



TECHGEAR

Law students can now learn criminal procedure, torts, and more on an iPhone or iPod Touch thanks to the Law in a Flash application (\$40–\$60) from Modality. This works just like traditional flash cards, but students can input notes and bookmark or save cards requiring further review.



WEBLINKS



JANI MASELLI

is a sole practitioner specializing in state and federal criminal appellate matters. She previously served as staff counsel for indigent inmates at the Texas Department of Criminal Justice, Institutional Division, and as a staff attorney at the Texas Court of Criminal Appeals for Judge Charles F. Baird. She has been an adjunct professor at the University of Houston Law Center since 1999.

Facebook.com

I discovered this when I had my ACL reconstructed this summer. I am amazed at the people finder and recently had dinner with a friend from high school I had not seen in 27 years.

Tex Parte Blog

(<http://texaslawyer.typepad.com>)

This site always has some interesting legal gossip.

Fifth Circuit Blog

(<http://circuit5.blogspot.com>)

I use this site frequently to see what prominent cases the 5th Circuit has decided.

BruceSpringsteen.net

Backstreets.com

I am a huge Springsteen fan. He has provided the soundtrack to my life.

Sacred Space

(www.sacredspace.ie)

When things get really stressful, this Jesuit prayer site is very calming.

Go Fug Yourself

(<http://gofugyourself.celebuzz.com>)

This tongue in cheek fashion column is always good for a few laughs.

The Third Wave Practice of Law

BY CHARLES “CHUCK” NEWTON

“Change is the process by which the future invades our lives.”

“The illiterate of the 21st century will not be those who cannot read and write, but those who cannot learn, unlearn, and relearn.”

In the world of futurists, Alvin Toffler represents the proverbial 800-pound gorilla. Above are a couple of his statements you should take to heart.

In 1980, while I was attending college at St. Mary’s University, Alvin Toffler released his book *The Third Wave*, which profoundly changed my outlook on the world and my future in it.

Before there were personal computers on every desk, wide knowledge of the Internet, or social media, Toffler predicted the digital, communications, and corporate revolutions, as well as technological singularity. This latter term represents an “event horizon” in which the predictability of human technological development extends past that which present models of the future cease to give us predictability or accurate answers. This is followed by strong increases in artificial intelligence and an amplification of human intelligence.

Toffler’s book described three different types of societies, which he referred to as “waves.” Each of these waves pushes the older societies and cultures aside. The First Wave, which has long been pushed aside for most of us, is the society established after the agrarian revolu-

tion, which replaced the first hunter-gatherer cultures.

The Second Wave is represented by what has been called the “industrial revolution.” The main components of the Second Wave are the nuclear family, factory-type education, and the corporation, all of which are based upon standardization, centralization, concentration, synchronization, and bureaucracy.

The Third Wave is also referred to as the “post-industrial” society and the “information age.” This society is represented by “subcults” or diverse lifestyles, “adhocracies” or fluid organizations that adapt quickly to change and where information begins to substitute for most material resources. As to the latter point, information becomes the main material for workers, each of which is only loosely affiliated. Mass production is replaced by mass customization — offering personalized and cheaper goods and services. Most important, the gap between what have been producers and consumers begins to be bridged by technology, creating a class of “prosumers” who can fill their own needs. We see this today in the way of open source software, assembly kit furniture, and legal services.

The test of time has shown Alvin Toffler to be mainly right in his predictions. Nowhere, I believe, is this more profound than in the type or style of law practice that I and others have decided to pursue. Hence, I have taken the liberty

CHARLES “CHUCK” NEWTON is a graduate of South Texas College of Law. He is the lead attorney in a virtual law firm that has no staff, no offices, and no paper, and that primarily prosecutes automatic stay and discharge injunction violations in Texas bankruptcy courts. Visit his blog at <http://stayviolation.typepad.com>.



of coining our type of firm as “Third Wave law firms” or “Third Wave practices.” We work from our homes or from cubicles or small, shared offices free from the confines of standardization, centralization, concentration, synchronization, and bureaucracy, which have primarily contributed to the dissatisfaction of lawyers with the practice of law. We live, support, and fight for diverse lifestyles. We do not employ other lawyers or staff so much as we operate within these adhocracies or fluid organizations in which we, as attorneys and firms, come together only to work on specific cases or tasks. In other words, we are freelancers. We survive not on libraries, expensive associates, in-house computer systems, and high-rise offices of marble and mahogany, but off of the Internet, online research, information, and social media. We do what attorneys were programmed to do — we collect information, process information, analyze information, repackage information, and sell it in packages or in a means to make the lives of ordinary people and organizations better. Third Wave law firms and lawyers provide personalization and mass customization of the law for the consumer, or prosumer, in a more cost-effective manner.

How, you might ask, may I establish a Third Wave law firm? First, refuse to maintain traditional offices that most consumers typically associate with law firms. Eliminate all waiting rooms for clients to cool their heels; get rid of the receptionist area in which to ignore the client; empty all meeting rooms used for client visits; go paperless and close the file room in which to lose files; forgo all of your printed texts and shut down your law library; get rid of your messy private office and move home; remove your licenses and diplomas from the wall (after all we hang these only to impress ourselves); quit going to the law firm rec room to chat with staff over coffee and donuts; and remove your shingle from all

buildings. You must start going about your business from where you are ... wherever you are ... everywhere you are. As an attorney, you must refuse to be confined by time, space, and the restrictions that a typical law office employs. Finally, you must fire or redirect your palace guards that are keeping you broke and away from your clients. Start answering your own phones, read and respond to your own email, faxes, and mail, and maintain your own schedule.

How do you accomplish such a thing? You have to be the king of the Internet. You have to use email, Internet telephony, Internet faxing, electronic case filing, and Internet research, both to and from computers, as well as social media. (If you are already doing so, you must cer-

tainly have figured out by now that you do not need all of these other people and offices to make a good living for yourself.) There is virtually no one that cannot be reached, and no document that cannot be received or delivered, by phone, fax, email, or (if no other alternative) mail any place in the State of Texas or the world. By staying connected you can tear down the barriers that keep you from your clients and their objectives. Hence, customization and personalization lead to a job well done and are rewarded.

As an attorney, the future is yours should you dare to seize it. ✪

TEXAS CORPORATION SUPPLIES
YOUR RELIABLE SOURCE SINCE 1978!
Your Clients Deserve a Quality Corporate/LLC Kit
Order yours by 1pm ships Today!



Silver Eagle Corporate Kit





**20% TEXAS BAR JOURNAL
DISCOUNT FOR NEW ACCOUNTS
MUST REQUEST UPON ORDERING.**

Liberty!

www.tcs-libertylegal.com
sales@tcs-libertylegal.com

Legal

800-392-3720
Fax: 800-441-7134