

LAWYERS HAVE AN
ETHICAL OBLIGATION TO
UNDERSTAND TECHNOLOGY:
*THOSE WHO DO NOT UNDERSTAND TECHNOLOGY
ARE AT A HUGE DISADVANTAGE*

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[8] To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject.

See ABA Model Rules of Prof'l Conduct R. 1.1, Comment 8 (2014) (emphasis added).

A panel of **four “cyberstar” federal judges** who spoke on the future of law and technology at LegalTech New York 2014...”

See Learn or Lose: Catch up with tech, judges tell lawyers, ABA Journal (April 214)

ct Judge
cheindlin
outhern
New York

U.S. Magistrate
Judge James C.
Francis
of the Southern
District of New York

U.S. Magistrate
Judge
John M. Facciola
of the
District of Columbia

U.S. Magis
Judge Andre
Peck
of the Sout
District of Nev



U.S. District Judge Shira Scheindlin urged lawyers
to become *more tech-savvy to avoid being held ethically
liable for losing confidential client data...*”




U.S. District Judge Shira A. Scheindlin

“The problem is especially troublesome given that attorneys, like the general populace, are using smartphones and tablets for both personal and business matters...”



Judge Shira A. Scheindlin of the

A portrait of U.S. District Judge Shira A. Scheindlin, an older woman with short, wavy blonde hair, wearing a red collared shirt under a dark blazer and a gold chain necklace. She is looking slightly to the right with a serious expression.

“Sadly, too many attorneys haven’t logically concluded that they could be ethically liable for the loss of such data, and that they could be facing multiple lawsuits if the data falls into the wrong hands...”

U.S. District Judge Shira A. Scheindlin

“E-discovery is pervasive. It’s like understanding civil procedure...You’re not going to be a civil litigator without understanding the rules of civil procedure. Similarly, you’re no longer going to be able to conduct litigation of any complexity without understanding e-discovery.”



ate Judge James C. Francis

“Why hire a lawyer who doesn’t even have the technological competence to complete simple, everyday tasks like converting a Microsoft Word document into a PDF?”



U.S. Magistrate Judge John M. Fahey

“The absence of technical knowledge is a distinct competitive disadvantage.”



ate Judge John M. Facciola



“Lawyers better get crackin’. There’s an awful lot to know.”

U.S. Magistrate Judge John M. Fahey

“For the litigator, social media provides a wealth of information— available at one’s fingertips that just a few years ago required hiring a personal investigator to obtain.”

Judge Paul W. Grimm
ct of Maryland (author of *Lorraine v.*
Co., 241 F.R.D. 534 (D. Md. 2007).)

