

The Mobile Lawyer Knowledge Gathering in a Connected World

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Introduction

The intersection of three emerging technological trends – mobile technology, digital books and social media – is fundamentally changing the day-to-day workflows of every legal professional.

When combined with two fundamental attributes of the profession, that 'lawyers don't read, they reference' and 'knowledge is not created but gathered', a range of very exciting possibilities to make a lawyer's life more manageable and productive emerges.

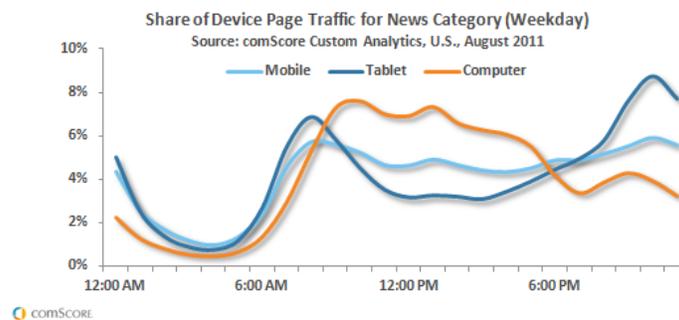
In this article I would like to discuss how each of these technological concepts is changing a lawyer's working day, and how harnessing all three is creating very exciting opportunities for legal research in the digital space.

Mobile devices: Downtime is dead, long live mobility

We have all witnessed the dramatic rise of mobile technology. Mobile devices have helped eliminate vast swathes of previous unavoidable downtime, such as waiting in a client's reception or for your case to be called, during the daily commute or even during flight time travelling interstate or overseas. Mobile technology has meant this time can now be spent doing productive work and adding value to your clients, helping you get ahead in a very competitive marketplace.

The Australian legal profession has been quick to embrace the mobile revolution. LexisNexis research has found that nearly 15% of lawyers now own a tablet device, 90% own a smartphone and almost 86% own a laptop¹. Mobile devices are the fastest growing segment in consumer technology, and by 2014 it is expected that mobile Internet usage will exceed desktop Internet usage.²

Perhaps the most interesting facet of this abundance of mobile devices is how this connectivity is affecting the biorhythm of the lawyer's day, and fundamentally changing their daily workflows. In a 2011 study on news consumption in the United States, comScore³ found that there was a strong correlation between device, type of usage and time of the day.



¹ LexisNexis, Mobility in the Legal Profession in the Pacific, July 2011

² <http://www.digitalbuzzblog.com/2011-mobile-statistics-stats-facts-marketing-infographic/>

³ The Rise of the Digital Omnivores, Mark Donovan, Nov 2011. http://blog.comscore.com/2011/11/the_rise_of_digital_omnivores.html

For the news industry, the diagram illustrates how:

- Computers get used during the work day (the broad plateau from 9 a.m. to 5 p.m.)
- Tablets get used at breakfast, during commutes, on the couch, and in bed (with usage peaking around 8 a.m. and 10 p.m.)
- Smartphones get used in spare moments throughout all waking hours.

While our research shows that lawyers pursue a similar ‘follow-the-sun’ pattern of usage⁴, we have discovered some key differences due to the unique nature of a legal professional’s work.

For the legal profession, ever greater expectations from clients, constantly changing areas of law, ‘information overload’, an increasingly globalised marketplace and the attempts of firms to meet the demand of a workforce who want a better work/life balance have driven the adoption and adaptation of mobile technologies⁵.

This uptake and usage can be directly linked to the primary function of the three key devices in a lawyer’s day: laptop, smartphone and tablet. Even though all three device-types are in theory “multi-purpose”, each device tends to lend itself to quite particular uses⁶.

- Smartphones are arguably a balance between communication and content consumption. They are perfect for scanning and triaging information and keeping in contact.
- Tablets are primarily designed for the consumption of content. Steve Jobs developed the iPad based on three key insights: 70% of people’s interaction with the Internet is based on the consumption of content, not its creation; the touch screen is an intuitive way to interact with content; and the A4 thin-form factor makes for easier handling and a ‘non-computer’ like experience.
- Laptops are used for the creation of content, such as the drafting of advice, contracts and instructions. While out of the office, a laptop is essential if you need to draft anything more complex than a short email or text message.

