



## Technology Talk

by Richard K. Herrmann

# A Lawyer's iPad Personal Journal

### Jan. 1, 2013 • 2:42pm: I Think I Want an iPad

I have decided to buy an iPad and use it in my practice. Our district court now permits lawyers to bring electronic devices into the courthouse. I have my iPhone and it does permit me to keep track of e-mail during downtime, but its practical use for other things is somewhat limited by its screen size and keypad. I am not exactly sure how I will use the iPad, but I have to imagine it could be a practical tool and should not be much more difficult to operate than my iPhone. Of course, I have several buying questions and have asked other users but each has a different opinion. Someone suggested I attend a local iPLUG (iPad Lawyers Users' Group) meeting before I purchase. There are none in my area; however, I did visit the iPLUG Delaware website, which was very helpful. I plan on contacting one of the active lawyers in that group next week before I shop.

### Jan. 12, 2013 • 9:23am: Purchasing Considerations

After contacting two lawyers at the iPLUG, I know my options and can make a decision. The first issue is whether to get a regular size iPad or a Mini. The Mini looks very convenient and is much smaller—about the footprint of a paperback. The regular size iPad is more like the size of an 8 1/2 x 11-inch notebook. That seems to be the most significant difference. Since I am going to be carrying it around in a briefcase most of the time, I don't see size being an important issue, so I intend to opt for the larger one. It will be easier to read (more like a full sheet of paper).

The iPLUG folks also walked me through the question of whether to get just wireless (Wi-Fi) or to also buy an iPad that is 4G (4th generation)-capable. There is about \$100 difference. I was surprised to learn I don't need to have a two-year carrier contract to take advantage of the cellular capability; I can do it monthly. This makes it a no brainer. Go for the 4G. I was also surprised to discover I have to select the carrier before I purchase. A 4G Verizon-capable iPad will not work with AT&T and vice versa. Finally, I discussed the question of how many gigabytes (GB) to get: 16 GB, 32 GB, or 64 GB. I am told the middle level ought to be fine for work, as long as I am not planning on watch-

ing too many video depositions on it. It would be nice to be able to download an occasional movie, but as long as I don't plan on storing too many on the iPad (which I don't plan on doing) this should not be a problem. So I am planning on purchasing a regular size iPad which is 4G AT&T-capable with 32 GB of memory. I think I will get it over the weekend.

### Jan. 16, 2013 • 8:47pm: The Purchase

I visited the Apple Store this morning and completed my purchase. The place was nothing short of amazing. There was an army of kids in red tee shirts as pleasant and helpful as one could imagine. I purchased my iPad and took a look at cases and accessories. I opted for the Apple magnetic cover, which automatically puts the iPad to sleep when the cover is closed. I bought the Apple Care extended warranty as well. Once I took it home, I found the registration to be a snap; the iPad connected to my home Wi-Fi and it simply walked me through the process. Tomorrow I am going to work on how to set up my screens and determine which applications (apps) to download first. Tonight I will do a little bit of Internet research.

### Jan. 17, 2013 • 10:31 am: Tips

I found some simple tips online which I think will be very helpful. When I am at the desktop, I see three little dots at the bottom, just above the dock. These dots represent pages of apps. The dot that is lit represents the page I am on. If I am on page three and want to get to the first page, I can swipe to the right or just touch the button on the bottom of the iPad. I also discovered, if I double tap the bottom button, I will get another bar showing me which apps are open. I can select any of those apps and get to an open one quickly. And if I swipe to the right from the first page, I get a black screen with a search bar. This will take me to any app or contact or e-mail, or even the web—very helpful. Finally, if I touch an app and hold it down, they all begin to shake. Now I can move the apps anywhere on the desktop; and if I move one app onto another, a folder appears, containing both apps.

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## Jan. 17, 2013 • 8:20pm: Apps

There are so many apps at the App Store it is difficult to know where to start. I know no additional apps are needed to sync my e-mail and calendar with Outlook. I could spend the time necessary to connect to Outlook in the settings menu, but I decided to save a step and ask my IT folks for help.

I have asked some “power users” for recommended apps and now know enough to see general favorites. It makes sense to get these first:

**Word Processing:** These apps are so inexpensive I may try a couple of different ones to see which suit me the most. Since our office uses Microsoft Word, I have to keep myself compatible. DocsToGo by Dataviz has been around for a number of years. It is a skinny version of Microsoft Office. I know I will be able to review Word documents, Excel, and PowerPoint. I understand it is a bit awkward for editing and creating, but for \$17 it is worth having. The basic word processing program from Apple is Pages (\$9.99). It is a fine app for creating documents and permits me to e-mail the document in a number of formats including Microsoft Word. It will become my general “go to” text editing app. For general note taking, I am starting with the app called “Notes.” It comes with the operating system and is incredibly easy to use. When I search from the search bar on the black screen (mentioned above in Tips), I can find any word in the Notes app.

