



Ethics Resources for Your Virtual Office

ABA Section of Litigation Young Advocates Committee Newsletter
Summer 2014

Author: Attorney David Dobin

Whether you are a new lawyer entering the legal profession by hanging out your own shingle or joining a law firm, at some point you will face the issue of creating or working in a “virtual office.” The virtual office can range from going paperless to using cloud-computing websites and software. No matter the extent of your, or your firm’s, use of the virtual office, at some point you may need to learn the capabilities of certain types of technology used in the practice of law and the ethical rules involved in those technologies.

The list of resources below is by no means exhaustive, but it can provide a good starting point.

American Bar Association

When dealing with the ethical implications of the use of modern technology, your starting point should be the ABA and your state’s bar association. The ABA provides links to state bar associations and to state ethical rules, as well as to the Model Rules of Professional Conduct. In addition, the American Bar Association has compiled a list of state ethics opinions relating to cloud computing and metadata. You should check to see if your state has issued any ethics opinions on these topics and become familiar with them.

The American Bar Association’s website also contains a vast wealth of resources on technology generally, in addition to specific sections dealing with cloud computing, the paperless office, social media, time and billing, and encryption. For true beginners, the ABA also provides resources for looking up technology definitions. These websites will give you a good head start on understanding the interplay between the practice of law and technology.

Internet for Lawyers

Internet for Lawyers provides a significant amount of information related to the use of the Internet by

lawyers. According to the company’s website, the “company focuses on delivering information about free investigative and background research resources available on the Internet.” The company has posted dozens of articles and maintains a regularly updated blog on numerous topics that are relevant to lawyers who are creating or maintaining a virtual office.

Louisiana Legal Ethics

This website, maintained by Louisiana attorney Dane S. Ciolino, focuses on numerous ethics issues that are both related and unrelated to the use of technology. One page of this site, focused on cloud-computing ethics, is very useful to new attorneys seeking to create or work in a virtual office and even provides a “due diligence” checklist to ensure compliance with ethical obligations when using the cloud.

Other good websites focused on the ethical use of technology:

- **technology.findlaw.com:** “FindLaw’s Legal Technology Center provides a wealth of free resources designed for solo and small law firms on law technology topics such as Electronic Discovery, Law Office Hardware, Legal Practice Software, Mobile, Networking, Data Storage, and Modern Law Practice.”
- **abovethelaw.com/technology:** Above the Law’s blogs focus on technology and the practice of law.
- **www.nobc.org:** The National Organization of Bar Counsel’s website includes pages dedicated to state ethics rules and opinions, including links to professional-conduct rules and state ethics opinions.
- **TechnoLawyer.com:** Signing up for this website and its newsletters gives you access to a wealth of content, by way of newsletters, focusing on technology-related issues relevant to the practice of law.
- **legalethics.com:** “LegalEthics.com is a web site focused on the ethical issues associated with the use of technology by legal professionals.” According to its “About” page, the site is maintained by Peter Krakaur and David Hricik of Mercer University School of Law.

DISCLAIMER: This article contains links to sites of third parties that may or may not be affiliated with the ABA. I cannot verify whether every link on each of the listed websites is live, and the ABA cannot attest to the accuracy of information provided by these sites. Linking to a website does not constitute an endorsement by the ABA or any of its employees of the sponsors of the site or the products presented on the site.

ATTORNEYS

David E. Dobin