

BUSINESS & CAREERS

■ CLOUD REVOLUTION

Lawyers wary of new technology

Law offices have long used sophisticated computer systems. Today, those systems don't need to reside in the firm's offices. Using cloud computing, also known as software as a service (SaaS), firms can use robust systems located off the premises.

But lawyers aren't rushing to replace premise-based systems with cloud-based ones. Instead, many lawyers are taking "baby steps" into the cloud.

Consider Brock Smith's case. "We don't use any firm-wide cloud apps here," says the Vancouver-based partner in Clark Wilson LLP's technology and IP group.

"But I do use several personally," Smith lists applications like the file storage and sharing service DropBox, the mind-mapping application Xmind and Remember The Milk (a task list) which "helps me figure out what I should do, or more appropriately should have done, today."

Jacob Glick, Google Inc.'s Canada policy counsel, is understandably bullish



HI-TECH

**LUIGI
BENETTON**

“*Lawyers aren't rushing to replace premise-based systems with cloud-based ones.*”

on cloud computing. "It's exciting," he says. "It allows small firms and sole practitioners to use the same enterprise-quality tools that national and international firms have — and not just in the legal field."

Uses in the legal field abound. For instance, online tools can serve as easy-to-use extranets that enable client collaboration and reduce the need for email. "If there was a DropBox Canada, with all servers and backups kept in Canada, that would change my perspective on the use of that product overnight," Smith says, alluding to US *Patriot Act* concerns.

"For security purposes, I don't put client information in DropBox, and I use abbreviations and codes in Remember The Milk," he explains.

He figures lawyers would also quickly gravitate to time management tools like calendars and task lists.

Lower comparative costs for competitive services lure lawyers to the cloud. For example, Glick mentions a 2009 Forrester Research statistic claiming that Gmail costs one-third the amount of traditional on-premise email systems.

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Ontario

**JUDICIAL VACANCY
ONTARIO COURT OF JUSTICE
HAILEYBURY
BILINGUAL POSITION**

The Judicial Appointments Advisory Committee advises the Attorney General of Ontario on the appointment of Judges to the Ontario Court of Justice, and invites applications for a bilingual judicial position in Haileybury.

The duties of this appointment involve presiding over criminal and family law matters and extensive travel throughout the region. This appointment could also involve travel beyond the regional boundaries as assigned by the Regional Senior Justice and/or the Chief Justice.

The minimum requirement to apply to be a Judge in the Ontario Court of Justice is **ten years completed** membership as a barrister and solicitor at the Bar of one of the Provinces or Territories of Canada.

All candidates must apply either by submitting 14 copies of the **current** (Jan 2011) completed Judicial Candidate Information Form in the first instance or by a short letter (14 copies) if the current form has been submitted within the **previous 12 months**. **Should you wish to change any information in your application, you must send in 14 copies of a fully revised Judicial Candidate Information Form.**

If you wish to apply and need a current Judicial Candidate Information Form, or if you would like further information, please contact:

Judicial Appointments Advisory Committee
Tel: (416) 326-4060. Fax: (416) 212-7316
Website: www.ontariocourts.on.ca/jaac/en/

All applications, either sent by courier, mail or hand delivery, **must** be sent to:

Judicial Appointments Advisory Committee
c/o The Ministry of Government and Consumer Services
Mail Delivery
77 Wellesley Street West, Room M2B-88
Macdonald Block, Queen's Park
Toronto, Ontario, M7A 1N3

Applications must be on the current prescribed form and must be **TYPEWRITTEN** or **COMPUTER GENERATED** and **RECEIVED BY 4:30 p.m. on Friday, May 20, 2011**. **CANDIDATES ARE REQUIRED TO PROVIDE 14 COPIES OF THEIR APPLICATION FORM OR LETTER**. A Fax copy will be accepted only if 14 copies of the application or letter are sent concurrently by overnight courier. Applications received after this date **WILL NOT** be considered.

The Judiciary of the Ontario Court of Justice should reasonably reflect the diversity of the population it serves. Applications from members of equality-seeking groups are encouraged.



