

This paper is a supplement to Dave Bilinsky's article "10 Critical Issues for the Legal Profession" that appeared in the Summer 2008 issue of LAWPRO Magazine. This paper, the article, and other supplemental content is available for download at www.practicepro.ca/criticalissues

Ubiquity is near¹ by Domenic Jaar

Today, most lawyers and professionals know what BlackBerry, iPhone, Palm and other equivalent smartphones are. However, the majority ignore the possibilities inherent in these devices. Most use only the basics that come bundled with them: phone, email, calendar, contact, an 80's arcade game and maybe some cheesy ringtones. In fact, nowadays, smartphones are almost like computers. However, contrary to Windows that provides you with a basic version of most software you need to use on your computer, smartphones makers don't provide you with document editing, presentation, spreadsheet or remote desktop software. On the other hand, many third parties have created applications that do just that!

Before looking at the software you want on your smartphone, let's make sure you have the smartphone you really need and the necessary peripherals.

What hardware do you need?

1. The Smartphone

Basically, a smartphone is a marriage between a classic cell phone and a personal digital assistant (PDA), i.e. an email client, a calendar, a contacts list and an internet browser. The most well-known smartphones run operating systems from Palm, Microsoft (Windows Mobile), RIM (BlackBerry), and most recently Apple (iPhone). Each device has its pros and cons, so before purchasing one—whether it's your first or an upgrade—take a few moments to contemplate why you need the device. Will you use it for web browsing, emailing, text messaging, editing documents or watching videos? Also look at the options it offers in terms of Wi-Fi, Bluetooth, keyboard and memory cards.

¹ This article is inspired by and incorporates parts of Brett Burney and Dominic Jaar, How to Carry Your Office in the Palm of Your Hand, American Bar Association, Law Practice Magazine, ABA Techshow Technology Tips Issue, March 2008 Issue, Volume 34, Number 2, Page 32, and Brett Burney and Dominic Jaar, The Mobile Office: Take Your Desktop In Your Pocket, presented on March 15, 2008 at the ABA Techshow.

For productivity purposes, most will agree that Blackberry is the big winner. Yet, Palm and Windows Mobile devices are the ones for which third parties have created the most important number of applications. However when it comes to entertainment, i.e. web browsing, video watching and music listening, the iPhone is the gadget you want, as long as you can tolerate the hefty bill...

2. Memory Cards

Most new generation smartphones enable you to add storage capacity by inserting a Secure Digital (SD), micro or mini, memory card. These memory cards which now comes in sizes up to 16 Gb can store any types of formats: audio, video, image, Office documents, etc. These documents can be transferred from and to your computer with a memory card reader, a USB cable or a wireless Bluetooth connection or, for some smartphones, via email.

3. Bluetooth Headsets

Bluetooth technology enables your headset to wirelessly “pair” with your smartphone to talk hands-free. This is almost a mandatory tool for jurisdictions like Quebec where it is illegal to talk on your cell phone while you drive. However, no matter how much you will pay for your headset, you will likely see a drop in the quality of your communications, either from your end or at the other end. Headsets are easily affected by surrounding noises and wind. Before buying one, make sure it is compatible with your smartphone and potentially, with your computer and VOIP software. I also use mine to dictate on my computer to Dragon Naturally Speaking and to talk over my Nortel PC Client VOIP phone.

While you look for the best headset, make sure you try them on. You will probably end up buying your headset on the internet but you should go to a store to try them before. Like ears, they are not all the same when it comes to comfort. Finally and perhaps most importantly, choose the style of your headset if you don't want to look or feel like Robocop...

4. Portable Keyboards

Most smartphones now have a qwerty or some kind of keyboard built in. However, it can be tiresome, especially if you have big fingers, to type lengthy documents. Therefore, I suggest you buy a folding portable keyboard that connects to your smartphone via Bluetooth, USB or infrared. Once set up properly, you simply need to unfold the keyboard, prop up your smartphone next to it, and start typing like you do with a computer. Portable keyboards are a good alternative for typists who could not use all their fingers on the built-in keyboards. However, for three fingers typist like me, qwerty keyboards are often just what we need. In fact, I can take on any typist with my two thumbs!

5. Batteries

Smartphones tend to drain battery power quickly, particularly if Bluetooth and Wi-Fi functionalities are turned on or if you spend your day on the phone. Most of them should provide you with a day of work and require a recharge during the night. If you are often on the road, you should consider purchasing a second battery that you can swap out when necessary. Some smartphones will handle bulky extended batteries that keep the device ticking for a longer time. But you are probably better off purchasing an extra power cable for the office, a car charger or a USB charger that you can hook directly on your laptop. Also, there is a myriad of chargers that have their own batteries, some being as small as an AA battery, to give an upsurge to your dying smartphone. With the “ecomputer” trend out there, you can even buy solar chargers to carry on your backpack or on your shirt!