Let’s look at how this affects the biorhythm of a lawyer’s typical working day:

6am: While eating breakfast you do a quick scan of your emails and calendar as well as a check of the weather forecast using your smartphone.

7am: While commuting, you triage your email and calendar as well as scan the news on your tablet or smartphone to get a sense of what your day will hold and maybe start to get control of it by sending quick email responses or requests for additional information.

8.30am: Start creating billable content on your laptop such as the drafting of correspondence and advice, as well as catching up on some non-billable administration, for example, getting timesheets up to

⁴ LexisNexis, *Mobility in the Legal Profession in the Pacific*, July 2011

⁵ *The Pace of Change in the Australian Legal Industry*, LexisNexis, August 2011.

⁶ *Screen Size Matters, Dictating Primary Use of Smart Mobile Devices* – Jan 2012, <http://www.instat.com/press.asp?ID=3314&sku=IN1205221ID>

date. You may even dabble in a bit of deep research, pulling together information from many sources right from your desktop browser.

12pm: You may nip out to get a bite to eat – checking email and scanning the news on your smartphone while queuing for your sandwich.

2 pm: Appointment to visit a client or appear in court. You prepare by downloading reference material from legal texts as well as previous advices given to your tablet or laptop (and print a few copies off to give to client). Depending on your appointment, you may also help yourself to a few hefty volumes of a relevant looseleaf from the library. You catch a taxi, in which you choose to scan and triage more emails on your phone instead of watching the world go by. Then on to the appointment, where you use the reference material you took to back up your legal points and record notes on your laptop/tablet. In the taxi on the way back, you use the phone again to do a bit of admin by recording your time and check the 25 emails that came in while you were out.

4.30pm: Back in the office, it's time for some more billable content creation and non -billable admin.

6pm: Fire off a few emails, update your calendar and browse a newspaper, legal magazine or journal on your tablet or smartphone.

8pm: After dinner, use your laptop to work on a draft of a document you need for tomorrow, referencing the appropriate material from the looseleaf binder you brought home or logging onto your online research database.

10pm: To bed, after a quick check of emails on your phone, of course.

6 am: Up the next morning, and repeat...

The more mobile we become and the more devices we own, the less downtime we have – we're always on, always working.

Well, that's the theory. And while debate on the impact of this connectivity on work/life balance is outside the scope of this article, there can be occasional glitches in this idyllically 'busy' scenario. What happens if you can't get Internet connectivity while at your client site or on the way home? What happens if you forgot to update or even bring the reference material before you left the office? You can be left with unproductive downtime, red faces, or sometimes both, just when you need to be at your most productive.

Digital books: More than just reading – a lawyer's need to reference

The eBook, coupled with the mobile device and eReader applications, has revolutionised the publishing industry. Now you can bring your whole library with you wherever you go. Instead of 10,000 songs in your pocket, you can have 10,000 books.

However, this revolution has not been seamlessly translated to the legal profession due to one key factor: while reading tools on the iPad, Android, Kindle or Nook are excellent pieces of software in their own right, they have been developed with the consumer market in mind – not lawyers.

The challenge of today's standard eReader applications, such as iBooks or Kindle, is that they have been primarily designed for an end user that reads novels and magazines. The average person reads in a passive, linear fashion from the first chapter to the last, normally only bookmarking when they are taking a break from reading.

Lawyers, on the other hand, don't *read* as much as they *reference*. Yes, practicing lawyers read every intricate detail of a contract or client brief first word to last. But in general, lawyers don't tend to read the entire content of a law book, such as *Halsbury's Laws of Australia*, cover-to-cover in a linear fashion, like you would read *Winnie the Pooh*. Lawyers access content in a non-linear way, needing to find a particular piece of content quickly and often under pressure.

