University of Dayton School of Law

Technology in Law Practice Badge
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TITLE/BADGE DESCRIPTION

"Technology in Law Practice"

o   This six-week badge program will appeal to 3L law students, as well as LLM students who are seeking practical information about the use of technology in law practice.

o   This program will be offered as a pass/fail course capped at 25 students.

o   This program is directed primarily to students interested in gaining practical knowledge of technology in law practice. The program will address the following objectives:

1. Technologies used by lawyers and others to assist in producing legal work as well as managing the administrative aspects of operating a law practice
2. Aspects of legal work that may be performed by machines, including document assembly and automation, decision making and support tools, and AI
3. New forms of service delivery using technology, including web advisors, web calculators, smartphone and tablet apps, and other forms of online delivery and communication with clients and other professionals
4. Ethical and regulatory issues in the use of technology in law practice, including ethics opinions, rules of professional conduct, security and confidentiality issues
5. Career paths that are available for lawyers with knowledge of technology

o   In addition to the assigned reading material, students in the course will be graded on participation during class and in assignments created to engage the students in the actual use of technologies in law practice. By the end of the course, students will have developed a basic law office technology policy and practices manual.

BADGE PROGRAM JUSTIFICATION

The legal profession is undergoing significant changes that will impact legal practitioners and the public we serve. These changes were described in Richard Susskind's book "*The End of Lawyers*?" which suggested that it is necessary for the legal profession to adapt to increased commoditization of the law and to adopt technology in their law practices to address these consumer-driven changes.[1] More recently, the ABA's Commission on Ethics 20/20 has published issues papers and proposed changes to the Model Rules that deal with the increased use of technology in law practice management and the use of the Internet in client development.[2] Accordingly, it is becoming a lawyer's duty not only to understand how technology is used by a law practice, but to know how to deliver services using technology and more importantly to know how to stay up to date on security issues that will affect their clients and their practice.

Law students participating in this program will receive hands-on experience with a variety of technologies used in law practice. The program will focus on the development of best practices for use of this technology and how it may be used to grow a lawyer's client base and sustain a successful business. By the end of the course, students will have developed a basic law office technology policy and practices manual.

The addition of this badge will give students the opportunity to learn practical technology skills to apply in the workplace and empower them with a core technology knowledge base to be competitive in a changing legal marketplace.

COURSE MATERIALS

Marc Lauritsen, *The Lawyer's Guide to Working Smarter with Knowledge Tools*, American Bar Association

Other reading assignments will be provided from a variety of resources and made available to the students online in various file formats, including podcasts, videos and whitepapers. Students will also be provided with access to multiple cloud-based technology solutions for practice management and will be given assignments to complete within those systems.

COURSE REQUIREMENTS

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[1] Richard Susskind, *The End of Lawyers? Rethinking the Nature of Legal Services*, Oxford University Press (2008), revised edition (2010).

[2] See the initial resolutions published by the ABA Commission on Ethics 20/20 , issued September 7, 2011, which clarify Model Rule 5.5 and state in the report attached to the resolutions that "the Commission found that lawyers who have such practices [virtual law offices] can offer legal services efficiently and effectively and can improve access to justice." http://www.americanbar.org/content/dam/aba/administrative/ethics_2020/20110907_final_ethics_2020_rule_5_5_d3_continuous_presence_initial_resolution_and_report_for_comment.authcheckdam.pdf

o   Sessions will be conducted through live web conferences held Monday and Wednesday evenings from 5:30-7:00pm. Sessions will be recorded for those students who are unable to attend and/or for future use by the law school. Students will be expected to attend all live web sessions and receive a pass/fail grade for participation and completion of a law office policy and procedure manual for the use of technology.

o   Students will be called on and must be prepared to discuss the reading material and examples during each session.

o   Throughout the program, the instructor will invite students to communicate with her via different forms of online communication, such as desktop sharing, web conferencing, and social media applications which will not only familiar the students with the technology, but also provide the opportunity to discuss the ethics issues and security risks that can arise from their use.