Technology Property

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Technology—Property provides information on current technology and microcomputer software of interest in the real property area. The editors of *Probate & Property* welcome information and suggestions from readers.

iPads and iPhones: Tools for Practice

Perhaps we imagine that the way we work should develop deliberately, in carefully planned steps. Stephen J. Gould, the great evolutionary biologist, taught that life evolves in bursts, surprising for their rapidity. With the 2010 arrival of the iPad, tablet computers burst into the world of technology. The March 2012 arrival of the third generation iPad assures that the number of tablet computers purchased will continue to surpass new personal computers. Their effect on the technology of law has just begun.

Although there are other tablet computers, including those running Google's Android software and ones promising to run Windows 8, Apple's iPads, their software (iOS), and applications (Apps) dominate the tablet world today.

Lawyers have been careful not to rush to embrace new technologies. Yet the iPad and the iPhone (here considered the iPad's smaller sibling) offer capabilities that can enhance significantly a lawyer's practice.

This article complements the instruction and guidance about iPads from sources such as Tom Mighell's *iPad for Lawyers in One Hour* (ABA 2012) and *iPad Apps in One Hour for Lawyers* (forthcoming 2012), available from the ABA's Law Practice Management Section. Those publications offer a range of information too broad to cover here. This article focuses on the special possibilities the iPad offers for probate and property practice, building on an understanding of what makes Apple's new tools so popular.

Designed, and Built, with Principles

To understand Apple's success, admire not only the technological but the design achievements delivered by the iPad.

Apple does not hesitate to advertise the technology, coining the word "Resolutionary" to describe the high resolution screen of the newest iPad and the even higher resolution, though much smaller screen, of the iPhone 4S.

The deeper beauty of the iPad can be found in a document hidden on Apple's web site that receives little press. The "Human Interface Principles" for Apple's mobile operating system makes rewarding reading for technology professionals and consumers. The iOS "Human Interface Principles" can be found at http://developer.apple.com/library/ios/#documentation/UserExperience/ Conceptual/MobileHIG/Principles/Principles.html#//apple_ref/doc/uid/TP40006556-CH5-SW1. After a quarter century of hands-on use of personal computers, these principles redefine the experience of using a computer in essential and critical ways. The principles begin:

> A great user interface follows human interface design principles that are based on the way people—users—think and work, not on the capabilities of the device. A user interface that is unattractive, convoluted, or illogical can make even a great application seem like a chore to use. But a beautiful, intuitive, compelling user interface enhances an application's functionality and inspires a positive emotional attachment in users.

Apple demands—better, commands—that application developers focus on aesthetic integrity, consistency, direct manipulation, feedback, metaphors, and user control. These principles state an essential commitment to design excellence in the experience of using an iPad or iPhone. Apps must be submitted to Apple for approval for use on iPads and iPhones, which provides Apple the opportunity to enforce compliance with these principles. Recommend that your information technology staff read and consider how these principles could improve the technology systems and services for lawyers.

The iPad Is No Laptop

Don't confuse an iPad (and certainly not an iPhone) with a laptop computer or try to use it to replace fully a laptop or desktop computer. Apple did not design the iPad for full strength writing and editing of complex documents, spreadsheet data entry and calculation, or (direct) saving and access of content in a law practice's file system. Although nearly all of those tasks are possible on an iPad, it feels "convoluted and illogical," to borrow Apple's words.

Don't confuse a laptop computer, however light and portable, with an iPad. Today's laptops lack the display clarity, direct manipulation, feedback, and focused use that characterize the iPad experience. They also lack the explosion of inexpensive applications. There is a herd behavior among computer software developers, attracted to the rich feeding grounds of new marketplaces. New computer capabilities may (likely will) appear first in the iPad world.

Unlike laptops, iPads are ready for use nearly as soon as one turns on the screen. Even with the newer solid state drives, laptops today do not boot up as quickly as iPads. Reliable, iPads rarely require rebooting. Their weight and size makes them comfortable in places laptops don't travel or travel only with difficulty.

Read Nearly Everywhere

Though iPad advertising shows users attracted by pictures and video, lawyers may find the clarity and beauty of text read on an iPad most valuable. The size of an iPad allows one to view its text at a distance and angle highly comfortable for vision and posture. The original iPad and iPad2 offered a very clear physical display. The 2012 iPad not only makes photos and video stunning, but also makes text nearly as sharp as carefully printed text.

