

## **SAMPLE TECHNOLOGY CHECKLIST**

Rule 16-101, NMRA provides that lawyers shall provide competent representation to clients. While maintaining competence has always required a lawyer to stay abreast of changes in the law and its practice, in 2013 the New Mexico Supreme Court amended the commentary to Rule 16-101 to instruct lawyers that maintaining competence including staying abreast of the benefits and risks associated with relevant technology. The Court's amendment reflected the reality that lawyers increasingly rely on technology to accomplish their daily tasks.

But what, exactly, might a lawyer need in terms of technology? That all depends on a variety of factors including, but not limited to:

- the features you need; e.g. case management, calendaring, time and billing, client invoicing;
- the amount of remote access you need when you are off-site; i.e. the amount of telecommuting and remote work you and your staff anticipate;
- the cost.

What follows are some, but not necessarily all types of technology that a lawyer might consider using depending upon the lawyer's needs and resources. Before selecting any or all, consider doing some research on what is available, the benefits and costs associated with each, and whether it is something you must have, something that would be nice to have, or something that is simply not necessary for your practice.<sup>1</sup> Additionally, when considering and using any technology keep in mind that one of the greatest considerations associated with a lawyer's use of technology is whether and in what manner the technology allows the lawyer to maintain client confidences.

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<sup>1</sup> *This checklist is provided to members of the State Bar of New Mexico for informational purposes only and is not intended to be exhaustive or applicable to all circumstances. Further it is not intended to, nor does it constitute legal advice to a lawyer or law firm, nor does the use of this checklist establish any type of attorney-client relationship between employees of the State Bar of New Mexico and any person or entity. This checklist is not a substitute for independent analysis and research by a lawyer or law firm. Each lawyer and law firm are responsible for their own compliance with applicable rules and laws and should consider seek appropriate counsel for advice.*

## **Hardware**

- Computer(s) (Desktop(s), laptop(s), tablet(s))
- Server(s)
- Copier(s)/Scanner(s)
- External hard drive (if planning for on-site backup of files)
- Printer(s)
- Smartphone(s) (e.g., Android, Windows, iPhone)
- Landline – modern phone system - VoIP technology

## **Operational/Productivity Software**

- Practice management software
- Billing software
- PDF software
- Word processing software
- File management and file sharing software
- Legal research platform(s)
- Cloud based platform (storage/backup/operational)
- E-signature software
- Cloud based backup and/or Offsite Storage
- Virtual meeting software/subscription (Zoom, Teams, Google Meet, etc.)
- Web threat and other firewall, anti-virus, and anti-malware software

## **Connectivity**

- Reliable high-speed internet connection
- Secure Virtual Private Network and/or other secure remote desktop application

## **Marketing Tools**

- Firm website
- Social media accounts
- Networking resources/directories/professional media accounts (e.g. LinkedIn, Avvo)

## **Support**

- IT professional(s)
  - Tier I in-house if practical
  - Tier II contract support if Tier I support is not practical

## **Internal Policies for Technology Use**

- Written policies and procedures for internal personnel to follow