after 2003, there was one platform and one tool—BlackBerry Enterprise Server. Today, smartphones and tablets come from different vendors, running different operating systems: iPhones and iPads on Apple's iOS platform, Android-based smartphones and tablets (from many manufacturers) on Google's platform; still other devices run Microsoft's Windows Phone 7. Then there are all of those apps. Apple alone offers more than half a million of them (and

I have 101 apps—if I use five regularly, that's a lot."

Duris Holmes, Deutsch, Kerrigan & Stiles.

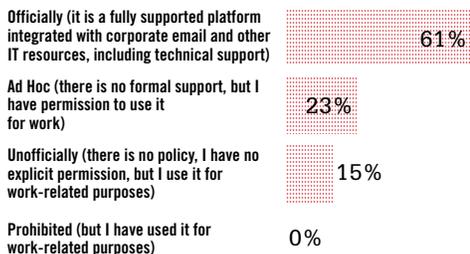
counting). It would be impossible for firms to provide full support for every device and every application. IT departments don't have the resources. "We have two IT people for 150-something users," says Duris Holmes, a litigation partner at Deutsch, Kerrigan & Stiles. "[They] will set you up but aren't going to help you with [every] app."

IT departments could, however, provide partial support. More than half of survey respondents—53 percent—say that it would help if there was an easier way to find useful apps. "What I find so weird about [Apple's] App Store is that its interface just sucks," says Roberts. The Android Marketplace—often criticized for poor organization—fares no better. "How do you find the stuff that really resonates with you?" asks Gryce. Some firms, though, are leading the way by keeping centralized lists of handy apps, compiled by regularly surveying users.

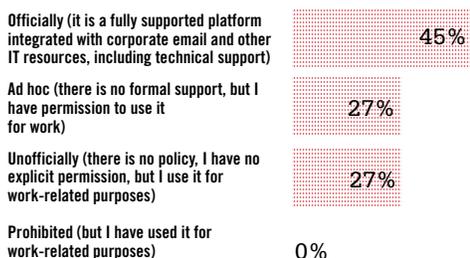
Firms and companies could choose to support a small subset of apps. Much smartphone and tablet software fails to impress: 32 percent of respondents said apps can be hard to use; 68 percent said better apps were needed. As a result, while people may download many programs, they use only a few. "I have 101 apps—if I use five regularly, that's a lot," says Holmes.

Core apps tend to be focused around PDF readers and annotation software, document editors, e-mail, and remote desktop access. Some law firms have started recommending specific apps in these areas and providing technical support for them without overextending their IT resources. "We have certain apps that we suggest people use," says Thomas Lewry,

How is your smartphone supported by your firm or company?



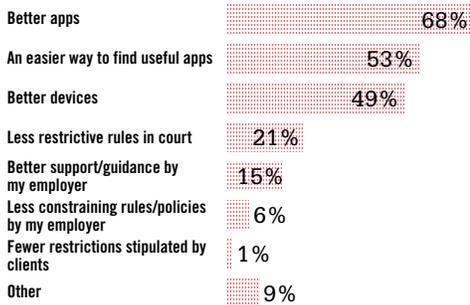
How is your tablet supported by your firm or company?





What would help you make better work-related use of your smartphone or tablet device?

(Select all that apply)



an IP partner at Brooks Kushman. “They’re welcome to use other apps, but those are less supported.”

Steps like these would seem to be welcome news for smartphone and tablet users. Yet in the survey, only 15 percent of respondents sought support and guidance from their employer. This may seem a small number until other survey findings are taken into account.

Many organizations that officially support non-BlackBerry mobile platforms use a new type of tool known as mobile device management software. These packages ensure that the devices are used in a secure way. The software can enforce password policies, remotely wipe data on lost or stolen devices, troubleshoot technical glitches, segregate sensitive work data from personal data on the device—even block access to selected apps. Many vendors have entered the mobile management field and perhaps the best known are Good Technology and MobileIron.

Most of these platforms give firms and law departments flexibility as to how much control to take. They can turn on or off whatever features they desire, enabling them to micromanage mobile communications completely, or simply ensure that everyone is using a password, or take a stance somewhere in between.

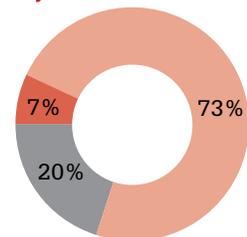
So far, at least, the arrival of mobile device management has not been warmly welcomed. While just 7 percent of survey respondents said their firm has implemented such a platform, 53 percent of these users said the software has limited, in some way, the usefulness of the device. This was something that never happened with BlackBerrys, where security and enterprise management tools were tightly integrated into the system—protecting data without hindering usability.

