

OUT of ORDER

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Handle Information Overload While Serving Clients Better

by CURT COVINGTON

Are you paperless yet? Do you store data in the cloud? Have you integrated an iPad into your workflow? Have you seen the most recent articles and blog posts via your RSS-feed reader?

The landscape of law practice is changing, along with the tools lawyers use. Attorneys are in a whirlwind of information, with new tools proliferating to help harness that information.

PRACTICEMANAGEMENT

Most of us are valiantly trying to keep up, deploying technology and connectivity to reach fantastic levels of responsiveness and client service. We can access large amounts of information at the courthouse, in a deposition or on a plane. The less paper lawyers use and the more data we store in the cloud, the more likely it is that data will be accessible upon demand.

As relevant social and intellectual information explodes, our sophisticated tools likewise are becoming more efficient at finding that information and routing it to our screens.

“Spectacular benefits and enormous costs,” writes William Powers in his recent book, “Hamlet’s Blackberry.” The benefits are so many, so relevant and so pressing that they leave our heads spinning. That’s where the costs begin to surface — in our heads.

In technology writer Nicholas Carr’s book “The Shallows: What the Internet is Doing to Our Brains,” he laments, “Whether I’m online or not, my mind now expects to take in information the way the Net distributes it: in a swiftly moving stream of particles. Once I was a scuba diver in the sea of words. Now I zip along the surface like a guy on a Jet Ski.”

Since lawyers may be somewhat aware of the costs, why do we enthusiastically participate, often signing up for even more connectedness? The answer may lie in how the human brain responds to new and interesting information.

Powers notes that awareness of something new and interesting in our surroundings activates the brain’s reward system, releasing a small amount of dopamine. The internet and all its content thus provide what Carr calls “a high-speed system for delivering responses and rewards — ‘positive reinforcements.’”

This is the feeling that results upon quickly responding to an email from a client in need, seeing an interesting Facebook update or running across a relevant blog post. These quick connections or small doses of information give our brains bits of that happy chemical dopamine, leading Swiss writer Rolf Dobelli to conclude that “news is to the mind as sugar is to the body.”

This sweet, addicting digital content is not going away. The exploding amount of information is combining with powerful technologies that fetch and organize it. This ensures that people are “forever inundated by information of *immediate interest to us* — and in quantities well beyond what our brains can handle,” writes Carr.

An example of this conundrum is TechnoLawyer, which combs the web for practice-oriented information,

then packages the best of it into an email with links to the content. The subject of the most recent email I received from this service was “LitigationWorld: Rethinking Witness Preparation Plus 110 More Must-Reads.”

These 110 links were to good content on the internet — articles from reputable sources and blog posts — that specifically spoke to litigation, my subject of interest. With one email, then, a large quantity of immediately relevant information inundated me.

The day-to-day tools attorneys use can add to the problem. Cutting-edge tools such as Evernote have helped my practice greatly. Within seconds, I can recall specific information about cases and documents, names of people I’ve met, speaking notes from past presentations, book notes, checklists, to-do lists — basically, anything I would need to remember. If I have my phone handy, these things are with me everywhere. Indeed, Evernote’s tagline is “remember everything.”

But what if I don’t want to? What if I don’t want all of my stuff — work, family, personal — with me all of the time? The concept is tantalizing: Put your things here, and they will be available whenever you need them. But in practice, it can suffocate. My brain slows to a crawl with all of the information rushing at me.

Brain-mapping research reveals why this is. Carr notes that, when primates use simple hand tools, their brains incorporate those tools into the brain maps of their hands. The same thing happens with a carpenter and a hammer, or a soldier with binoculars, and now, professionals with information.

Information and connectivity, however, are not a hammer or binoculars. Information is limitless, and connectivity is constant. The human brain can’t map them completely. As a result, digital information has become a curious place in between the brain and the physical world. You can’t put it away like a hammer; it’s always with you, providing a constant, low-level stress.

That’s why this statement by Google founder Larry Page completely misses the mark: “Certainly if you had all the world’s information directly attached to your brain, or an artificial brain that was smarter than your brain, you’d be better off.”

A growing number of professionals disagree with Page and pine for their old brains back, where they could cut ties with the world of information and bask in noninformation and quiet for a while.

So, how do lawyers in a hypercompetitive profession manage? How do we keep up without losing ourselves in information and connectivity? Here are three simple suggestions.

1. *Become aware of the problem:* Hopefully, now you know what is going on in your brain when you do the majority of your work in what writer Cory Doctorow calls “an ecosystem of interruption technologies” (i.e., on a computer). You know what you are sacrificing when you pick the fruit of connectedness and engage the technology of the day. You can plan accordingly.

2. *Undertake a Facebook fast:* Really, what’s called for is an information fast. Just select the information-consumption service or behavior of your choice (Facebook, Twitter, RSS reader, blogs, email checking) and fast from it for a set period of time. See what a short, planned information fast does for your deep thinking and creativity.




3. *Bring back some paper.* This may seem heretical in the push to go paperless. While lawyers should strive for paperlessness, the goal should not prevent the printing of and ruminating on items that truly merit it.

Print a case, walk to a conference room and dive into it. Print the 10 most important documents relevant to a case, put them in a binder and master them. Interestingly, once you are paperless, paper suddenly becomes a useful supplement to your practice.

As Powers notes, paper “offers exactly what we need and crave, a little disconnectedness.” In fact, “paper’s seclusion from the web is an emerging strength” because “the whole world slows down, and your mind with it.”

So, turn off the computer and breathe deeply. Allow your brain to slowly expand into its old self, like a plant that comes back every spring. Banish any anxiety about missing out on information, and slowly notice the things around you: a report that needs careful reading, a to-do list that requires tackling. A lawyer’s highest value to clients — analysis, problem-solving, and thinking — is now much more accessible.

But, I turn my computer back on. I have to; it’s a fantastic, powerful tool and one of my main assets. Upon restarting, I receive an announcement that I now have new software, and with it, the capability to instant message anyone in the firm. I can also call colleagues with a click, collaborate on projects in real-time chats as opposed to those slow email messages and even share screens. As my little ecosystem of interruption technologies expands, I can’t help but remember Powers’ phrase about our brave, connected new world: spectacular benefits and enormous costs. Indeed. 



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