



## TECHGEAR

Apple's new iPad (starting at \$499) supports video, web browsing, and email via Wi-Fi or optional 3G wireless Internet. This 1.5-lb device could bring tablet computing mainstream.



*Editor's note: You can win an iPad through the State Bar's 140-Character Novel contest. For details, see p. 316 or visit [www.texasbar.com/140characternovel](http://www.texasbar.com/140characternovel).*

## WEBLINKS



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### PublicData.com

This site is a quick source for detailed data relating to persons or entities prior to commencement of serious research or investigation.

### ExpertWitness.com

An excellent directory of legal experts around the country from common fields to very detailed, obscure ones.

### DallasCounty.org

This site is a must for practicing law in the Dallas area.

### TexasSports.com

This site satisfies my Texas Longhorns athletics addiction and provides association news.

### Wikipedia.org

I start here for general information on a topic. I like the community aspect of Wikipedia — anyone can add or edit a topic, which allows for collective wisdom from experts and the general public. Although not perfect, it does provide insight not always found through other research.

### TexasBar.com

The State Bar's website keeps me up to date on CLE courses and programs, reports and research I use frequently. I use Texas Bar Circle to network with colleagues both personally and professionally.

## Get Unwired or Come Unglued

BY SHARON D. NELSON, ESQ. AND JOHN W. SIMEK

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**W**ork-life balance? What balance? Things could hardly be more out of kilter.

Technology has come to rule us all — to varying degrees — and with dire consequences in some cases. We've seen lawyers suffer from depression, alcoholism, and drug abuse connected to their technology use. We've seen marriages dissolve. We've talked to lawyers who can't sleep at night. Their blood pressure is terrible — some have chronic headaches, even chest pains. They are restless when not online. They neglect family and friends. They develop carpal tunnel syndrome or dry eyes. Their backs and necks hurt. They've made attempts to restrict their conduct — unsuccessfully. They lose track of time while on the computer — who among us has not felt an hour or two slip away unnoticed?

We can't blame technology for everything, but there is no question that it is causing a lot of people major stress. Want proof?

On Sept. 4th, *USA Today* reported on what is thought to be the first residential treatment center for Internet addiction in the United States. The center, called ReStart, is located in Seattle and offers a 45-day, \$14,000 program intended to help people wean themselves from pathological computer use. While Internet addiction is not recognized as a separate disorder by the American Psychiatric Association and treatment is not generally covered by insurance, there are many treatment centers in China, South Korea, and Taiwan. In these countries, Internet addiction is taken very seriously and many psychiatric experts have argued that Internet addiction is very real and very harmful.

Addiction warning signs vary, but include being preoccupied with thoughts

of the Internet, using it longer than intended for increasing amounts of time, repeatedly making unsuccessful efforts to control use, and jeopardizing relationships, school, or work to spend time online.

We've seen lawyers take calls in the middle of client meetings, text, or email during client meetings, etc. What does that say to your client about his or her importance to you? We know of lawyers who are unable to have a business lunch or dinner without constantly glancing at their phone to read e-mails or texts. Some even sleep with their smartphones on their bedside tables. Many have been told by their spouse: "Put that phone away! Now!"

While computer use can be compulsive as well, it seems to us that the number of lawyers who are addicted to their smartphones has grown sharply in the last several years.

Mind you, in some respects, we know we are the pot calling the kettle black. Few lawyers are quite as wired as we are, given the nature of the business we're in. With more than 200 open computer forensics cases and more than 220 IT support clients, we certainly need to be wired. But I would argue that we approach the situation more rationally than many attorneys we know.

Here's our approach, which does help strike a balance between work and real life. We rarely give out our cell phone numbers to clients. True, we sometimes have to call them from our cell phones when we're traveling and they therefore have the number, but amazingly, they don't seem to record it or remember that they have it once the matter is over. This means that at home, we rarely are disturbed by client phone calls. Author Simek has a pager number (the old school beeper kind) — but clients have

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been conditioned to know that a very steep price is associated with using it — and it doggone well better be an emergency when they use it.

Email is another matter. Emails come in day and night. But you know what? They'll still be there in the morning. Your retainer agreement should clearly state that email will be responded to within "x" amount of time unless the sender receives an "away" message indicating how long you will be out of reach and whom to contact in an emergency. With that provision in place you are able, with a clear conscience, to carve out some private time.

As a general rule, we don't look at our smartphones after dinner. Our nights belong to us. There are exceptions of course — sometimes a case is really hot or you are expecting a particularly important email. Likewise, we rarely work on our computers after dinner. The night is for time together — with our children and dogs. Again, there are exceptions (notably when we're traveling and have to catch up at night in our hotel room) but they are rare.

In other words, we make rules. We are cruise-aholics, but even onboard ship, we connect up only once a day on business days and we have a 90-minute rule — get the important stuff done and the rest can wait. We do the same thing on vacations — our laptops come with us and get a beautiful view, but we restrict the number of hours they are in use. Even in the office, we make rules. If there is a project that has to get done, we turn off the email notification sound and pop-up window. If the project is important enough, we simply close Outlook so we aren't even tempted to wander from the task at hand.

With respect to the smartphones, the same kind of logic applies. Turn off the beep and the vibrator. In fact, author Nelson never has those functions on. As she wryly observes, "I am aware of the presence of my inbox 24/7 — I don't need any reminders."

Our ability to make rules probably separates us from the addicts in spite of the massive number of hours that we are chained to our keyboards. But we have

certainly witnessed the conduct of those who are unable to make, or to follow, such rules.

That way madness lies — or divorce, high blood pressure, headaches, sleeplessness, depression, alcoholism, drug use, and all manner of other ailments described above.

Why isn't there a lot of guidance about technology addiction? The phenomenon is probably just too new. There have always been lawyers addicted to work, who couldn't seem to take time off and worked late into the night. Technology has just complicated the issue by providing us with another form of addiction.

Technology is our friend in many ways. It makes us more efficient and productive. It allows us to easily correct errors. It permits us to collaborate with others who are geographically remote. It can level the playing field for a solo who is up against a large firm. Email has largely

replaced snail mail for many of us. So we give it the praise it is due and we acknowledge that we can't practice law well without technology. Therefore, control of "our friend" is essential. It is unfortunate, but the sheer volume of technology we must deal with as lawyers makes technology every bit as much an adversary as a friend.

And our sedentary lifestyles were killing us even before technology complicated the issue.

As George Macaulay Trevelyan once wrote, "I have two doctors, my left leg and my right." So take a walk. Go fishing. Ride a bike. Take your kids to the zoo. Enjoy a picnic. Make the whole experience low tech. Take your cell phone in case there's an emergency, but with the vibration and beeps turned off. You'll enjoy yourself more — and those around you will enjoy you more.

Our advice is simple: Get unwired so you don't come unglued. ✪

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