



## Cyber Ethics: Ensuring Compliance with Evolving Technology

### with Jim Calloway

- ▶ Director of Oklahoma Bar Association Management Assistance Program
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# The Wall Street Journal says “Every business is a technology business.”



## I wrote about this in ABA's Law Practice Magazine

MANAGING CAREER STEPS MARKETING FINANCE PRACTICE MANAGEMENT ADVICE TAKING THE LEAD

### Every Law Firm Is a Technology Business

By Jim Calloway

**IN EARLY 2015** the *Wall Street Journal*, on the occasion of changing the name of its business section from “Marketplace” to “Business & Tech,” stated that “[e]very business is a technology business.” Further, the newspaper noted that whether the business was taxicabs or taco delivery, it was nonetheless a technology business. Few doubted that the change in the name of the B-section, as it had always been nicknamed, was significant.

As I’ve noted to literally thousands of lawyers since then, if every business is a technology business, then how much more are law firms technology businesses? After all, information technology is changing the business world, and information is a lawyer’s stock in trade. Abraham Lincoln famously defined our stock in trade as time and advice. But advice was always based on the information and knowledge that a lawyer had—and a client did not.

Almost everything a law firm does involves the retrieval, analysis, processing, manipulating, storing and dispensing of information. From legal research to drafting any type of legal document, it’s all about information management. To some lawyers this observation

**E-DISCOVERY**  
E-discovery is one example. There was a time when many lawyers believed the idea of e-discovery was impossible for them to manage, not to mention incredibly expensive. In the early days both of those concepts were sometimes proven true. Some law firms found themselves with what appeared to be no option other than having their client pay large sums to outside e-discovery vendors. But the pioneers formed a group, the Sedona Conference, which included federal judges, and some of these judges wrote detailed and clarifying opinions. Today law firms routinely handle matters with significant e-discovery, and computer-assisted document review is supplanting rooms full of underpaid lawyers doing manual document review.

Note the State Bar of California Standing Committee on Professional Responsibility and Conduct Formal Opinion No. 2015-193 states that attorney competence related to litigation facility with, issues relating to e-discovery.

No lawyer representing business clients today would be providing



<http://bit.ly/2jiQelz>

**Despite many lawyer's antipathy toward technology tools, we have no choice but to use today's business tools.**



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“I have to confess to this Court, I am not computer literate. I have not found presence in the cybernetic revolution. I need a secretary to help me turn on the computer. This was out of my bailiwick.”



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