

Advocating for your Clients in a Zoom World – Part I.

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WALSH GALLEGOS
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The Great Pivot of 2020



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The new virtual world by the numbers

- ❑ Zoom went from 56,000 downloads a day to 2.13 million downloads on March 23, 2020.
 - <https://www.theguardian.com/technology/2020/mar/31/zoom-booms-as-demand-for-video-conferencing-tech-grows-in-coronavirus-outbreak>
- ❑ In March 2020, active mobile users of Zoom were 151 percent higher than a year earlier.
 - <https://www.reuters.com/article/us-health-coronavirus-zoom/zoom-takes-lead-over-microsoft-teams-as-coronavirus-keeps-americans-at-home-idUSKBN21I3AB>
- ❑ 90,000 schools across 20 countries accessed Zoom to educate their students as of April 2020.
 - <https://blog.zoom.us/a-message-to-our-users/>
- ❑ Microsoft Teams daily usage jumped 50 percent from 75 million around April 2020 to 115 million daily active users in October 2020.
 - <https://www.theverge.com/2020/10/27/21537286/microsoft-teams-115-million-daily-active-users-stats>



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Video Conferencing and the Texas Rules of Professional Responsibility



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Rule 1.01: Competent and Diligent Representation

- ❑ (a) A lawyer shall not accept or continue employment in a legal matter which the lawyer knows or should know is beyond the lawyer's competence, unless:
 - (1) another lawyer who is competent to handle the matter is, with the prior informed consent of the client, associated in the matter; or
 - (2) the advice or assistance of the lawyer is reasonably required in an emergency and the lawyer limits the advice and assistance to that which is reasonably necessary in the circumstances.



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Rule 1.01: Competent and Diligent Representation

- ❑ Comment 8
 - Because of the vital role of lawyers in the legal process, **each lawyer should strive to become and remain proficient and competent in the practice of law, including the benefits and risks associated with relevant technology.** To maintain the requisite knowledge and skill of a competent practitioner, a lawyer should engage in continuing study and education. If a system of peer review has been established, the lawyer should consider making use of it in appropriate circumstances. Isolated instances of faulty conduct or decision should be identified for purposes of additional study or instruction.



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