Legal professionals also tend to read actively rather than passively, with a strong focus on referencing. Thus, while reading, they like to make notes, bookmark and highlight text to aid memory retention, and in the process, not only enhancing the content but also making it easier to find later. In this way, they are essentially creating their own version of the content by personalising it.

Social media: Knowledge is not created but gathered

Another interesting aspect of a lawyer's tendency for active referencing is the increasing role of social media and crowdsourcing in this process, or, to put it more formally, the distributed problem-solving and production method that involves outsourcing tasks to a network of people in a 'social' business environment during the knowledge-gathering process.

While there is no single definition of 'knowledge', it is commonly defined as "the sum of what is known"⁷. This sum includes what has been perceived, discovered or learned⁸. In today's world, crowdsourcing and social media are increasingly being seen as a valid way of gathering all that is known. Social networks and collaborative resources such as Facebook and Wikipedia are prime examples of repositories of gathered reference material from multiple sources that attempt to create a sum of what is known.

Of course, this method of knowledge-gathering necessitates a process of filtering the contributions of trusted sources from those that are less reliable. Similarly, this is what LexisNexis has been doing for more than 100 years – bringing together the contributions of vetted trusted sources and building upon this repository year after year. Now, with the burgeoning democratisation of information, the opportunities to expand those contributions in real time has increased, but so too has the challenge of filtering out the 'valuable' from the 'noise'.

In applying this concept to legal texts, a lawyer's body of knowledge is enhanced if they can find an easy way to leverage technology to unite expert legal content from established providers, such as LexisNexis, with the contributions of colleagues, and one's own insights and notes.

⁷ Oxford English Dictionary
⁸ www.thefreedictionary.com

LexisNexis Red: a fusion of technologies and concepts

At LexisNexis, we are focused on understanding the complexities of how legal professionals interact with our content and how this is used as a basis to create their own knowledge.

We are looking at how we ensure our content is on hand and in context across every aspect of a legal professional's day, by linking the knowledge surfaced and created by a lawyer on one device and making it accessible on other devices they use, while also being able to link it to the contributions and insights of others.

With this in mind, we have created LexisNexis Red, a new portable solution for accessing legal content across laptops, tablets and PCs, which has been developed in Australia from the ground up, after in depth collaboration with a range of practitioners from across the profession.

Our vision for LexisNexis Red is to create an optimised referencing tool for all your content, both from authoritative LexisNexis sources, and your own, which is portable, convenient, efficient and reliable, both online and offline.

LexisNexis Red will allow you to carry and reference your entire library of LexisNexis content on one device; provide automatic updating of our content; and enable you to capture and share your own and your team's thoughts via notes, highlights and bookmarks on any part of our content to facilitate collaboration and the gathering of knowledge. It will also synchronise all of this between devices and future platforms in the cloud so all this knowledge is at your fingertips wherever and whenever you need.

We have an ambitious roadmap laid out to realise this vision. We have made our first step on this journey, recently releasing LexisNexis Red for Windows in March and LexisNexis Red for iPad in June, which provide access to digital versions of our trusted looseleaf content, and in coming months we will be releasing 89 looseleaf titles on this platform, with eBooks and other content to follow.

We are firm believers that innovation happens at the intersection of ideas. The opportunities provided by new technologies and the connected environment present a vast array of possibilities for improved productivity applications for legal professionals and are shaping the future of legal research. We are very excited to be turning these possibilities into reality.

For more information about LexisNexis Red or our collection of digital looseleaf titles and other content, please visit www.lexisnexis.com.au/lexisnexisred.

About LexisNexis Pacific

LexisNexis® Pacific is the leading provider of local and international news, business, tax and legal information, using leading-edge technology, tools and digital solutions. Both in Australia (www.lexisnexis.com.au) and New Zealand (www.lexisnexis.co.nz), LexisNexis Pacific works in close collaboration with its customers to provide content enabled-workflow systems for professionals in law firms, corporations, government, law enforcement, tax, accounting, academic institutions and compliance assessment.