



TECHGEAR

Samsung's Galaxy Tab 2 (\$250) combines multimedia, communication, and Internet functionality into a portable personal tablet device. Powered by Android 4.0, the 7-inch device includes video group chat and voice call.



WEBLINKS



NICHOLAS WAGONER is a litigation associate of Rogers, Morris & Grover, L.L.P. in Houston. He also publishes **CircuitSplits.com**, a blog that tracks cases bound for the U.S. Supreme Court.

scotusblog.com

With SCOTUSblog's comprehensive, up-to-the-minute coverage of cases before the nation's highest court, the *Supreme Court Reporter* may be going the way of the dinosaur. A must-read for every attorney.

associatesmind.com

What do technology, the law, and Zen Buddhism have in common? They are all frequent topics of conversation on the Associate's Mind. The blog encourages lawyers to approach their practice with an attitude of openness, eagerness, and lack of preconceptions.

howappealing.law.com

I'm a big fan of Howard Bashman's How Appealing blog, which has churned out an endless stream of curated appellate-related content for more than a decade.

blogs.hbr.org

With posts like "Be Proud of Your Accomplishments, Not Your Affiliations" and "The Magic of Doing One Thing at a Time," I enjoy the *Harvard Business Journal's* Blog Network because it offers great practical advice that transcends professions.

mashable.com

I turn to this site to keep up with the latest trends in technology, Silicon Valley startups, and humorous YouTube videos.



Bring Your Own Dilemma *The Implications of BYOD for Lawyers*

BY JORDAN FURLONG

I don't often write about technology, a reluctance I blame on a liberal arts background and a traumatizing early exposure to the programming language FORTRAN. But there's an interesting technology trend underway that has implications for how lawyers interact with their clients.

It's sometimes called the consumerization of IT (CoIT), but I prefer the more colloquial BYOD (Bring Your Own Device). Primarily, it's about enterprises losing control of their IT environments because employees insist on using their personal devices and systems rather than those issued or approved by the enterprise.

This is not going to be fun for law firms and especially not for their IT personnel. At her blog, Above and Beyond KM (Knowledge Management), Mary Abraham sizes it up as a potential "nightmare scenario" in terms of security: "Suddenly, we have a situation in which the IT department no longer is in complete control and may well have trouble imposing a locked-down computing environment. Now, if you're working in the financial or legal services industries, consider what happens when you couple the move to CoIT and external IT providers with growing incursions by hackers."



But it's the business-model implications that are most intriguing to me. James Surowiecki in the *New Yorker* astutely analyzes many of Research In Motion's difficulties in the context of the BYOD trend. The BlackBerry, he writes, was designed for businesses: "Its true customers weren't its users, but the people who run corporate IT departments. The BlackBerry gave them what they wanted most: reliability and security. It was a closed system, running on its own network. The phone's settings couldn't easily be tinkered with by ordinary users. So businesses loved it, and R.I.M.'s assumption was that, once companies embraced the technology, consumers would, too."

Essentially, this is a top-down strategy: sell to one business and get hundreds of users. As Surowiecki points out, it's a time-honored strategy in the technology industry, driving the growth of everything from the telegraph to Microsoft Office. But then came the bottom-up explosion of consumer-focused personal devices, starting with the iPhone and erupting from there. These devices, writes Surowiecki, "have always been targeted at consumers and tend to come with stuff that IT departments hate, like all those extraneous apps. Yet, because employees love them, businesses have adapted (and the iPhone and Androids have upgraded security to make themselves more business-friendly). As a result, the iPhone and Androids now control more than half the corporate mobile market."

It may be that only a series of security catastrophes will slow this trend. But even at that, personal technological autonomy has proven to be an extremely addictive feature of modern life. And I think it reflects a growing reality to which lawyers and law firms will have to adjust. Individuals, including both employees and customers, are forging new relationships with companies and institutions, based on the concept of "Not your standards, but mine. Not your terms and preferences, but mine." It scarcely matters whether people are

wise or justified in adopting this philosophy. They're doing so anyway. And service providers will be forced to adjust.

For law firms of all sizes, this will mean joining the worldwide technological struggle to balance autonomy with security. But it will also mean new communication and service protocols: websites and electronic messages adaptable to numerous (mobile) consumption environments, information and services equally accessible through multiple channels, on-demand standards for both content and format, and so forth. Ultimately, it will mean an acceleration of the loss of control, a relentless ceding to users of the power to decide *how* content, applications, and, eventually, services are provided and processed.

Top-down is losing out to bottom-up; command-and-control is yielding to

choose-your-own-adventure. This will create many tactical challenges and headaches for law firms in many different respects. But in the larger sense, it will really be a philosophical change, a structural adjustment that favors individual autonomy over institutional responsibility, with everything that implies. Permanently? I have no idea. But right now? Yes. And the legal profession will need to come to terms with that. ✚



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