Now that you chose the right gears, you are ready to download software to your smartphone. For most of them, you can download the software onto your computer and then synch your smartphone. However, many software are available “OTA”, i.e. over the air, so that you can access the software vendor’s website on your smartphone browser and download directly to your smartphone.

What about Software?

1. Mobile Office Suite

Most lawyers would have a tough time getting through the day without the critical applications in their office suite. Well, with the right software, you can carry them on your smartphone wherever you go. Contrary to what people think, smartphones do not limit you to viewing documents: you can edit and save emails, word processing documents, spreadsheets, presentations, etc. You can also zoom in on PDF files even if they are not OCRed, i.e. read by optical characters recognition.

One good choice for BlackBerry users is the eOffice suite from Dynoplex, which allows you to work with a range of document and image formats. It comes bundled with most of Dynoplex’s software for a more than decent price of \$99. Basically, it re-creates the Windows Explorer you are used to, so you can manage your documents and folders on your Blackberry, on your memory card or even on the web in your private online database where you can archive your documents. You can also modify attachments received by email, and then return them to the sender with comments and additions. This suite also provides you with the possibility to send your documents to faxes. Nowadays, I rarely send faxes but this feature is really useful if you need a paper copy of your document: just send it to the fax machine beside you!

The suite also has an integrated spell-checker that is more robust and has a more detailed dictionary than Blackberry default dictionary. It comes bundled with a passwords and credit cards manager that synchronises with your computer.

If you have a Palm-based smartphone, consider DocumentsToGo office suite from DataViz. Version 10 now supports Office 2007 files. For the iPhone users out there, it seems you will have to wait for an office suit to come on the market.

2. Remote Desktop Software

Remote access to your desktop is a must for the mobile lawyer. There are a range of product options out there. But, if you don't have the time to learn how to use new software, try Shape Service's RDM+, a remote-access client that helps you connect to your desktop from your BlackBerry in real-time. It has an easy to use interface that takes you step-by-step through the connection process, which can be a pain with other similar solutions if you are not a techie. The first time you connect, you will be amazed by the feeling of seeing your desktop from your smartphone's screen! At that time, for instance, if someone is working at your computer, you will see what that person does, and vice versa. One of the goals of that solution is to permit you to remotely access the files on your computer. Two caveat: 1) Remember that a BlackBerry screen is very small (particularly if you're accustomed to working with dual screens); 2) There is a price to pay for such user-friendly software: the remote connection is not encrypted which means that anyone could access your computer through this software.

3. Dictation Software

Most lawyers still like to dictate documents to their assistants, either using older tape recorders or newer digital ones. If you want to dictate on the road without carrying two or three different machines in your suitcase, try VR+ (also from Shape Services). It transforms your BlackBerry into a digital dictaphone. Simply press the Record button and dictate your letter! After, you can email it to your assistant for transcription or, if you are an avid voice recognition software user, email the audio file to your computer and process it with Dragon NaturallySpeaking via your remote desktop software!

This solution is well integrated into the email client, so you can use it to reply to emails

directly. The person to whom you are replying will receive a sound file attached to the email or will access the recording on the web through a URL appearing in the body of your reply. This is particularly helpful with longer messages that you would spend hours typing with two thumbs or even on a keyboard if you are a three fingers typist like me.

4. Browser

If you often surf the web on your smartphone, you probably realised how slow some pages can be to upload properly and how some will simply never open. The default browsers tend to be heavy on your smartphone "CPU" so third parties offer free alternatives. Undoubtedly, the best browser out there is Opera which offers desktop-like speed and allows you to synchronize your bookmarks with a computer running Opera 9.5. In order to speed up the process even more and no matter which browser you use, you should always turn off pictures and media loading and manually download them when necessary. Another even lighter access to the web is WAP browsers which provide the basic services of a normal pc browser but simplified to operate within the restrictions of a smartphone. You might also be interested to know that a new Web is currently under construction with .mobi websites, a top-level domain, dedicated to delivering the Internet to mobile devices.

5. Tethering

With the topic of this text, this section should not be here and it is the reason why it is hidden in the middle of the text, where few people will get to anyway! However, if you made it up to here, one of my favourite features on smartphones is that most of them can be used as modems for your laptop. This means that by installing a generally free software on your laptop and by connecting your smartphone to it via USB or serial cable, Bluetooth or infrared, you are able to connect to the internet, even if there is no Wi-Fi network in range, as long as your smartphone catches a signal. This is a most for the road-warrior. However, take a close look at your smartphone's data plan because tethering can be expensive, especially if you are abroad and need to pay roaming fees.