One respondent complained that Good Technology isolates work data inside a password-protected area within the phone’s memory where users run Good’s encrypted versions of e-mail, calendar, and contact apps. Security, he says, is improved, but the smartphone becomes harder to use. “I like using the mail app that came with my iPhone, I like the interface,” says this lawyer. “I don’t like having to check my work calendar to see if I’m free and then check my personal calendar.”

This does not mean the solution is to avoid mobile device management entirely, since data security is an important issue. The software can also troubleshoot problems and push helpful applications out to users. But firms have to be careful to turn on the correct features. They need to test as many of these platforms as they can, examining interfaces and understanding how core apps may be affected.

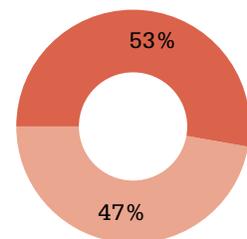
Does your firm or company use a mobile device management platform – i.e., an application (like Good Technology or MobileIron) to help it manage, monitor, and secure smartphones and/or tablets used by lawyers?

■ Yes
 ■ No
 ■ Don't know



Has the mobile device management platform limited, in any way, the usability or usefulness of your mobile device?

■ Yes (specify)
 ■ No





CLIENT CONFIDENTIALITY

IN RECENT YEARS, SEVERAL FACTORS HAVE SPURRED MANY COMPANIES TO assess how their business partners, including outside law firms, secure data related to their business. Regulations—such as the Sarbanes-Oxley Act and the Health Insurance Portability and Accountability Act—have been enacted or beefed up. Data breaches, exposing confidential data to hackers and identity thieves, have made headlines and harmed the reputations of many businesses. Not surprisingly, law firm CIOs interviewed for *The American Lawyer*'s 2011 technology survey reported a marked increase in the number of security

questionnaires and audits that clients are asking them to complete.

“I’m surprised myself that clients haven’t been asking [about data security].”

Edward Naughton, a partner at Brown Rudnick.

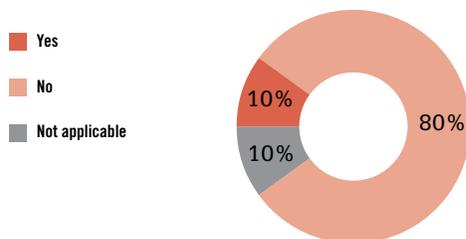
Yet few clients are specifically asking outside counsel how their mobile devices are secured. Just 10 percent of respondents report fielding this question—and just 2 percent say clients have restricted the use of their smartphones or tablets. “I’m surprised myself that clients haven’t been asking,” says Edward Naughton, a partner at Brown Rudnick. “I personally have Good on my smartphone, biometric security on my laptop.”

Clients might well want to ask, too, given that 17 percent of survey respondents said they didn’t know how their device was secured. Less than 40 percent said their device could be wiped remotely if it was lost or stolen—a key security feature—and nearly a quarter of users (24 percent) don’t even use a password.

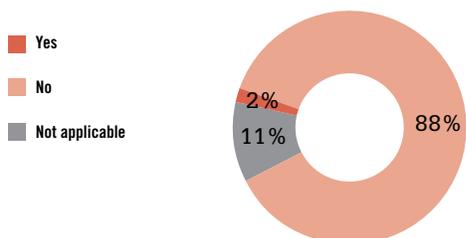
Interviews reveal that lawyers prefer the status quo, and worry that when clients do start asking questions it will lead to restrictions that limit the usefulness of their devices. “There is always an overreaction,” says one litigator who declined to be identified. And it’s not just clients but firms, too, he adds: “When e-mail first came out, firms didn’t permit it for confidential communications. Then they saw ethics opinions that said it was okay so they allowed it, and people started

putting too much into e-mail and being careless. The pendulum is always swinging.” Policies have to be carefully thought out, ensuring security while maintaining the usability and efficiency that were the whole point of using mobile devices in the first place.

Have clients ever asked you how you secure their data on your smartphone or tablet?



Have clients ever restricted your use of your smartphone or tablet in any way (such as prohibiting the use of specific applications)?

