

MSBA panel to discuss virtual law practices, from headsets to big data

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Body

The Maryland State Bar Association's Technology Committee has unique way to attract attendees to its education session Thursday in Ocean City: a free virtual reality headset. Lawyers will be able to take home the foldable, plastic eyewear that works with your cellphone, much like Google Cardboard. The presentation at the annual meeting also will be captured in 360-degree video.

"I've had people, they put on the headset and they start trying to walk around — it's that immersive," said panelist Matthew Stubenberg, the IT director for the Maryland Volunteer Lawyers Service . "It's uncanny how easy it is to trick your brain into thinking that you're actually there. "

It's better than normal video, he added, since viewers have to decide where to focus, just like lawyers must in court. It's good practice for the many distractions of the courtroom, he said.

Stubenberg, alongside fellow panelist William Buschur, created a series of training videos for lawyers using the technology, which are publicly available on the MSBA Young Lawyers YouTube channel. They said they hope to do the same for pro se litigants in need of legal advice, maybe in a "choose your own adventure" format, where users can click links to direct them to the 360-degree video that will match their upcoming court experience.

Virtual reality is changing the legal profession, but not just for lawyers. Soon, even jurors could use the technology to examine a crime scene or envision the actions of the defendant.

"They say a picture paints a thousand words. Well, I say a 3-D picture paints 3,000 words," said Diane Kilcoyne, MSBA's technology committee co-chair and principal and founder of Rockville-based ESI Group, which works to make e-discovery techniques accessible for small firms and solo attorneys.

Courts have been reluctant to include new technology in proceedings, said George Hermina, the program's chair.

"It was up to the court whether we were going to use videos, whether we were going to use overheads," said Hermina, of the Hermina Law Group in Laurel. "A lot of judges or decision-makers may be apprehensive because they may say it's more than the jury needs to see."

While there also is concern that using the technology in the courtroom could lengthen trials, Hermina said he hopes to be able to use it sooner rather than later.

"Nothing is better than bringing to the decision-maker what other people experience," he said. "Getting them out of the courtroom, getting them to see what you would see at the accident scene or the location where the incident has occurred."

Stubenberg said the technology may actually speed up trials.

"Instead of calling eight witnesses who all say they saw the same thing, you can call one virtual reality witness," he said.

The panel will also explore other virtual practice techniques, such as using "big data," information that computers can analyze for patterns and associations, including from the Maryland Judiciary Case Search. The data could help seek out class-action litigants and demonstrate legal trends, Kilcoyne said.

"Before, that information wasn't available before unless you had an army of 1,000 interns," Kilcoyne said.

The panelists will also discuss virtual practice management software such as Clio and MyCase, as well as mapping techniques used to assess trends and locate areas where legal assistance is needed.

"My biggest hope is that lawyers will walk away with a thought that law isn't what it used to be," Stubenberg said. "Not just virtual reality, (but) algorithms and big data are going to have a massive impact, from finding cases to determining which ones are most likely to be winnable."

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