



By Darrel J.
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Put Down Your Phone and Pay Attention!

Nearly 25 years ago, on a lovely June afternoon, I was walking along Poydras Street in the heart of New Orleans' Central Business District when I heard a young associate at the big firm, where I had started work earlier that day, say something incredible. It was my first day as a law clerk or "summer associate," as we were called, at one of the state's largest law firms. I was an LSU Law School student who had grown up in Eunice and was still wondering why on Earth this, or any, law firm would pay me the astronomical sum law firms paid summer associates in those "good old days." I was desperately working to not say the wrong thing, use the wrong fork, or otherwise reveal I might have no business representing multinational corporations in complex cases. I knew I had what it took to eventually get a job at this or another firm, but when I met the other law clerks, some of whom were students at some of the nation's top law schools, I knew I needed to do all I could to make LSU and Eunice proud!

My fellow clerks and I, all wearing the new suits we had acquired to supplement the one good "interview suit" we had worn all through the preceding school year's interview season, had just enjoyed the first of many outstanding

networking lunches at a fine French Quarter restaurant and were walking back to the firm's offices.

The *real* associate, just a few years older than I was, said, "Darrel, when we get back to the office, I am going to print an email I got from a client this morning and have you start researching the legal implications of something our client wants to do." I thought, "You're going to print a . . . what?" I was about as familiar with computers as most American law students, and I guess I had *heard* of email, but I had surely never seen one, and I had no idea how email worked. But, not wanting to expose myself as a complete rube, I confidently said, "Sure, I'd be happy to *review that email* and get right to work."

That was my introduction to a medium of communication that would absolutely dominate my life — and the lives of thousands of other lawyers — for, at least, the next quarter century.

I have joked that, depending on the day, I am either the "youngest old guy" or the "oldest young guy" in my work as a lawyer or as Louisiana State Bar Association President. Granted, some days it seems like the "young" is becoming more aspirational than actual.

I am old enough to remember when lawyers did not use computers, but I am

also young enough to be in the very first group of lawyers to have always used computers and other electronic devices in the practice of law. My initial introduction came in law school and on that long-ago day I just described, but when I graduated from law school a couple of years later and started my first real job as a law clerk at the Louisiana Supreme Court, the Court installed computers on all our desks the week before my class of clerks started, replacing the "computer room" that previous clerks had shared. When I went to work as a lawyer at a large law firm after my clerkship, a shiny new Apple computer was waiting on my desk. I have never practiced law without a computer.

Today, I use a laptop that is always with me. While there is nothing nautical about it, I "dock" it into a "docking station" as soon as I come into the office each morning, and I undock it and bring it home with me every evening. At home, I can VPN (use a virtual private network) and see all my files as if I were sitting behind my desk. I have "24-hour tech support" if something goes wrong. As if this were not enough, I also have an iPad and two cell phones — an Apple and an Android. I can be reached anywhere, anytime, by practically anyone, and I almost certainly have at my



disposal more computing power than the Johnson Space Center had when it launched the Mercury and Apollo astronauts into space!

As LSBA members, we can all log onto Fastcase (a free LSBA perk), PACER and Court Connect, and we can all email, text, research, Dropbox, VPN and electronically download and send files and data until our eyes go bleary.

As 21st century lawyers, we have a virtual arsenal of technology at our disposal. And, I haven't even begun to talk about how we can harness artificial intelligence, offshore legal resources, apps that help prepare our cases and allow us to manage our practices and clients "over multiple platforms," blah, blah, blah. The possibilities are endless! So, when is enough technology enough? At what point are we simply spending too much time staring or squinting at a screen? Are we at that point now, or are we prepared to continue to embrace each new technology as we have for the past 25, or more, years until we are literally one with our machines?

Some argue we have reached the point where our over-reliance on technology may be doing more harm than

good to what is, at least for the time being, the most important tool we have as lawyers — our brains. Studies are beginning to suggest that repeated use of electronic devices — incessant email checking on smartphones, use of social media, and similar acts that put highly educated legal professionals in a trance during deposition breaks (or, worse, in a deposition) and throughout the day — are affecting lawyers' ability to concentrate. A very compelling (and ironic) case can be made that our ability to "think" — something IBM's longtime slogan compelled — is the most important thing we do as lawyers, but our incessant emailing, texting and typing away on devices large and small may be harming our brains and probably our thumbs, too.

Neuroscientists are beginning to discover that people who spend a great deal of time using computer and video screens suffer higher levels of gray matter atrophy, compromised white matter integrity, reduced cortical thickness, impaired cognitive functioning, and cravings and impaired dopamine functioning related to their screen use. In other words, the devices so many lawyers are

"addicted" to may be impairing brain structure and function. For those of you who still have deep powers of concentration and who can never turn off your "lawyer brain," there is certainly not enough evidence to "incite inquiry" as to whether a whole generation of lawyers will suffer from a new occupational disease. I have not now alerted you all to the beginning of the prescriptive period of this new "lawyer brain disorder," but maybe now would be a good time to examine our relationships with our devices. Or, as my children have said, "Dad, maybe you should disconnect, so we can connect." Good advice, I'd say.

It would stand to reason that if our greatest asset as lawyers is our ability to think critically and deeply and to bring high levels of focus and concentration to complex legal issues, then we might want to consider weaning ourselves from our devices and screens. Less screen time will likely make us better lawyers, and it will almost certainly make us better spouses, parents, dinner companions — and drivers!