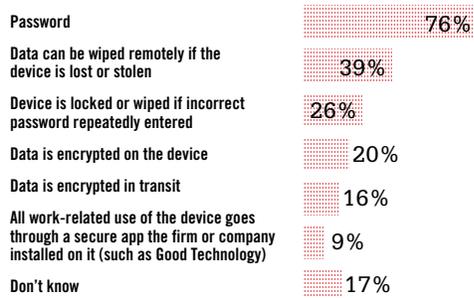




An area where both clients and firms may be failing to find the right balance is in restricting the use of certain apps. One survey respondent reported that a client had already banned the use of Dropbox, a cloud-based document management system (a number of Am Law 200 firms have banned the app, as well). Dropbox ensures that identical copies of a document are available on all of a user's devices. But it does so by storing a master version on its own servers. Some IT managers worry that when a document is on Dropbox's server, it is beyond the control of law firms and clients.

There is much debate about whether this should be a matter of concern. But prohibiting an app such as Dropbox is difficult because there are few alternatives. Consider, for example, remote desktop apps that enable lawyers to securely access applications and data stored on servers at the office (and retrieve whatever documents they need). While 34 percent of respondents use remote desktop apps on their smartphone or tablet, only 14 percent use them regularly. The technology is a work in progress. "It's difficult to use, it's laggy, slow, [even] on the iPad," says Holmes.

How is your device secured?
(Select all that apply)





COURTING CENSURE

THE COURTROOM IS ONE PLACE WHERE LITTLE EFFORT IS MADE TO STRIKE a balance between control and convenience. More than 40 percent of survey respondents said they face restrictions on the use of smartphones or tablets in court and while those limits vary, the most common one is the most drastic: the device must be turned off. Compounding matters, even when the devices are allowed—at least for data communications—judges often discourage their use. “The rolling eyes,” as one lawyer put it.

// The best use I’ve made of my iPad is at trial.”

Paul Griffin, a solo practitioner in Washington, D.C.

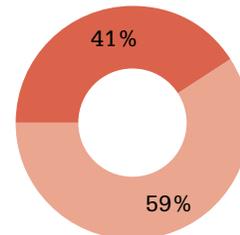
Such restrictions may be counterproductive, because in those courts where smartphones and tablets are allowed (more likely federal court than state venues), trial lawyers are finding that they enable them to do their job in new, better ways. “The best use I’ve made of my iPad is at trial,” says Paul Griffin, a solo practitioner in Washington, D.C. “I’ve put on it a great repository of outlines to attack opposing parties’ experts on a host of topics. All of the questions I should ask them—did they do this, did they do that.”

The number of respondents who say mobile devices let them present cases in new ways is small - only 7 percent of respondents. But it’s reasonable to imagine the number would be far higher if courts relaxed restrictions on smartphones and tablets.

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Are there limits placed on your use of smartphones or tablets in the courtroom?

- Yes
- No





BEYOND THE BUGS

IT'S NOT JUST POLICY DECISIONS THAT ARE HAMPERING LAWYERS' USE OF MOBILE devices. Several key technical challenges need to be addressed, as well. Beyond the problems with text input and remote desktop access, there are connectivity issues: Nearly half of respondents (48 percent) bemoaned wireless signals that were weak or unavailable when needed. Then there are the apps: Nearly a quarter of users said the programs they need don't exist and roughly the same amount said the apps they rely on need improvement. Programs are often plagued by bugs or lack key features. The latter is particularly true for document editors, given the dominance of Microsoft Office within the legal community and the absence of an official Office app (at least on any platform other than Microsoft's own Windows Phone 7).

Some promising mobile device uses—like performing document review during discovery—could be facilitated with better apps. “My cases may have a couple of hundred pages of discovery, and I'll load them onto my iPad and make notes in the margins,” says Griffin. “But I could easily see being able to do larger document reviews if there

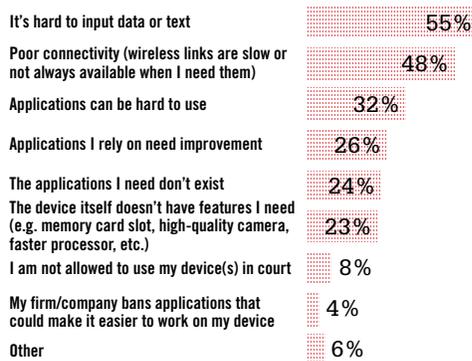
I could easily see being able to do larger document reviews if there was a good app to do it on the market.”

Paul Griffin, a solo practitioner in Washington, D.C.

was a good app to do it on the market . . . something that let you code documents, the way you can hit a button on a Web-based application or make your own categories.” Currently, only 6 percent of respondents say document review is one of their three top smartphone or tablet uses, and a mere 8 percent say they have improved their productivity when reviewing documents.