I understand there are more sophisticated word processing and notes apps. When I am ready I will add them. One is called CloudOn (free). It is a cloud-based program which gives me the full Microsoft Office online. It is fully functional. The only issue I see is it requires me to save my documents in a cloud service such as Drop Box (free). This is not generally acceptable to me for client-related documents due to confidentiality concerns. I may try to resolve the issue with an encryption app such as BoxCrypter (free), but I have enough to learn now. There are also a number of impressive note-taking apps. I know one I intend to add is called Notability (\$0.99). It will permit me to take notes and record at the same time. I can sync my notes with the recorded file as I go. Since I am not much of a note taker, this should be very useful.

**PDFs:** I have narrowed my needed PDF apps to two, although I have been told there are a host of good ones. PDF Expert (\$9.99) is easy to use and has a number of annotation tools. The real strength over the others is in its organizational structure. I can save PDFs in folders and they automatically sort in alphabetical order. I can zip folders and e-mail the entire bunch or store them on a cloud server like Drop Box. In fact, the file structure makes this a perfect tool as a trial notebook. I can keep

a folder of opening and closing statements, another for trial exhibits, witness direct, and cross .... I could even use the app to present the exhibits with a computer if I become comfortable enough (I take that back, I think I will leave that to a paralegal). The second PDF app I need is PDF Converter (\$6.99). This will permit me to turn any document created in another format to a PDF. There is no learning curve and it is very compatible with PDF Expert.

**Slide Presentations:** I have always been a PowerPoint user. If I want to stay with PowerPoint, I think the easiest approach will be the CloudOn app I will be using for Microsoft Word. If I have time, I will experiment with Apple’s Keynote (\$9.99). This looks as easy to use as the word processing program Pages. Since Keynote is made by Apple it will be particularly intuitive on the iPad. Once I am comfortable with the slide creation process, I am looking forward to using the iPad for presentations. I will have a number of alternatives, such as presenting directly from the iPad with a cable or wirelessly, or using the iPad as a remote with the added benefit of being able to see my slides on it while presenting.

**Other Apps:** There are so many apps and so little time. I know I want to do other things and become more efficient. But I run the risk of never becoming totally comfortable with

the iPad if I try to do too much too quickly. I will leave the jury selection and trial presentation apps for another time. I suppose it wouldn’t do any harm to get certain basic references on the iPad now, such as the Federal Rules of Evidence, and Civil and Criminal Procedure. All are available in one app called LawStack (free). A number of state statutes are also available. Of course, if I am connected to the Internet, I will continue to use my favorite website, [www.law.cornell.edu](http://www.law.cornell.edu). I simply type the rule number in Google and I get the Cornell link as the first or second hit. No indexes or apps to learn and the format is great. I can convert the page to a PDF and save most frequently used rules in a folder.

## Jan. 23, 2013 • 12:32am: My Plan

I have had the iPad now for about a week and have developed a plan for its future use. I am going to put my home laptop away for two or three months and use the iPad as my main computing device. This will force me to become an expert quickly. I know I may not be totally efficient at first, but I have a couple of different choices for getting information into the iPad. I have just purchased a stand and a wireless keyboard. The stand is really well designed. It is powered enabled, which will permit be to keep the iPad plugged in while I am using it at my desk at home.

**Technology** continued on page 21



<sup>15</sup>564 U.S. \_\_\_, 132 S. Ct. 2156 (Dec. 3, 2012).

<sup>16</sup>*Symczyk v. Genesis HealthCare Corp.*, 656 F.3d 189, 195 (3d Cir. 2011).

<sup>17</sup>*Weiss v. Regal Collections*, 385 F.2d 337, 348 (3d Cir. 2004).

<sup>18</sup>No. 11-1450, 2012 WL 2645080 (U.S. July 2, 2012).

<sup>19</sup>*Knowles v. Standard Fire Insurance Co.*, No. 4:11-CV-04044, 2011 WL 6013024 (W.D. Ark. Dec. 2, 2011), *leave to appeal denied*, No. 11-8030, 2012 WL 3828891 (8th Cir. Jan. 4, 2012).