Ontario

**POSTE À POURVOIR AU SEIN DE LA MAGISTRATURE
COUR DE JUSTICE DE L'ONTARIO
HAILEYBURY
POSTE BILINGUE**

Le Comité consultatif sur les nominations à la magistrature conseille le Procureur général de l'Ontario sur les nominations de juges à la Cour de justice de l'Ontario et invite les personnes intéressées à présenter leur demande au poste de juge bilingue à Haileybury.

Le ou la titulaire du poste devra notamment présider des affaires de droit criminel et de droit de la famille, et se déplacer souvent dans l'ensemble de la région. Le ou la titulaire du poste pourrait être appelé à se déplacer au-delà des limites régionales pour une affaire assignée par le juge principal régional et/ou le juge en chef.

Pour pouvoir poser sa candidature à un poste de juge à la Cour de justice de l'Ontario, il faut, comme condition minimale, avoir été inscrit comme avocat-plaidant et procureur au barreau de l'une des provinces ou de l'un des territoires du Canada **pendant au moins dix ans**.

Tous les candidats et candidates doivent poser leur candidature soit, dans le premier cas, en présentant le Formulaire de renseignements sur le candidat/la candidate à la magistrature **courant** (jan 2011), soit en envoyant une courte lettre (en 14 exemplaires) si le formulaire courant a été présenté au cours des **12 mois précédents**. **En cas de changements à apporter à un formulaire déjà envoyé, le candidat ou la candidate doit envoyer à nouveau 14 exemplaires du formulaire de renseignements corrigé.**

Si vous voulez poser votre candidature et que vous avez besoin d'un Formulaire de renseignements sur le candidat/la candidate à la magistrature courant, ou encore si vous souhaitez obtenir de plus amples renseignements, veuillez communiquer avec :

Comité consultatif sur les nominations à la magistrature
Téléphone : (416) 326-4060 Télécopieur : (416) 212-7316
Site Web : www.ontariocourts.on.ca/jaac/fr/

Toutes les demandes envoyées par service de messagerie, par la poste ou en main propre **doivent** être soumises à l'adresse suivante :

Comité consultatif sur les nominations à la magistrature
a/s Ministère des Services gouvernementaux - Services de distribution du courrier
77, rue Wellesley Ouest, salle M2B-88
Édifice Macdonald, Queen's Park
Toronto (Ontario) M7A 1N3

Les demandes de candidature doivent être déposées par l'entremise du formulaire prescrit courant et **DACTYLOGRAPHIÉES** ou **CRÉÉES PAR ORDINATEUR** et **reçues au plus tard à 16 h 30 le vendredi 20 mai 2011**. **LES CANDIDATS ET CANDIDATES DOIVENT FOURNIR 14 EXEMPLAIRES DE LEUR FORMULAIRE OU DE LEUR LETTRE DE CANDIDATURE**. Une télécopie ne sera acceptée que si 14 exemplaires du formulaire ou de la lettre de candidature sont également envoyés par service de messagerie de 24 heures. On n'accordera **AUCUNE** considération aux candidatures reçues après cette date.

La magistrature provinciale doit refléter raisonnablement la diversité de la population qu'elle sert. Nous encourageons les membres de groupes de promotion de l'égalité à présenter une demande.

BUSINESS & CAREERS

Robust Internet access needed for cloud computing

Wary

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Such savings over premise-based systems come from avoiding costs like:

- Buying and maintaining servers
- Updating hardware and software
- Paying consultants to maintain systems or, for the DIY crowd, forgoing billable hours

Cloud service vendors typically spread their overhead among many subscribers, so they can charge competitive subscription fees.

And for those loathe to give up traditionally premise-based systems like Microsoft Exchange, various vendors host those systems as well.

There is one cost cloud-dependent firms can't avoid. "You must have a high-octane Internet connection" to handle the traffic, Smith states. Given the business lifeblood that flows through that connection, Smith recommends a firm acquire two, each one from different Internet service providers.

Healthy scepticism among lawyers may be the main barrier to SaaS. "There's a difference between how secure a system is and how secure you can convince a lawyer it is," Smith explains.

Dennis Kennedy and Tom Mighell support Smith's view.