These challenges are almost certain to be overcome. Already, high-speed 4G networks, such as Verizon's new 4G LTE platform, are being introduced in many U.S. markets, and mobile apps are constantly being updated. For CIOs and managers who make purchasing decisions, it is vital to stay on top of developments by understanding which tablets can be used with which networks, and which apps have had the upgrades users need.

What are the biggest challenges you face when using your smartphone or tablet for work? (Select all that apply)





THE PROMISED LAND

AS A GROUP, LAWYERS HAVE NOT WON FAME AS EVANGELISTS OF technology, but they have been using the gear long enough to know two things: Don't expect miracles, and leverage any feature that can spur productivity. Small numbers of lawyers are using smartphones and tablets to find business opportunities, but most use them to answer e-mail and read documents.

The problem isn't just technical. Entering text on a phone can strain people's patience. Poor wireless signals can kindle nostalgia for the old pay phone. And those 500,000 apps you can download—perhaps there are ten that lawyers can't live without. But most of the technical glitches will be overcome, and fairly quickly, thanks to fierce competition among makers of mobile phones and tablets, as well as wireless carriers.

Administrators at law firms, law departments, and the court system often present bigger obstacles than the technical hurdles. All have a vested interest in facilitating mobile technology—the increased efficiency, after all, will benefit them, too. But our research finds that they are not doing enough to spur the productive use of smartphones and tablets, or are actually hindering it. This research, however, indicates that these obstacles can be removed. CIOs, managing partners, general counsel, and court officials can enable users to become far more productive, creating content, reviewing documents during discovery, assisting lawyers at trial, and cultivating new clients.

Law firms and companies can take the first step by guiding their mobile device users to the most helpful apps and providing more technical support. Understanding how users work on these devices and what capabilities different products offer can also help guide purchasing decisions.

The next step is harder. Law firms, law departments, and courts need to consider the broader implications of mobile devices with regard to aspects such as data security and disruption in the courtroom. Courts, in particular, need to weigh the possible risk of distraction against the cost of inefficiency. It seems better to allow a lawyer to research an unexpected development on their smartphone than to grant a continuance so he or she can run back to the office.

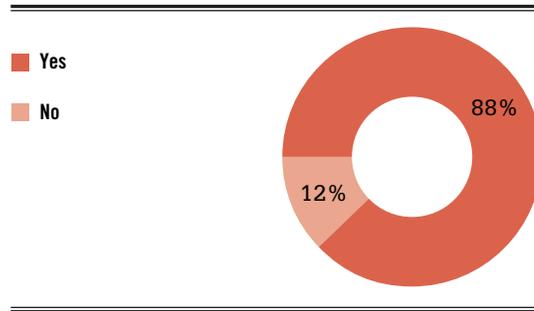
One of the great advantages of today's mobile technology is that it is not an all-or-nothing proposition. Its individual features can be turned on and off or added and deleted. By better understanding the technology, the way users work, and the impact of their policy decisions, law firms, law departments, and courts can strike a better balance between not controlling the use of the devices and being too restrictive. Only then will the full power of these technical marvels be unleashed.



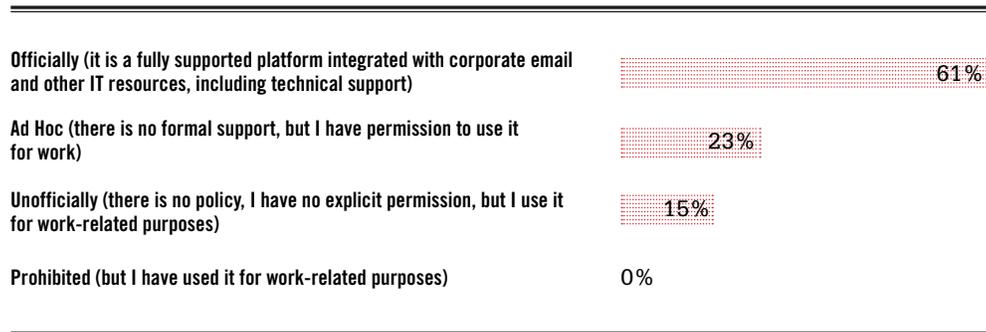
APPENDIX: SURVEY RESULTS

This report is based on a quantitative online survey administered between October 13 and October 24, 2011, involving attorneys at law firms and legal departments. ALM Legal Intelligence sent an email in vitation to 27,134 recipients. Total responses were 266 completed surveys, of which 84% were attorneys at law firms and 16% were attorneys at legal departments.

