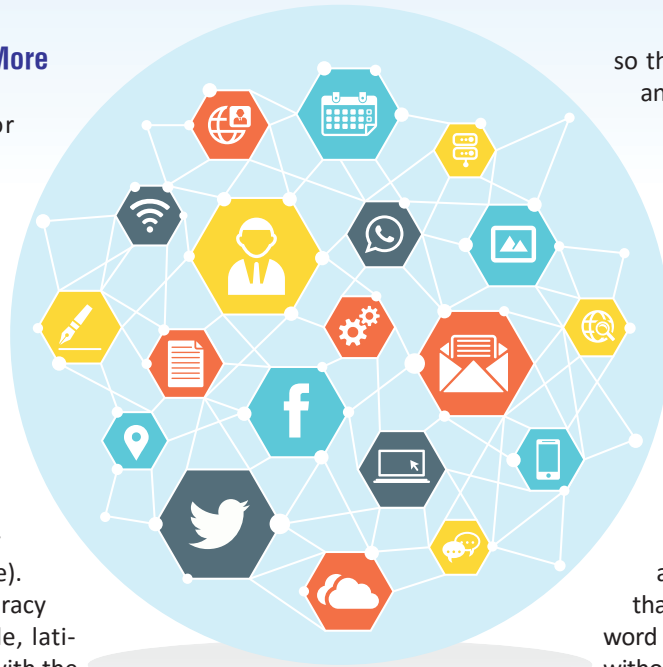


# 7 Technology Tips and Tricks

## A (Digital) Picture is Worth More than a Thousand Words

Nearly every smartphone or tablet user has taken a photo using their device and sent it to another person. However, what many people do not realize is that embedded in these photos are geotags within the Exchangeable Image File Data (also referred to as EXIF data), which contains substantial information you or your client may prefer not to share (or perhaps an opposing party didn't necessarily want to share). This data includes pinpoint accuracy of the exact location (longitude, latitude, and even altitude) along with the time the photo was taken. There are websites, free apps, and software such as [www.geoimgr.com](http://www.geoimgr.com), GeoTagr, and Exif Wizard that will allow an individual to pull the treasure-trove of data located in a digital photo. Such data may be helpful evidence in a case, especially for cross examination or deposition. Of course, there are methods to easily disable the geotagging feature from an electronic device. With the iPhone for instance, under "Settings," go into "Privacy," select "Location Services," and choose the apps from which you would like to disable geotagging – or simply switch off location services altogether to completely disable geotagging. Keep in mind that many devices' default settings have the geotagging feature set to on.

– David Sarif is a Founding Partner at Naggjar & Sarif. [www.nsfamilylawfirm.com](http://www.nsfamilylawfirm.com)



Online tools, apps, software, and social media.

## Impress at Trial with Electronic Copies of Your Exhibits and Transcripts

In court, I rely on technology to maintain my own composure, keep my client confident in my abilities as a trial lawyer, and earn the respect of the judicial officer.

Rather than waste financial resources on expensive trial software, I use Adobe Acrobat X Pro. All of my potential exhibits and client documents are already scanned electronically, so when it's time to create trial exhibit binders, I simply create a new electronic folder and begin to re-save my exhibits as the exhibit number to match my exhibit list. I use the Adobe program to electronically insert page numbers on the lengthy exhibits

so that I can easily direct the witness and the court to the particular page number I'm referencing during cross-examination. In addition to numbering the pages electronically, I also provide a footer on the left-hand side that reads something along the lines of "Petitioner's Exhibit 5." My staff can then easily assemble the Exhibit Binders with little to no error.

One of my favorite features of the Adobe program is the ability to apply Optical Character Recognition (OCR) to a PDF, converting it to a document that can be searched for a particular word or phrase. I would never go to trial without my laptop and electronic copy of all my exhibits and transcripts.

– Taylor B. Wallin (CFLS) is a Family Lawyer at Feinberg, Mindel, Brandt & Klein. [www.fmbklaw.com](http://www.fmbklaw.com)

## Use Online Tools to Simplify Case Management

Family law practitioners can simplify case management by requesting clients to communicate with their co-parent via an online tool that gives counsel an unfiltered window into their communication. When co-parents are prone to conflict, long email exchanges and vague text messages create ambiguity and miscommunication – not to mention making admissible records difficult to compile. As counsel, viewing an accurate record of client communication allows you to get effective work done more quickly. Online co-parenting tools offer the ability for

Cont. on page 22

## 7 Technology Tips / Cont. from page 20

counsel to view this information without waiting to receive material from clients that might be incomplete or hard to interpret. Some online co-parenting tools also provide reporting features that allow you to generate court-ready, admissible documentation with no hassle. Beyond facilitating your work on various cases, clients will also find it easier to manage communicating with their co-parent – a lasting result that will benefit your client well into the future.

