

# Alternative Solutions

How to exchange large files (or numbers of files) with your client and keep your peace of mind.

BY **RON CHICHESTER**

This article covers topics involving technology that small law firms need on an occasional basis, but not frequently enough to warrant the purchase of a license or subscription. In other words, something on the cheap for occasional use and also less likely to cause a violation of the Texas Disciplinary Rules of Professional Conduct.

## Some History

Several members of the State Bar of Texas Computer and Technology Section attended the Legaltech conference that was held in New York in late January 2017. As with many large conferences about legal technology, the participating vendors predominately catered to the needs of large firms. However, one vendor, a company called TitanFile, had something of merit for small firms. TitanFile enables attorneys to transfer large files to clients without the use of Dropbox or Box. The company has a subscription service that starts at about \$15 per month, a price that is comparable to Box (minimum of three users at \$10 per month). Dropbox has a free option, but the space for that option is capped at 2 gigabytes.

## Problems With Box and Dropbox

One of the challenges of using Box and Dropbox is the perceived lack of reliable security. Texas Disciplinary Rules of Professional Conduct Rule 1.05(b)(1)(ii), regarding client confidentiality, might be violated by attorneys who upload client

confidences to a cloud service like Box or Dropbox because once the files are uploaded to those services, the client confidences are outside the possession or (complete) control of the attorney. It should be noted that the Professional Ethics Committee for the State Bar of Texas has not expressly stated that those services run afoul of Rule 1.05, but attorneys have refrained from using Box or Dropbox for client information precisely because the attorney cannot completely control who has access to that information, how or where the information is backed up, and who has the keys to any encryption used (or not).

## Is There a Less Expensive Alternative?

The answer is yes. Does that less expensive alternative require the purchase of a software license? No. Does the less expensive alternative require a short-term subscription? No.

## Enter ownCloud

An open source alternative for Box and DropBox, ownCloud includes more options than just file storage and file sharing. With ownCloud, you can sync calendars, contacts, mail, and more.

As the name suggests, you own your instances of ownCloud. All that you need is a standard web browser and a machine to run it that is accessible via the internet. For some attorneys, however, the requirement of an internet-accessible machine may be a showstopper.

## Installation Made Easy

The OwnCloud developers have provided several easy ways to put OwnCloud on your server (in a sane manner). There are a variety of mechanisms for you to install OwnCloud, all of which can be found at [owncloud.org/download](http://owncloud.org/download).

## Enter Amazon Web Services

Amazon Web Service has pre-configured ownCloud virtual machines that can be created quickly and easily.

## Conclusion

Texas attorneys have a low-cost option for transferring large numbers of (or just large) files with their clients in a way that doesn't require the relinquishment of control over the client's information to a third party. Once the transfer is concluded, any information still on the cloud can be destroyed reliably and permanently. Moreover, the attorney need incur (minimal) costs for only as long as necessary, saving the attorney money and minimizing potential exposure. The services can be had on demand, with no need to incur subscription fees. **TBJ**

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