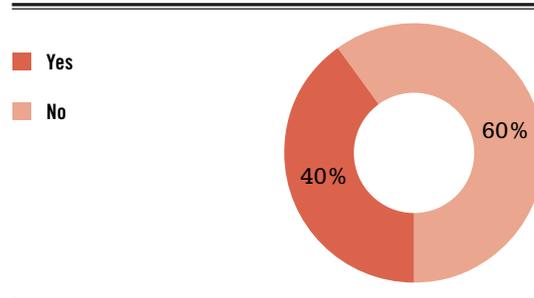
1. Do you use a smartphone for work-related purposes?



2. How is your smartphone supported by your firm or company?



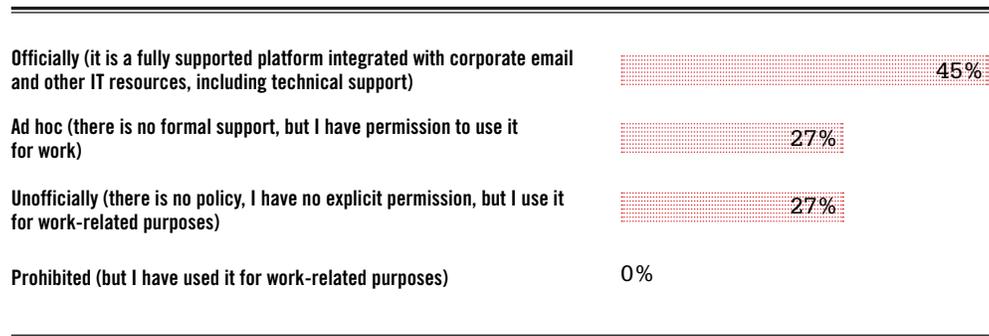
3. Do you use a tablet for work-related purposes?



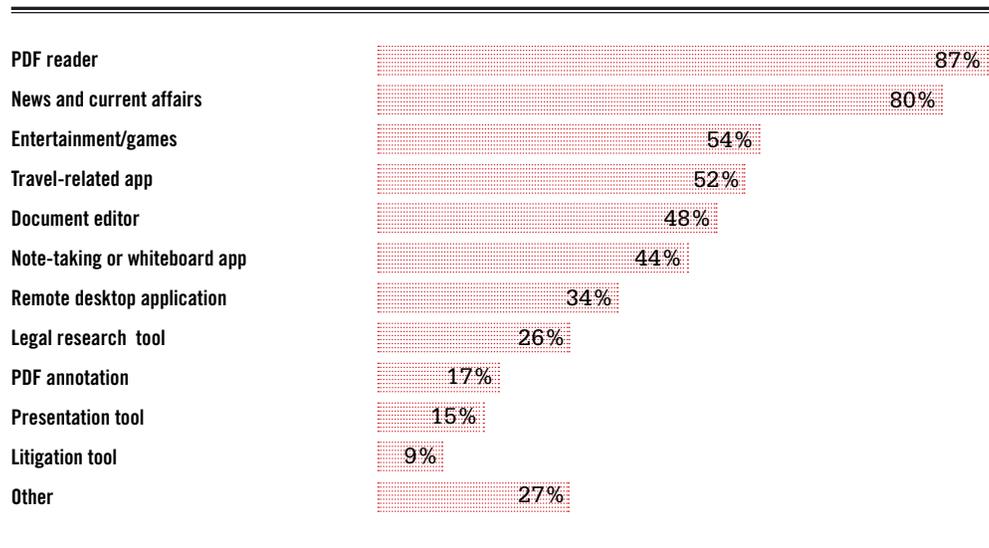


APPENDIX: SURVEY RESULTS

4. How is your tablet supported by your firm or company? (Select one)



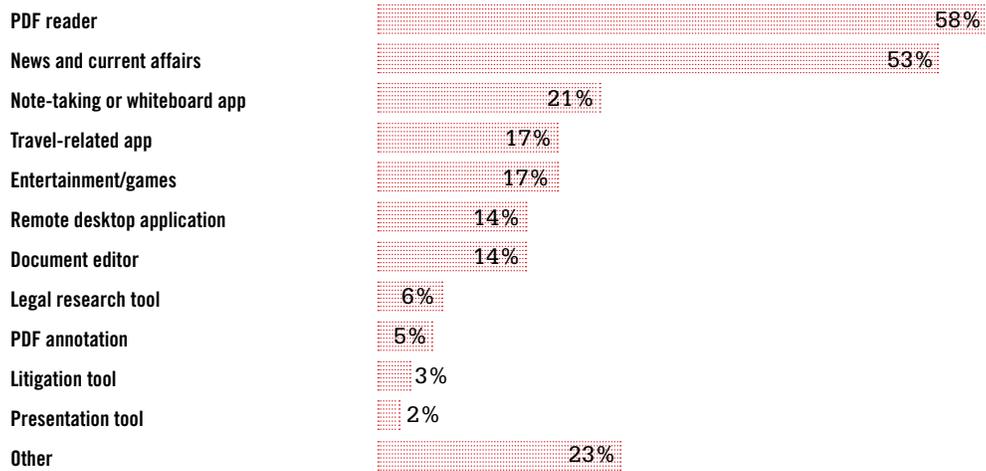
5. Which of the following apps do you use on your smartphone or tablet? (Select all that apply)





