Mac Master: Take Your Mac Practice Up A Notch

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Attending a settlement conference is exhausting for an attorney. However, it is even more exhausting for the client. At times the process seems completely arbitrary, particularly to the client and as lawyers, our job is to help shepherd our clients through the settlement process while at the same time helping the client to maintain her dignity (and sanity).

There is some science between the art of negotiating and obtaining settlements and disputed legal cases. The way parties posture and set initial offers often dictate the overall direction of the settlement conference and whether or not the case can even get to a settlement. Unfortunately, too many lawyers do a lousy job of explaining this to their client. Instead, from the client size, it seems like an arbitrary process where throwing darts at a dartboard would get just as reliable results.

David has prepared a spreadsheet he uses while negotiating settlements on behalf of clients. The spreadsheet is neither simple nor overly complex. With a little bit of patience, the client can be educated about exactly how it works. Moreover, the client can actively participate in the generation of offers and counter-offers using the spreadsheet and giving them something
concrete to analyze as the process moves forward. Often the problems in the spreadsheet will foretell difficulties in the later stages of negotiations. Forewarned is forearmed. During the segment of the presentation, David will display his settlement spreadsheet and its operating mechanics.

TextBank Law Practice

So much of the being a lawyer is about writing. We write legal briefs. We write contracts. It doesn't just stop there, however. We also write letters and all sorts of documents an effort to further our client's interests. I've often thought the lawyers are, at some level, writing salesmen always trying to close the deal with the written word.

When you spend your entire career immersed in words, you occasionally put together a string of two or three words that you are proud of. For lawyers, not only can you sit back and congratulate yourself on your superior intelligence, you can put those words in a bank somewhere to reuse them again. You don't have to write every legal brief or contract from scratch. Indeed, if you did, your work would take four times as long and your clients, upon seeing the bill, would be four times as angry. This isn't just true for words that you write. There's nothing wrong with boosting a particularly good attorney fee clause when you see one.

“Good Artists Copy; Great Artists Steal.”

- T.S. Elliott
“All Attorneys Plagiarize.”
- Sparky

So, the question becomes how do you keep track of words you may want to re-use someday. Until recently I was a lot harder than you would think. Some people have massive Microsoft Word documents. Other people’s had posted some scraps of paper sitting around in a manila folder. None of the solutions were any good.

Fortunately, on the Macintosh and ILS, there are some writing tools available that make the storage and retrieval of snippets of text trivial. Combining these applications with your own personal text bank can make contract assembly or brief writing significantly easier and faster. More importantly, having a system like this in place makes the capture of particularly well-fashioned words trivial. This makes you more likely to collect your favorite words and, ultimately, makes you better your job.

One of the best solutions for this is the Mac and iOS application, Ulysses. It is, however, not the only solution. You could also use an application like Scrivener, Apple notes, or more robust database applications like Evernote or Devon think to pull off the task. The key features for good text bank is an easy system for capturing and organizing your bits of text, an organizational structure that makes sense to you, and the ability to get that text back out and into Microsoft Word or whatever word processor you're working in with minimal effort.

The Litigation Case Database

Part of the litigator's job is to mill his case better than her own client does by the time she gets to trial. It doesn't always start out that way. In fact, it never starts out that way. Every new litigation case is a sea of documents and facts that the lawyer needs to master as the case progresses toward trial.
There are applications to help you out with this process, but none of them are very good. You can also subcontract the problem out to associates and paralegals. Once again, however, when you finally stand up in front of the jury, their knowledge is not all that useful to you.

Using Apple's Numbers application you can develop a simple spreadsheet that helps you identify, record, and reference key facts, documents, witnesses, and issues in your litigation cases. It is a relatively simple process of generating this case database and was created, can be reused over and over again.

As you start filling in the database, you start filling in holes in your own knowledge. There's nothing more satisfying than correcting your client on something they have forgotten based on information you've recorded in your database.

If your client wants to get involved or assist, the database can be shared or even converted into a Google spreadsheet (or Microsoft Excel shared document) for collaborative work simultaneously with your client or other attorneys and paralegals in your law firm. Too often lawyers looked for very expensive solutions to relatively simple problems. Using a simple spreadsheet, tracking information can be easy, and training for staff or other attorneys (or even your client) is relatively simple.

