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VENDOR SPOTLIGHT

Joe Utsler Software Evangelist for IPRO

Getting inside the head of a vendor.

Joe Utsler, 44, Vice President of Product Strategy, and Software Evangelist for IPRO sits down with SUE.

HOW DOES A FORMER ACTOR AND THEATRE PROFESSIONAL SUCH AS YOURSELF, GET INTO LITIGATION SUPPORT?

I took a "day job" at Sidley & Austin in 1991. In those days, the Litigation Support department was primarily made up of artists, actors, and musicians. I started off manually searching boxes for names and dates, progressed to paper coding documents (we had printed forms that we filled in for each document reviewed), to "direct entry" coding and project management, and finally to database administrator.

HOW DID YOU GET THE TITLE SOFTWARE EVANGELIST?

In August 2001, I was sitting around the Superior Court jury room waiting for my chance to participate when I got a call from Jeff Lipsman, founder of Dataflight software. "How would you like to be a Software Evangelist?" he asked. "I WOULD LOVE TO!" I replied. "What does a Software Evangelist do?" Jeff said he wasn't sure, but that he had some ideas, and maybe we could talk about them. The title comes out of Apple Computers tradition, where it meant spreading the word and building an enthusiastic community around a product or a technology. I like to think I've been a software evangelist for a long time, having spent years telling anyone who would listen about how the right tools could not only ease the workload but improve accuracy.

WHERE DID YOU GET PROFICIENT IN LEGAL SOFTWARE?

While working at Sidley & Austin. We only had one technical guy working on various litigation products. It could take ages for him to get to you. I've always been fairly self-sufficient, so I'd spend that waiting time trying to figure out the tools on my own. We had several different tools including Access, RBase, and Concordance. I was soon fairly proficient in all of them.

WHAT ARE THE CURRENT TRENDS IN LITIGATION SUPPORT?

We're in a very interesting time. The potentially responsive document sets, combined with a strong client push for cost control, has resulted in development of some really exciting search and organization technologies. Attorneys and clients want greater insight into how litigation dollars are spent. There is going to be strong push to capture and interpret metrics around the entire review process. The result is a more efficient approach to review. The question is whether we can increase efficiencies as quickly as we are increasing volume.

HOW WILL LITIGATION SUPPORT CHANGE OVER THE NEXT 5 YEARS?

You'll see a lot more searching by ideas, as well as a lot more automated filtering, to identify the most important documents for actual attorney review. You'll see a more holistic approach to litigation where knowledge gained during a case is retained and used to improve response in the next case. Litigation Support is going to impact the way that corporations manage documents, and how lawyers develop their client base.

HOW DOES SOMEONE GET TRAINING?

You can get some good overview knowledge just by going around to vendor websites. Software vendors have free, pre-recorded webinars. I attend workshops at legal technology conferences and read various BLAWGS. The rest is just being open to what is happening. Most of my knowledge comes from knowing what I needed a particular tool to do, and messing around with it until I found out if it could actually do it.

HOW HAVE THE NEW E-DISCOVERY LAWS CHANGED HOW WE DO BUSINESS?

It's forced us to look closely at the process. Everything needs to be defensible and reproduceable. Document dumps - attempting to bury the opposition by being dramatically over inclusive in your response - are a thing of the past. Most importantly, it's changing the way that corporations store data.

HOW DO YOU TRAIN ATTORNEYS TO GET ON BOARD?

This is something of a trick question. Attorneys are quick studies on things that interest them, or in which they are invested, but otherwise they tend to have better things to do. I tried to keep basic training to 1-2 hours maximum - just enough info so that they could start being productive, but not so much that they felt like they were wasting time. I have successfully run half- day trainings using copies of the case data so that they have a personal interest. When it comes to new technology, I've found that targeting a small team first works well. If I can give them a lot of attention, and they have success, they'll talk enthusiastically to their fellow attorneys. The best way to get attorneys on board is to have the backing of a senior partner. Win a case and make the Senior partner look good to his client, and he'll mandate adoption of technology. Senior partners can be amazingly persuasive.