APPENDIX: SURVEY RESULTS

6. Which of the following apps do you use most often on your smartphone or tablet? (Select up to three)



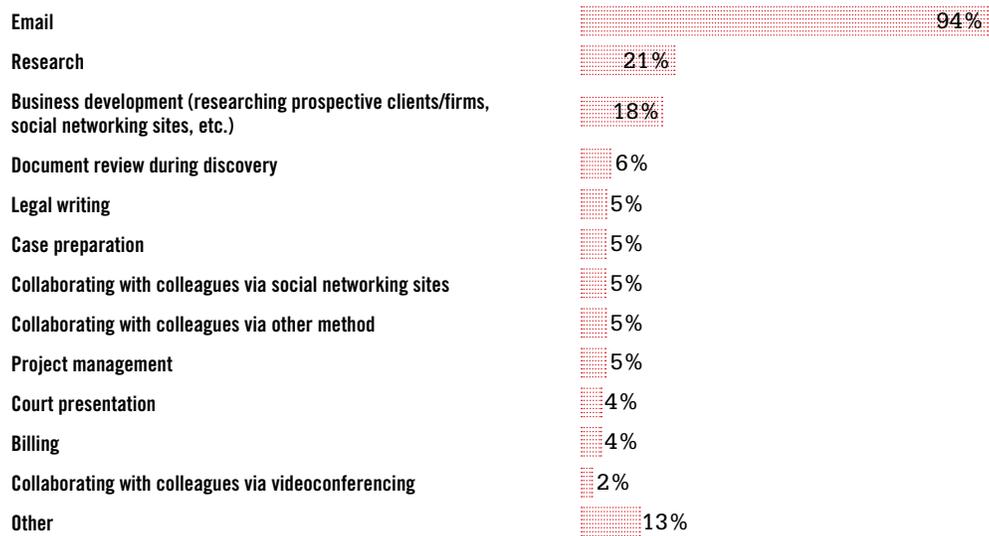
7. How often do you use your smartphone or tablet in place of a laptop or desktop for work?



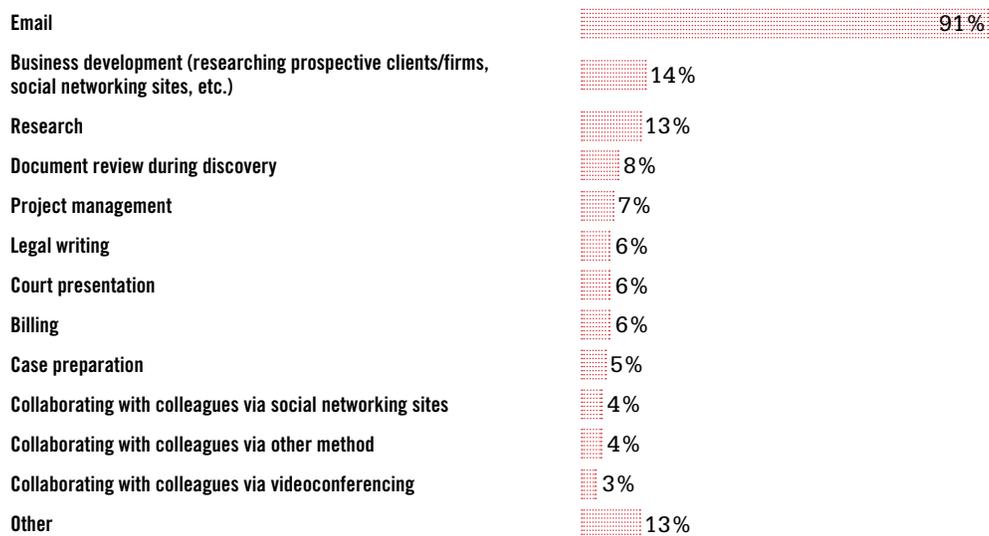


APPENDIX: SURVEY RESULTS

8. At work, for which functions do you use your smartphone or tablet most? (Select up to three)



9. In terms of work productivity, which activity – if any – has been improved most by using your smartphone or tablet? (Select up to three)





