

## [How to Evaluate the Cloud for Law Firm Practice Management](#)

By [Cordell Parvin](#) on March 28th, 2014

A couple of months ago I received an email from Frank Strong, Communications Director of LexisNexis. Frank wanted to provide me access to the [LexisNexis Law Practice Management Software in the Cloud](#). Frank sent the PR piece and a blog: [10 Reasons to Love LexisNexis Firm Manager for Law Firm Practice Management](#). I suggested that LexisNexis do a guest blog for you to learn more about the Practice Management Software.

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The “cloud” is something approaching a nebulous term that has nonetheless worked its way into the lawyerly lexicon.

According to a recent [LexisNexis Firm Manager survey](#), 40 percent of small law firm attorneys say they are already using the cloud; 50 percent say they are more likely to use cloud tools, and 72 percent say their firm is more likely to use cloud tools this year than they were in the last.

So it's a done deal then isn't it – everyone's going cloud diving? Not exactly. The cloud comes with reservations – and specifically the top two reservations from the same survey results are 1) security and 2) ethics.



Law firms considering the cloud would be well advised to vet the security of any cloud provider. This is both a matter of IT security and policy. With regard to IT security, firms need to ensure the technology they select affords them the data protection they expect for storing confidential client files. By contrast, policy centers on data ownership – and assurances that what a law firm puts in a cloud – may also be taken out should it choose to leave.

As for ethics, at the time of this writing thirteen states, though not all of the original colonies, have published [cloud ethics](#) opinions. The ethical standard across most of these consists of “reasonable care.” That is to say for example, that an attorney has taken reasonable care to ensure the vendor provides preservation of confidentiality or has taken adequate measures to inform the client of cloud-use for matters the practice undertakes.

## 5 tips for evaluating the cloud

Despite the enthusiasm for the cloud, reservations remain. Often the anecdote to reservation is education and understanding. To that end, if you or your firm is considering the cloud, here are five tips for evaluating the cloud.

**1. Identify a business need.** Having the latest and greatest tools might win popularity points, but it’s not the basis for pragmatic business decisions. The first step to deciding whether or not a firm needs the cloud is to identify a problem you are trying to solve – and mapping that to the solution that will solve that problem. In the aforementioned survey, the two single largest benefits small law firm attorneys identified were a) mobility and access to data from anywhere and b) disaster recovery and back up storage.

**2. Understand data protection.** Attorneys need assurances that the vendor they choose will safeguard their data with the same level of caution lawyers do. Standard requirements for any confidential data sources ought to offer encryption, security testing and third-party validation of those tests. The location of the data centers

where law firm information might be stored is an important consideration given the rules governing who has access can vary from country to country.

**3. Examine the data policies.** The terms of service (ToS) should be crystal clear to an attorney putting their faith in the cloud. It's not just a question of technology, but also one of policy. For example, a law firm should ensure that it maintains complete right of ownership of any data in the cloud.

**4. Explore service level agreements.** Any tool chosen is of little value if it cannot be used when an attorney needs it the most – a challenging client call is one where your matter information is stored safely in the cloud but you are unable to access the data. Especially in a profession like law, the service needs to work when and where you work. Guarantees of the service's performance and evidence that the vendor itself has a data recovery plan in place are among the minimum requirements a law firm should expect.

**5. Consider future functionality.** Especially with small, but growing law firms, attorneys should consider the service provider's ability to scale with the business. Sometimes this means more than the ability to handle a greater workload, and also includes future uses – such as integrations with email and the typical calendaring programs. Even if today, the only business case for the cloud is to share files securely, or to back up data, it's worth considering the vendor of choice's capacity to support future needs.

**Cordell M. Parvin** built a national construction practice during his 35 years practicing law. At Jenkins & Gilchrist, Mr. Parvin was the Construction Law Practice Group Leader and was also responsible for the firm's attorney development practice. While there he taught client development and created a coaching program for junior partners. In 2005, Mr. Parvin left the firm and started Cordell Parvin LLC. He now works with lawyers and law firms on career development and planning and client development. He is the co-author of *Say Ciao to Chow Mein: Conquering Career Burnout* and other books for lawyers. To learn more visit his Web site, [www.cordellparvin.com](http://www.cordellparvin.com) or contact him at [cparvin@cordellparvin.com](mailto:cparvin@cordellparvin.com).