The co-authors of *The Lawyer's Guide To Collaboration Tools and Technologies: Smart Ways To Work Together* write "Lawyers have obligations of confidentiality and privilege, and they may be required to keep data private and secure pursuant to regulation or contractual agreement."

Glick urges sceptics to compare the risks of services they're considering with the risks of the tools they currently use. He notes, for instance, that many computers don't receive the security patches they need in a timely fashion. "For most lawyers, this is not their area of expertise," he says, adding that lost or stolen laptops, memory sticks or other devices pose greater security threats than SaaS.

Cloud computing has been on the radar of various law societies for several years. A group of vendors offering cloud solutions for small practices have even formed the Legal Cloud Computing Association to define standards and best practices.

"It's inevitable that either lawyers or application developers will iron out wrinkles that are stalling widespread adoption of cloud computing," Smith opines. "Within three to five years it'll be much more common to have cloud apps manage law firm business." ■

LEGAL DIRECTOR

LegalAid
SASKATCHEWAN

Legal Aid Saskatchewan promotes access to justice for eligible persons through the provision of quality legal assistance through our fifteen offices in the province. Legal Aid Saskatchewan is seeking a Legal Director for its Regina City Area Office.

Under the supervision and direction of the Chief Executive Officer, the Legal Director is responsible for the overall supervision and management of the office in addition to providing counsel to eligible clients.

As the ideal candidate, you bring a commitment to exceptional client service; have superior communication and leadership skills; have managerial/supervisory experience and a passion for the law. You possess an LL.B. degree and have five plus years of experience in criminal and/or family law at the Provincial and Queen's Bench Courts. You must be eligible for membership in the Law Society of Saskatchewan.

We encourage applications from people of Aboriginal ancestry, persons of a visible minority group, persons with disabilities and women seeking management and non-traditional roles. Legal Aid Saskatchewan has an employment equity program approved by the Saskatchewan Human Rights Commission.

To explore this opportunity, we encourage you to send your resumé prior to May 18, 2011 to:

Human Resources
Legal Aid Saskatchewan - Central Office
#502 - 201 21st Street East
SASKATOON SK S7K 0B8
FAX: (306) 933-6764
E-Mail: humanresources@legalaid.sk.ca
Web: www.legalaid.sk.ca

Evaluating cloud computing services



CONSIDERING A CERTAIN cloud-based service? Start your investigation by reading its service level agreement (SLA). The SLA describes the level of service clients can expect from the service provider, covering matters like backup procedures, redundancy and disaster recovery, among others. **Use this list to help you start your evaluation.**

System compatibility



→ "Compatibility with and conversion to other platforms can become serious issues when sharing documents and data," write Kennedy and Mighell.

That helps explain the popularity of enterprise systems that, for instance, both allow multiple types of software to access their data and greatly simplify the import and export of data from the system.

To test how a cloud-based system handles your data, try the following steps:

- Import some data to the system to determine how much work (if any) needs to be done to "massage" the information into useable form.
- Export data from the cloud system into your current system to determine how easy it is to extract.
- Connect to the system using software (including your current web browser, if applicable) you want to use to handle the data the system will hold.

Uptime



→ To do your job, you need uninterrupted access to your information. But providers may periodically take their services "down" for preannounced maintenance, usually when traffic is low (e.g. Sunday mornings from 2 to 3 a.m.).

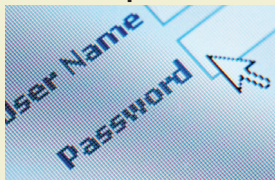
About uptime lingo: Cloud computing service providers explain uptime guarantees using terms like "four nines" (99.99 per cent, or an average of one minute of downtime per week) or "five nines" (99.999 per cent, or an average of six seconds of downtime per week).

Data encryption



→ Any data travelling between a client's computer and a provider's servers must be encrypted to prevent snooping.

Password policies



→ Two great (albeit mildly annoying) password policies cloud providers can enforce are:

- insisting on "strong" passwords (think unintelligible strings of text, not addresses, phone numbers or pet names)
- forcing users to change passwords regularly, e.g. once every three months.

Understandability



→ Lawyers must be able to explain their technology choices to increasingly sophisticated clients who concern themselves with how outside counsel handles their information.