APPENDIX: SURVEY RESULTS

10. In which area/s of work has your smartphone or tablet enabled you to come up with new ways to do your work? (Select all that apply)

Email	77%
Research	24%
Business development (researching prospective clients/firms, social networking sites, etc.)	19%
Case preparation	14%
Document review during discovery	12%
Project management	12%
Billing	11%
Legal writing	8%
Court presentation	7%
Collaborating with colleagues via videoconferencing	6%
Collaborating with colleagues via social networking sites	4%
Collaborating with colleagues via other method	4%
Other	9%

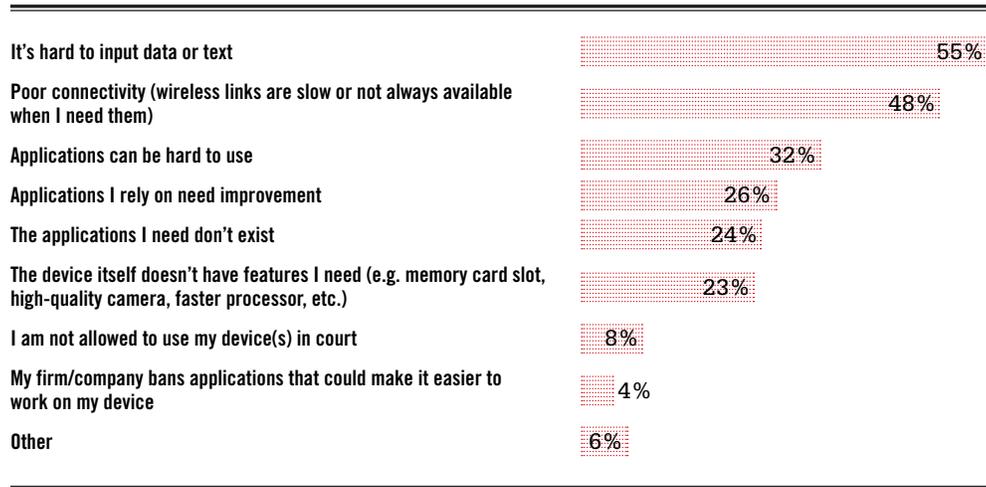
11. How do you use your smartphone or tablet to collaborate with colleagues? (Select all that apply)

Real-time messaging	54%
Review work products (including memorandum, briefs, presentations) on device but communicate changes via email or phone	52%
Mark up work products (including memoranda, briefs, presentations) directly on device and send annotated files to colleagues	21%
Interact on legal matters with colleagues via social media sites/apps or a proprietary app or platform (such as firm/company intranet)	13%
Videoconferencing (including Skype) via my mobile device	8%
I don't use my mobile device to collaborate with colleagues	21%
Other	6%

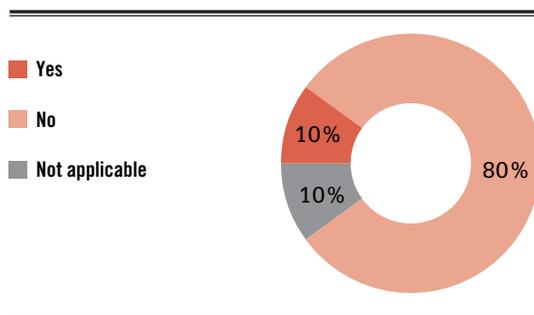


APPENDIX: SURVEY RESULTS

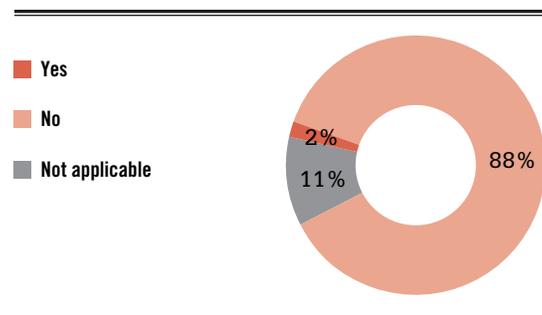
12. What are the biggest challenges you face when using your smartphone or tablet for work? (Select all that apply)



13. Have clients ever asked you how you secure their data on your smartphone or tablet?



14. Have clients ever restricted your use of your smartphone or tablet in any way (such as prohibiting the use of specific applications)?