Both the iPhone and iPad handle e-mail messages attractively. With its larger screen, the iPad makes reading and filing e-mail to folders very comfortable. The tactile interaction with e-mail—depositing it in trash, for example—is both pleasing and effective. Scrolling by swiping demonstrates the direct manipulation mandated by Apple's design.

With these capabilities, reading documents without printing becomes practical and highly portable on an iPad, a distinct advantage compared to dragging home (or around) a trial bag. Several apps serve well to read PDF files, including Apple's free iBooks App, Good Reader, PDF Expert, and iAnnotate PDF.

Field Work for Probate and Property

Much commentary on iPads calls them weak for creating and editing the documents of law practice. If measured by success and effectiveness in creating and editing the complex text of documents in Microsoft Office format—true. The portability and features of iPads and iPhones, however, build their own world for creating and editing content. For both property and estates practices, gathering client information outside the office, in the field, is essential. For estates inventory, property investigation, and due diligence, information is best gleaned from a visit to clients' homes, offices, and properties. For these purposes, iPads and iPhones offer capabilities that previously were unavailable or impractical.

Both iPads and iPhones, especially the third generation iPad and the iPhone 4S, can take high quality photos and videos and record sound. Their GPS feature allows them to record location, often within just a few feet. The current versions of both devices enable voice recognition, when bandwidth is good enough. On the iPhone 4S this feature is part of the Siri voice assistant. On the third generation iPad, it is presented as a voice-to-text feature. The use of Siri to "answer questions" has prompted controversy, not yet resolved, over whether or when iPad will have Siri capabilities. In addition, two class action lawsuits allege misrepresentation of Siri's "skills." Voice recognition speaks for itself.

For field work, Evernote stands out among the tools for note taking, capture, sharing, and organization. Evernote (www.evernote.com) offers software and a service that ties field and desk together. Evernote includes versions for desktop PCs and MACs, as well as for iOS, Android, and BlackBerry mobile devices. Files created with Evernote can be viewed on any of these devices, and all devices accessing the same Evernote account are synchronized automatically. Evernote also has a substantial history, having begun in 2008, financed by over $80 million in private equity investment.

Notes in Evernote can be taken in the field with an iPad or iPhone. They can include photos or audio recordings (or both) taken directly from the application. Videos cannot be attached directly from the iPad, but could be taken at the same time and connected in the desktop version of Evernote. Detailed comments can be added to the note, either in the field working on an iPad or back in the office at a personal computer. Evernote includes features securing the content to the originator or permitting it to be shared with designated persons. Content also can be imported to or exported from Evernote. Evernote also features a rich set of content organization tools, including Notebooks and tagging.

Estate administration can benefit from a visual inventory, especially of personal property. Real property inventories can be supported by photographs and videos taken on site and tagged automatically with time, date, and place. In either case, starting the note by taking a picture assures that one can later review details beyond the specifics in the notes. Such "incidental" content can later prove more valuable than what seemed

important at the time. Dictating commentary as an audio note is always available but has the benefit (or hindrance) of background noise. On the iPhone 4S and the new generation iPad, voice recognition, when connected, can turn that dictation into text right away. The availability of this feature in a specific App depends on whether the App developer has included it. Upgrades appear to be picking it up rapidly.

The rhythm and flow of field work depends on the situation. In some circumstances, it may be best to work first with the camera, taking many pictures. These can then be incorporated into notes in Evernote, either on site or later. In other situations, it may be more effective to begin by creating a note and selecting a visual or audio note to include. With the synchronization of notes across devices, a note begun on an iPhone can be edited and amplified on an iPad then later at a desktop computer.

The immediacy, feedback, and detail possible with such highly portable, yet capable, tools should turn this kind of field work into a common part of probate and property engagements. The tools fit in a pocket, purse, or briefcase. Besides, you already carry that iPhone.

An especially intriguing tool for extending a photographic record is Microsoft's Photosynth application. (www.photosynth.net). Photosynth automates the capture of remarkable panoramic views. On the iPhone and iPad, a full 360 degree view (including vertically) can be taken automatically. Once started, as the photographer moves the camera around an imaginary visual sphere, the camera takes the connecting pictures automatically, then stitches them together. Although the level of detail is not as great as in individual photographs, the full view may tell a story that cannot be described or captured in snapshots. As with photos attached to Evernote entries, the panoramas are tagged for time and location.