<sup>20</sup>*In re American Express Merchants Litig.*, 681 F.3d 139 (2d Cir. 2012).

<sup>21</sup>No. 12-133, 2012 WL 3096737 (U.S. Nov. 9, 2012).

<sup>22</sup>531 U.S. 79 (2000).

<sup>23</sup>562 U.S. \_\_\_, 130 S. Ct. 1758 (2010).

<sup>24</sup>675 F.3d 215 (3d Cir. 2012).

<sup>25</sup>*Id.*

<sup>26</sup>No. 12-135, 2012 WL \_\_\_\_\_ (U.S. Dec. 7, 2012).

<sup>27</sup>675 F.3d at 215. The Second Circuit had reached a similar result in *Jock v. Sterling Jewelers, Inc.*, 646 F.3d 114 (2d Cir. 2011).

<sup>28</sup>681 F.3d 280 (5th Cir. 2012).

<sup>29</sup>*Id.* at 642-43, 646.

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The stand also permits me to rotate the iPad in landscape and portrait mode. The stand I chose is made by Mophie (\$150). With the Bluetooth keyboard and the stand, it is like having a small desktop computer. The only difference is I do not have a mouse. Instead of using my finger, I purchased a stylus. There are actually two different styluses I like. One is called Bamboo (\$25) and the other is called Hand (\$29.99).

When I use the iPad while on the go, I find myself dictating with the microphone. This process is very quick and incredibly

accurate. The microphone is located to the left of the space bar on the keyboard. It turns the dictation into text as I dictate. I understand I need to be connected to the Internet to do this. However, since I am either connected by Wi-Fi or through my data plan, this is not an issue.

Once I have more time with the iPad, I hope I will be able to write an article about its use to assist other lawyers. Who knows, I might even be able to get it published in *The Federal Lawyer* if I am lucky. ☺

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507 N.E.2d 945 (Ill. App. Ct. 1987).

<sup>17</sup>29 C.F.R. § 778.114(a).

<sup>18</sup>*Id.* § 778.114(c).

<sup>19</sup>*Id.* § 778.114; *Urnkis-Negro v. American Family Property Servs.*, 616 F.3d 665, 681 (7th Cir. 2010), *cert. denied*, No. 10-745, 2011 WL 588987 (S. Ct. Feb. 22, 2011); *Ackerman v. Coca-Cola Enters., Inc.*, 179 F.3d 1260, 1262-63 (10th Cir. 1999); *Ahle v. Veracity Research Co.*, 738 F. Supp. 2d 896, 918 (D. Minn. 2010); Letter from Joseph P. McAuliffe, Director,

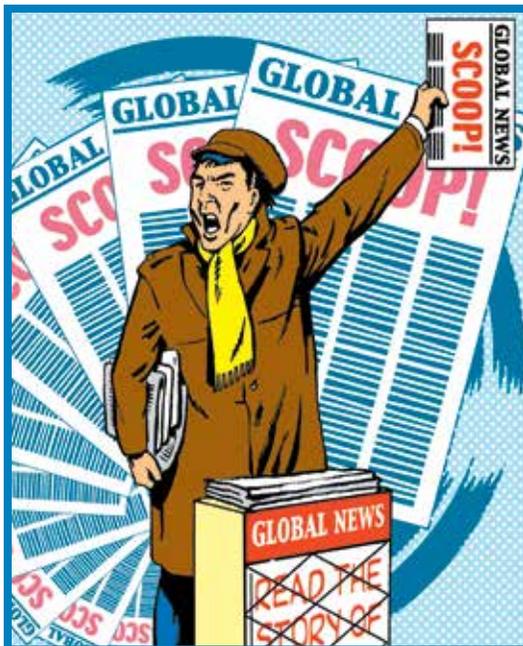
Division of Minimum Wage and Hour Standards, Wage and Hour Opinion Letter, 1973 WL 335242 (Feb. 26, 1973); Letter from Maria Echaveste, Administrator, Wage and Hour Division Opinion Letter, 1996 WL 1005216 (July 15, 1996).

<sup>20</sup>29 U.S.C. § 216(b); *Hoffmann-La Roche, Inc. v. Sperling*, 493 U.S. 165 (1989).

<sup>21</sup>29 U.S.C. § 216(b).

<sup>22</sup>*Id.*; compare Fed. R. Civ. P. Rule 23 with 29 U.S.C. § 216.

<sup>23</sup>*Hoffmann-La Roche*, 493 U.S. at 165.



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