Using a Single Apple iCloud account to provision new computer
One of the hardest things to do is to set-up a new computer. Whether that’s a computer for you or for a new team member, the process of finding and installing new software on a new machine can be a time-draining, soul-sucking activity fraught with heartache and failure and failure.

Thankfully that activity for Mac-using attorneys isn’t the ordeal that it is for our Windows counterparts. A number of years ago, Apple created the Mac AppStore as a way to centralize the distribution of software for Mac computers. One of the byproducts of that is the ability for people to buy software once under an iCloud account and then be able to install it on any computer using that iCloud account.

Because of the advantages of living inside of the Apple sandbox, the installation of that software is a one-click activity - or in the case of multiple pieces of software a “click-click-click-click” activity.

Long gone are the days of finding “.exe” or “.dmg” files that contain the executable files that cause the installation of said software. Instead, you click “install” on all of the pieces of software that you want to install and the software, well, installs.

That means that if you get a new computer - outfitting it with the software that you use the most is as simple as navigating to the AppStore, putting in your iCloud credentials, and clicking “install”. If you have a new team member, login to your firm iCloud account - install. Lose your computer? You know the drill...login, install.
Visual learning is a way for people to understand what you want to teach them in a way that’s far more effective than using words alone. We’ve all heard that a picture is worth a thousand words, but in the context of communicating what you want to say as a lawyer to a client… the ability to draw a picture, or mark-up an image…it’s priceless - like your favorite credit card.

The problem with a traditional whiteboard is that it’s a single panel that you have to erase over and over...thereby destroying the legal-Picasso that you created when you’ve run out of room. A traditional white-board also doesn’t allow you to project an image and draw on top of it - a staple of litigation attorneys that question witnesses to illustrate something.
Companies that want to sell expensive hardware to people figured out the value of an electronic solution to the “whiteboard for the modern age” question. But, that solution was...well, expensive. Commonly referred to as “smart-boards”, you can put a solution that will let you draw on the screen with almost zero-lag time and draw on top of images...but those solutions come at a cost in the thousands, if not tens of thousands.

When Apple debuted the iPad Pro, and more importantly the Pencil, and coupled it with the ability to mirror your screen to any TV using an AppleTV...well, the landscape changed. All of a sudden, you had a functioning whiteboard on a screen 10.5” or 12.9” that could replicate anything you wanted to draw at a fraction of the cost of the cost of a SMARTBoard. More importantly, this solution is portable and wireless.

With nothing more than an AppleTV (the size of a can of SPAM), an accessible Wi-Fi network, and your iPadPro, you can hook into any TV (large, small, or even a projector) and use that system to draw, mark-up, and illustrate your message and look like a wizard doing it.

Using paper-based templates to go paperLESS
When the first push for running paperless made headlines, the value of paper companies went into the tubes. Especially in the case of lawyers, who have been trained to kill trees from being a “first year”, the move to working paperless has caused a crisis of consciousness. Lawyers working with paper...they’re almost not like real lawyers.

To soften the blow, lawyer-based paperless-advocates created the term paperLESS where lawyers worked with less paper, but don’t need to give up the habit entirely.

Some of the resistance to going away from paper has been rooted in research that suggests that when you write, you engage the pre-frontal cortex - essential in higher-functioning and reasoning. So, if all you do is type...you’re not thinking as good (er, well) as if you used handwriting.

Apple created iPad Pro tablets and the Apple Pencil. The use of an input device with a tablet wasn’t new, but because Apple controlled the hardware and software, the Apple Pencil was unlike any stylus in the past. The lag was almost non-existent, and the feel was close to pencil-on-paper.

Next, most of the paper that we want to write on is generated by the computer. That comes in the form of a template or form we want to complete that was generated on a computer (or saved as a PDF), or a case that we want to mark-up, or letter or brief where we want to make hand-made marks. All of those can be turned into electronic formed documents that we can display on your awesome iPad Pro.

Unlike using traditional PDF mark-up software, which still relies on non-natural input (stickies, highlights, commenting), thinking about using your technology to replicate the experience of using analog devices (which you want to be thinking smarter) can move your practice to the next level. You can stay mobile and still work like you’re stuck in your office printing cases and using red pen...but in a totally good way.