Photosynth is an experimental product and made available for free by Microsoft's development team. Synths uploaded for viewing on the Photosynth.net site can be either public and listed or unlisted. The unlisted ones do not appear in searches, but their URLs are not secured. The Photosynth App can be used in a more secure way by using only the saved copy of the stitched photo, which can be found on the camera roll

of the iPad or iPhone that takes it. This can be saved or sent securely but does not permit the fully panoramic viewing available on the web site. One hopes a version of this technology that supports secure file saving and sharing will become available.

Geotagging-It's on the Map

"Geotagging" means the storage of location information with a file, sometimes called "geospatial metadata." With the GPS capability incorporated in the iPhone and iPad, every picture, video, and even text can be tagged automatically with the location where it was created. In the field work described above, the photos contained in Evernote entries automatically include their locations, accurate to a few feet. Evernote also automatically includes a link that will show the location of the note on Google Maps. In very few steps, the inventory or diligence record comes alive on the map. It is remarkably easy to gather and assemble this information.

Some care must be exercised to keep geospatial information accurate. Pictures taken with an iPhone or iPad include their geographic location as metadata. An Evernote entry can have a separate location, if created at a place different from where the picture was taken. For example, taking a picture first in the camera application, then adding it to an Evernote entry, can result in two different locations.

A Highly Portable Toolkit

Although a plain iPad works very well for reading and watching, accessories greatly enhance its power as a lawyer's tool. Those I carry include stylus, keyboard, stand, and case. Adonit's Jot Stylus adds precision to note taking and many other tasks on iPads and iPhones. The Apple Wireless Keyboard enables those of us who prefer to write with 10 digits to work at full speed. The Origami Workstation from Incase holds the Apple Keyboard. It is inventive and elegant and turns the combination of iPad, keyboard, and stand into a miniature workstation.

Add an iPhone 4S and attach a Belkin LiveAction Camera Grip to make the iPhone more of a digital camera, and the tools for field work are complete.

Specialized Apps for Probate and Property Practice

This is not yet a realized category. There are Apps directed primarily at lawyers. Lexis and Westlaw have released Apps designed to make their content "iPad friendly" (Lexis Advance and Westlaw Next). LawBox is an example of a low-cost legal reference tool designed specifically for iPads. It offers a navigation system designed for mobile devices, including iPhones and iPads, and it includes a social networking component. Some content applies specifically to probate and property practice, such as the California Probate Code. It remains to be seen whether these sources have sufficient value.

Property lawyers may find general commercial Apps helpful, such as Zillow, an App that delivers the content already available on the Zillow.com web site that shows sales prices, tax assessments, and value estimates. On the iPad, portability, GPS location, and tactile interaction facilitates use of this data to negotiate home purchases and review comparable homes for zoning and tax assessment and appeals.

A Dose of Fun and Beauty for Building iPad Skills

Despite the uncounted hours of time wasted, the "professional" excuse (pardon, reason) for including Solitaire in the deployment of Windows computers in the 1990s was to make the graphical interface and interaction with a mouse familiar and comfortable for users.

Interaction with an iPad requires new skills to master its gestural interface and navigation. Zen Brush by PSoft Mobile offers an especially simple and beautiful tool for drawing, whether with a finger or a stylus. In blacks and grays, an eye-pleasing rendering of stroke works very well for doodling, and may even have a professional function for sketching ideas. The visual pleasure alone justifies the $2.99 price.

Paper by Fifty Three goes beyond Zen Brush's simple drawing to support sketching, writing, and coloring. It starts free with a pen tool, with four additional drawing tools each requiring a $1.99 purchase. Fifty Three comes from a higher power team (the designer for the Xbox Kinect, among other things) who just says "We Make Stuff. Beautiful, practical, meaningful stuff." Frustrated by the inability to use their computers with the simplicity of pencil and paper, they built this App to achieve that. It's worth the download to see if they succeeded. Paper by Fifty Three may be just the tool to capture and share a critical thought for a client.

Along the way, both tools will encourage mastery of the gestures and strokes that turn one into an artful iPad user.

Wishing for More?

In a time of such rapid change, there is a great deal to absorb before asking for more on the iPad and iPhone. An area ripe for improvement is database support and connection. iPad Apps do not yet speak directly or easily to the databases that drive often-used law practice systems such as Time Matters or Amicus. Limits on document editing capabilities challenge developers of programs like HotDocs. New file connections between PCs and iPads, similar to that offered by Dropbox, are likely to reach the market.

We should understand iPads and iPhones as different from and complementary to desktop and laptop computers. We will gain more by mastering and incorporating their special capabilities into our practices than by expecting them to replace today's tools altogether. n