– Sara Klemp is Business Analyst and Copy Editor at Our Family Wizard. [www.OurFamilyWizard.com](http://www.OurFamilyWizard.com)

### No Contact Means No Contact – Including on Social Media

Be aware of what your client’s doing on Facebook, especially if there is a no-contact order, restraining order, protection from abuse order, or similarly restrictive orders in place. To your client, a “like,” “favorite,” “friend request,” “re-tweet,” or even a “poke” may not seem like actual

contact or communication, but in the eyes of courts all over the country, they are. In Jenkins Township, Pennsylvania in August 2015, a man was arrested for “liking” 22 of his ex-girlfriend’s photos on Facebook. The charge? Violating a no-contact order. In Beverly, Massachusetts, a woman used her Pinterest account to follow her daughter, who had taken out a restraining order. After the daughter received a notification from Pinterest, she reported the violation to police. In August 2010, Harry Bruder of Orlando, Florida sent his soon-to-be ex-wife two friend requests on Facebook, and was promptly arrested for violating a domestic-violence injunction.

Simply put, “no contact” means no contact of any kind – including in cyberspace on social networking sites. While a number of attorneys have voiced First Amendment concerns about restricting even such seemingly minimal interactions on social media, and others have claimed context is important in determining what qualifies as contact over the Internet, the fact remains that courts draw a hard line in the sand when it comes to their

orders prohibiting contact. What your client might consider innocuous could be viewed very differently by an ex-spouse – and more importantly, a judge.

– John G. Browning is a Trial Lawyer at Passman & Jones. [www.passmanjones.com](http://www.passmanjones.com)

### Implementing Guiding Principles about ESI into Everyday Practices

ESI (Electronically Stored Information) is information created, manipulated, communicated, stored, and best utilized in digital form, and it requires the use of computer hardware and software. ESI is found on any device that has electrical, digital, magnetic, wireless, optical, or electromagnetic capabilities – including PDAs, cell phones, digital cameras, GPS devices, hard drives, thumb/flash drives, servers, tablets, and computers.

In 2006, formalized changes were made to the Federal Rules of Civil Procedure about the use of electronic discovery. Now, at least 49 states have e-discovery and ESI rules. These rules may differ from state to state or, where they



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might even be identical, the states might still interpret the lawyer's compliance differently "due to varying jurisdictions' different social mores, population bases, and historical approaches to their own ethics rules and opinions."

Family law attorneys should implement principles, not necessarily "best practices," to remain aware of their state's ethics opinions. Attorneys should also advise potential clients from the very first meeting about their duty to preserve ESI evidence so the potential client does not unintentionally destroy evidence – and perhaps create their own ethics dilemma by having failed to educate the client about this duty.

– Melissa Fuller Brown is a Fellow of the AAML and the IAML, and Founder of Melissa F. Brown, LLC. [www.scdivorcelaw.com](http://www.scdivorcelaw.com)

### Using Software to Turn Down the Temperature

Many times, a lot of the anger in a divorce stems from each party having an inaccurate understanding of the other

party's financial situation. Typically, each spouse thinks the other is making out like a bandit, financially. However, by using financial software that shows each party's budgets in detail, after tax, you can show the true position of the other spouse. This often has a dramatically calming effect, as each party sees the reality of the other's situation, which typically is more difficult than the spouses had expected.

– Daniel Caine is Co-Founder of Family Law Software. [www.familylawsoftware.com](http://www.familylawsoftware.com)

### Legal Proofreading Software Can Save Time and Money

Every lawyer wants to believe that their documents are carefully thought-out and presented. But how can attorneys produce top-quality, near-perfect documents at a cost that makes clients happy? Most lawyers already use knowledge-management software and document-management solutions, but the industry demands perfection. That's why it's surprising that proofreading software is still relatively unheard of and not widely

used. Cosmetic and seemingly non-substantive errors in text give the impression that an attorney is sloppy, uncaring, and untrustworthy. There simply isn't time to check the hyphenation, italicization, and capitalization of every term in Black's Law Dictionary or other style guides. And it's not reasonable to expect clients to pay for lawyers to proofread several times to catch all consistency and contextual errors. Proofreading software solves all of that. Software won't replace a human editor, but it dramatically cuts the amount of time that attorneys have to spend on proofreading. Since that time often can't be billed, it improves realization rates. Moreover, as proofreading is often left to the last minute, such software not only improves the quality of documents but also means that attorneys aren't still in the office after midnight. It's a tiny investment in technology that pays off handsomely.

– Ivy B. Grey is Director of Legal Product Design and Business Development at Intelligent Editing. [www.intelligentediting.com](http://www.intelligentediting.com) ■

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