Using MDM to push out software/documents for team members
If you work in an office with more than one person, one of the things that you have to deal with is how to deal with employees and their device. That’s called “mobile device management”.

The reason why this is so important is linked to security of your data and management of your employees. Let’s face it, no matter what the facts are...at the end of the day you’re going to end up being response for (1) what your employees do that relates to a malpractice claim, and (2) the security of your client’s information.

The way that most firms deal with this (especially small firms without a dedicated IT department) is to create an email account for your employee, and after that employee leaves….change the password and hope the best. But, the problem is that that disgruntled employee still has the information on their phone or iPad even if you’ve changed the password.

What if it’s not a disgruntled employee, but a loss of the device due to theft. How do you secure the information if your iPhone falls into the wrong hands?

Enter “Mobile Device Management”. In one of the more recent software updates, Apple included the ability to create “profiles” that you can install from the outside. With those profiles, you can also push out things like an email account, firm management software, and data.

More importantly, because of the way profiles work, when you delete the profile (from a central management pane) the information disappears too. So, unlike changing the password...where the information still stays on the device...when you delete the profile, the information goes poof.
The best part of this management tool is the fact that it’s cost-effective. For just a few bucks per device per month you have the ability to secure your information against theft and an employee leaving you and trying to do something crazy with your information.

**The Essential Tools to Running Your Small Firm Practice from the Road**

Back in the day, attorneys had to make sure they packed enough yellow pads, accordion folders’ worth of case files, and ink cartridges for their fountain pens. After cell phones were invented, attorneys had a tether back to the office, but it hasn’t been until recent convergence of tech, software, and connectivity that lawyers would be able to run a small practice from the road or from your couch.

This isn’t for the faint of heart or someone that leaps before they look. However, with some deliberate planning, it’s possible. There are four basic, and essential, cornerstones to making this happen: connectivity, management software that syncs automatically, document management, and software to “do” your work.

These days you need to be connected to the rest of the world and means either relying on finding a helpful Wi-Fi network (like at Starbucks) or cellular connectivity. The iOS devices all have the ability to handle both connectivity options (assuming you have an additional $130 that isn’t working too hard for the iPad Pro), but you don’t have the same options on your laptop. The laptops need to connect to something (either a Wi-Fi network, or your phone as a hotspot) to let
you do your work. Consequently, Victor recommends an iPad Pro with cellular so that you always have the ability to connect to the world.

The second essential tool is management software that syncs automatically. While this can be a cloud-based CRM or practice management software, there may be times where you need to access that information when you don’t have a connection (like a plane, or the basement of the Hilton Chicago) and you still need to access everything about your practice (your calendar, your case management). For that reason, you may want to consider software that works whether or not you have a connection, but which syncs automatically.

The third essential tool is document management. Your files need a home, and that home needs to be backed up automatically and be designed to integrate with the rest of the ecosystem in iOS. Whether that’s DropBox or DocMoto (two extremes in design in document management), you need to make sure that apps have well-integrated “share sheets” to get documents out of where they live to where they can be made to do work. You also want to make sure that whatever you put back onto the document management software is uploaded (and backed up) automatically.

The last essential tool is making sure that you have a place to do your work. By that we mean, you need to ubiquity in the power of the tools your using, whether that’s word processing or creating a presentation or marking up a brief or trial presentation. In 2018, most of those tools already exist. Office 365 is nearly identical in power and options whether on your tablet or on your desktop. Similarly, presentations created on Keynote on the iPad can be synced to your iCloud Drive with nearly the same power and options as on the desktop.

*Getting Your Favorite Font onto the iPad*
One of the reasons why people stuck with using their laptop to give presentations (or create pretty documents) was that lack of ability to use custom fonts on the iPad. With the expansion of the use of “profiles” in iOS (plus some nifty software), you can now install any font you like.

Step one is to download and install a program like AnyFont. This will put the program on your device so that you can install the profiles that make this magic work.

Step two is to find your favorite font’s native file. That might be in a .otf or .ttf file format. You can take that file and either email to yourself or even AirDrop to your iPad.

Step three is to take the native font file and “Open in” AnyFont (or your favorite font-installation software) . What happens after that is pretty straight-forward. Following the prompts, you will create a profile that gets installed in your Settings app. That profile will let other programs (like Pages or Keynote) read the special font and put into your documents. There, now you’re a Mac Master.