

## 2005-2015: Ten Years of Technological Leaps for the Litigator

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As we rapidly move into the year 2015, we thought it might be fun to reflect on how much technology has changed over the past decade, and how this change has impacted the practice of law. It is easy to forget just how much technology has advanced in this brief ten-year span. So, to begin, let's first take a moment to step back in time and remind ourselves what the world was like *way back* in 2005.

### **Major News Events of 2005**

- On February 14, 2005, three former PayPal employees launch the video-sharing website called YouTube.
- On June 13, 2005, Michael Jackson is acquitted of molesting 13-year-old Gavin Arizola at his Neverland Ranch in Santa Barbara County, California.
- On August 23, 2005, [Hurricane Katrina](#) hits the coastal areas of Louisiana, Mississippi and Alabama. Almost 80% of the city of New Orleans is flooded and 1600 people lose their lives.
- On September 3, 2005, Chief Justice William Rehnquist dies at the age of 80 and John Roberts is confirmed by the Senate to replace him as the Chief Justice.
- On October 8, 2005, a 7.6 magnitude earthquake strikes Pakistan-administered Kashmir, leaving an estimated 75,000 people dead and 138,000 seriously injured.

### **The State of Computers and Communication in 2005**

In 2005, the average attorney is considered pretty tech savvy if he or she has a laptop running on Windows XP, a Motorola [RAZR](#) cellphone (one of the first phones to have a built-in megapixel camera), and a [Blackberry](#) personal digital assistant (PDA). Remember, in 2005, the first smartphone is still two years away, as the first generation iPhone will not be released in the U.S. until June 9, 2007.

Who could have foreseen that soon, most every grade-schooler and grandma would be "texting" on their own Wi-Fi connected device? And who could have imagined the wide-variety of innovative "apps" that would become available for installation on our phones and tablets, such as [Word Lens](#) or [Evernote](#)? Of course, no one even knows what a tablet is in 2005, as the iPad will not launch until April 3, 2010.

Google is also experiencing phenomenal growth in 2005, and by 2006 it will surpass Yahoo! in numbers of visitors to become the main portal for online searches. Google's webmail service, [Gmail](#), however, is still in beta status, and is only available to select users. An "invite" to be a Gmail beta tester is a hot commodity, and sells for as much as \$150 on eBay. The general public will not be able to begin using Gmail until February 7, 2007.

### **The Internet and Social Media in 2005**

Ten years ago, it was difficult to even find a place to connect to the Internet. If a lawyer just needed to check her email or look up a statute, she generally had to find someplace with free internet service and a jack in which to plug an Ethernet cable. And even when such connections could be found – which was rare – the speed was often so slow it was useless.

From 2005 to the beginning of 2008, [Myspace](#) (launched 2003) is the most visited social networking site in the world. At its peak, Myspace will generate \$800 million in revenue. But by April 2008, [Facebook](#) (launched 2004) will surpass Myspace as the king of social media. Over the years, more and more such social sites will become popular, including [Twitter](#), which will launch in 2006.

And as social media expands, the courts will be confronted with novel legal issues pertaining to privacy and intellectual property rights. It will also become increasingly common to see “posts” from social sites being used as exhibits in court and researchers will say that Facebook plays at least some role in one third of all divorce cases.

### **Fast forward to today**

In 2015, a cheap home pc may boast 6GB of RAM and a Terabyte of storage, an average smartphone is essentially a portable computer, and hi-speed Internet connection is virtually ubiquitous. Further, attorneys can now carry around their own fourth generation (4G) mobile telecommunications technology that allows them to go online virtually anywhere and at very high speeds.

Our smartphones can also be used to control connected appliances that are part of the growing “Internet of Things,” as many ordinary objects are now embedded with computer chips that allow for complete automation, communication with other intelligent objects, or remote control with one’s smart phone.

Hardware and software has also improved tremendously these past ten years, allowing legal counsel to complete tasks on a mobile device that, in 2005, would have required a powerful desktop computer. This means that attorneys can now leave their offices and take their work with them wherever they go (of course, it is debatable whether this is a good thing or a bad thing).

The availability of legal tools on websites and mobile apps like FindLaw, LexisNexis and [Fastcase](#) also means that it is usually unnecessary to drive to a law library to conduct research. And thanks to the availability of document creation and file sharing programs – like Google Docs – associates can collaborate on projects even if they are hundreds of miles apart and unable to meet face-to-face.

Even the courts are increasingly relying on the Internet, commonly requiring that documents be submitted electronically. One of the benefits of digitally processing paperwork in this way is that attorneys can now access most documents on a court’s website instead of having to wait in line in order to request them from the court’s archives department.

With the advent of the cloud, there is no longer any limit to the amount of data that can be uploaded and stored online. This has made carrying files in boxes, and even transporting data on disks or drives, largely unnecessary. With the cloud and a connected device, one can access one’s files anywhere, any time. However, this increased interconnectivity and accessibility brings with it new security threats.

Many of us have learned the hard way that, without adequate protection, any device that is “connected” to the internet can be hacked. And once a computer is hacked, personal data can be stolen or the computer can be infected with malware. Thus, while modern internet technology in 2015 has provided many benefits, these advancements also require extra precautions.

## **Conclusion**

Any time there is an increase in convenience there is a corresponding danger of increased dependence on whatever provides that convenience. Many attorneys would now find it very difficult to do their job without online tools and computer assistance. And for some, a simple hard-drive crash or lost phone would be catastrophic because so much vital information would be lost. Ask yourself the following:

- Have you used a real book or visited a real law library to conduct research in the past 24 months?
- Can you still do simple addition without using the calculator app on your smartphone?
- Do you know the phone numbers for your spouse, your kids or even your own phone?
- Would you be able to retrieve all of your most valuable data if your laptop died, if your phone was stolen, or if your office computer was infected with a virus?

If you are a lawyer and you answered “No” to two or more of the questions above, you may have allowed yourself to become too reliant on technology, and you may have been lulled into a false sense of security. For despite the technological advancements we now enjoy in 2015 – or perhaps because of them – it is more important than ever to take precautions to protect one’s most important information.

And you should start by memorizing your significant other’s phone number!

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