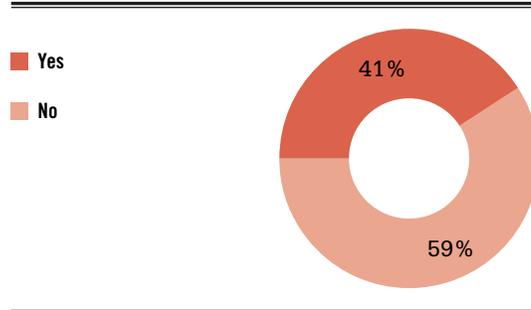


APPENDIX: SURVEY RESULTS

15. How is your device secured? (Select all that apply)

Password	76%
Data can be wiped remotely if the device is lost or stolen	39%
Device is locked or wiped if incorrect password repeatedly entered	26%
Data is encrypted on the device	20%
Data is encrypted in transit	16%
All work-related use of the device goes through a secure app the firm or company installed on it (products such as Good Technology)	9%
Don't know	17%

16. Are there limits placed on your use of smartphones or tablets in the courtroom?



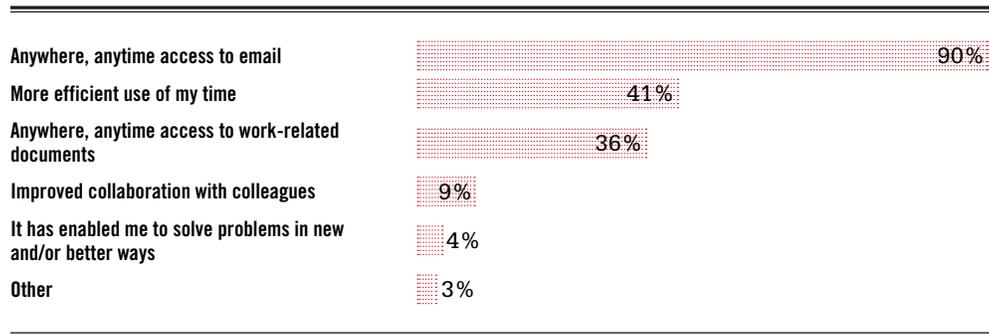
17. What would help you make better work-related use of your smartphone or tablet device? (Select all that apply)

Better apps	68%
An easier way to find useful apps	53%
Better devices	49%
Less restrictive rules in court	21%
Better support/guidance by my employer	15%
Less constraining rules/policies by my employer	6%
Fewer restrictions stipulated by clients	1%
Other	9%

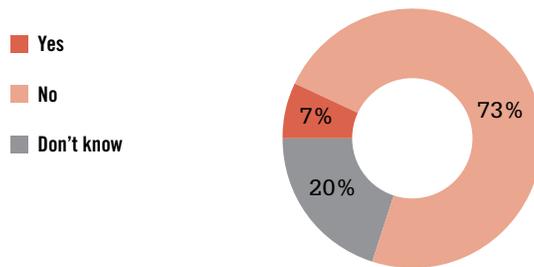


APPENDIX: SURVEY RESULTS

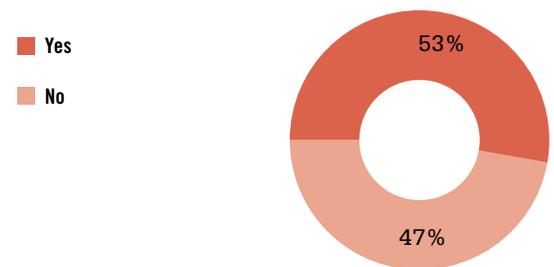
18. What are the biggest benefits you have realized from using your smartphone or tablet? (Select two)



19. Does your firm or company use a mobile device management platform – i.e., an application (like Good Technology or MobileIron) to help it manage, monitor, and secure smartphones and/or tablets used by lawyers?



20. Has the mobile device management platform limited, in any way, the usability or usefulness of your mobile device?



21. In your opinion, how does your firm compare to its closest competitors in the following areas? (Select one in each row)

	We are much stronger	We are stronger	We are average	We are weaker	We are much weaker	Don't know
Abilities of staffers	25	85	68	17	7	37
Adequacy of compensation	12	46	104	29	12	36
Revenue growth	13	62	86	20	11	45

About ALM Legal Intelligence

ALM Legal Intelligence offers detailed business information for and about the legal industry, focused on the top U.S. and international law firms. The division's online research web service (<http://www.ALMLegalIntelligence.com>) provides subscribers with direct, on-demand access to ALM's extensive database of surveys, rankings, and lists related to law firms and the legal industry. The site also includes an online store where non-subscribers can, on an individual basis, purchase and download preformatted individual law firm reports, ALM Legal Intelligence research reports, and selected current-year survey data.