6. Fax Capability

When you are out of the office, it is often helpful or, in some case, necessary to be able to send and receive faxes via email from and to your smartphone. In the province of Quebec, where the author practices, many lawyers maintain that the only legal mean to serve documents on the opposing counsel is by fax, so a remote solution for those last-minute or urgent proceedings can be critical. One option is the online service eFax, which works with any smartphone that has access to the web. A cheaper solution for the BlackBerry users is the previously mentioned eOffice. ScanR is also a nice free solution for those with a camera on their smartphone. Simply take a focused picture, send it to one of ScanR's email addresses and include the recipient's fax number in the Subject line or body of the message.

7. Telephony Services

Telephone is one of the basic reasons that first got people to buy smartphones. It is also one of the most expensive features to use. If you have an unlimited data plan and want to save a few voice minutes, you should get your hands on a mobile VoIP software. There are many solutions out there, geared to different types of mobile handhelds and operating systems. One good choice that works with many of the major devices is iSkoot. Basically, it offers access to your Skype account, with most of its features. Another good alternative is EQO which, beside cheap phone calls, offers free Instant Messaging to anyone on AIM, Google Talk, ICQ, Jabber, MSN, QQ and Yahoo as well as cheap SMS texts.

Another important feature of smartphones, shared by most "dumb phones", is the possibility to filter the calls you receive by choosing particular ringtones for different people. You can download your favourite ringtones on many websites or you could even convert your best MP3 into a ringtone. This helps me decide when to answer according to my mood based on the music playing...

8. E-mail

This is the number one application that explains why so many users have embraced smartphones. In fact, it is probably what first made a cellphone smart! There are two types of services when it comes to e-mail applications: Push services like BlackBerry, Good Technology, and Windows Mobile (since version 5) or pull methods using clients like SnapperMail, Pocket Outlook, etc. Basically, push technology means that you are always wired so that, as soon as an email is received by your server, it is immediately transferred to your smartphone. Pull technology on the other hand requires you or your inbox settings to connect to the server to receive new messages.

However, being in the webbased era, the preferred solution for email remains GMail for Mobile and similar webapps. One of the main downside to these solutions, and your default smartphone's email application, is that they can't read HTML emails with links to websites and embedded images. Therefore, many of the emails you will receive will be near impossible to read. This is particularly true for sophisticated newsletters or publicity. I am told that the new Blackberry OS 4.5 supports HTML, but I can't testify as I am still on 4.2. Nevertheless, to read my HTML emails, I have been using BBsmart for a while and love it! It also enables me to convert emails into calendar events or tasks, more or less like Outlook does.

Security

As with any portable or wireless equipment, the use of your smartphone increases risks with respect to your data and network security. Therefore, always make sure your PDA is password protected and encrypted as soon as you do not use them for more than a few minutes. When you connect to a "free" Wi-Fi network make certain basic verifications to ensure you are not connecting to a rogue network. I also suggest turning off the auto-detecting features and the "accept all invitations"-type of settings.

Privacy

Beside the obvious fact that you can hear what everyone say on their cell phones, which is annoying, other risks include cell phone tracking and the possibility that your smartphone be

turned to a Roving Bug. These are important issues that should be taken seriously in this age of erosion of the solicitor-client privilege...

With web 2.0 come a plethora of free applications to help you when you're on the road, and many of them work fine with smartphones. However, always read the terms and conditions before using web-based apps and be particularly cautious when privileged material is involved. For example, if you read Gmail fine print, you will realise that all emails and attachments sent and received are "read" by Google...

Backup

Here is probably the most important part of this text. We will never repeat it enough and unfortunately, you will not listen to this advice until you loose all your data and customized settings: BACKUP! Your backup will be necessary if you loose your smartphone or if it dies on you. The easiest way to backup seamlessly is to automate the task. For example, I configured my Blackberry desktop manager settings to starts backing up my Blackberry when I physically connect to my computer.

Conclusion

As mentioned in the magazine's sidebar, always remember that smartphones, as social and communication-prone as they might be, often end up being antisocial tools for your loved-ones. Don't let them remind you. In fact, if you ever think about sending an email or SMS to someone by your side, do not hesitate to call me. I have been there and I know how to handle these types of situations... There is a community of crackberries out there to help you.

Being mobile is a gift and we should benefit from it as much as we can to telework, spend more time with our families and friends, travel, etc. Mobility truly brought us a liberty we would or could never have imagined a couple of years ago. However, it needs to be used intelligently and non-compulsively.

Enough of dos and don'ts, now that you have the right smartphone, the gadgets and gizmos, and the software you need, go ahead, go mobile!