

## ASPs Could Carry Lethal Sting

One of the hottest topics in the computer industry today is the subject of "Application Service Providers" or ASPs. Instead of buying a copy of Word, WordPerfect or database software for several hundred dollars or more, you would lease it from an ASP over some form of Internet connection for a few dollars a month. The ASP would take care of upgrades, bug fixes, virus checking, maintenance, backup, and similar functions. Since the vast majority of the cost of owning software today lies in maintenance, tech support and service, this would take a tremendous burden off the shoulders of the companies involved, in addition to (perhaps) saving money. In essence, this amounts to "outsourcing" the computer programs you use.

While everybody is rushing head over heels to get into the act, in my view the problems with an ASP solution for a law firm are insurmountable, at least within the next five years or so. Bob Butler of Time Matters has also addressed a number of these issues in his recent article in *Law Technology News* (May 2000). The main problems at issue can be summarized under three headings: Access, Security, and Functionality.

### About This Newsletter

Heckman Consulting is a systems integration firm specializing in the legal market. John Heckman has over 18 years experience in the legal community. This newsletter is published periodically as a service to our clients and others. It contains items we find of interest. The newsletter is on the Metz Software web site at: [www.metz.com/hcnewsct.htm](http://www.metz.com/hcnewsct.htm)  
Contact Heckman Consulting at:  
One Fencove Court  
Old Saybrook, CT 06475  
Tel: (860) 395-0881  
Fax: (860) 395-0386  
e-mail: [heckman@heckmanco.com](mailto:heckman@heckmanco.com)

### Access to Your Data

The first issue is bandwidth. A network connection typically runs at 10 Mbps, with newer networks running at 100 Mbps. This is 200 to 2000 times as fast as a 56Kb dialup line and 40 to 400 times faster than a 512K DSL connection. The fastest Internet connection available, a T3 line, is likely to cost in the neighborhood of \$3,000 per month for a fifth the speed of a network (prices vary sharply depending on specific local areas and phone companies). And this is on a good day. When the provider's server goes down or the connection is clogged and slow, you may not be able to access your applications and data. Think of your reaction when the server in your office is "running slow." Then consider your current access to the Internet: would you trust mission critical data even to an improved version of it?

The main law firm applications – word processing, e-mail, calendaring, case management programs – are typically programs that users open at 9 am when they arrive and close at 5 pm (if they are so lucky as to leave that early). This dooms any Citrix-type approach from wide-scale implementation, since users will dial in when they arrive in the morning and occupy the phone line continually until they leave. A company trying to use Citrix could need as many phone lines as they have users, which is not feasible. Most ASPs are targeting implementations for programs that require only occasional use, i.e., once a day, a couple times a week. The bandwidth needs for basic law firm applications are far beyond anything anyone even has on the drawing boards today.

Some real-life examples may serve to drive this point home. A major New York law firm had a T3 line between an outlying building and their main office over which they were running their e-mail application. They had to abandon it because of vociferous complaints about slowness. Or consider the PointCast craze of a couple of years ago. People loved the instant access to news, stocks, etc. However, many corporations

had to shut off access to it because their networks could not handle the traffic.

### Security of Your Data

The security issue that has received the most attention is securing your data from hackers or thieves. Will your data be on a dedicated server (probably not); how will you know who has access to your most confidential data (you won't); will the data physically be housed at your ASP's site or at the site of some server farm run by major ISP subcontractors or phone companies? In addition to the risk of compromising data, hacker attacks could take the form of Denial Of Service attacks such as those that brought giants AOL and Yahoo to their knees for hours or days at a time. If hackers can crash AOL's servers, they can certainly do it to an ASP's server. What, if any, provisions will there be for accessing your data if the ASP goes down? None of these issues have been addressed in ways likely to satisfy law firms.

Anyone who proposed building a network for a law firm that might randomly have outages of several hours to several days would rapidly be shown the door. Why should law firms trust their data to a system where such outages have and will continue to occur, just to "save" few bucks?

Then there is the question of the availability of your data in the event of a dispute with the provider. Suppose the ASP cuts off service over a dispute, the way Time Warner did briefly with ABC/Disney. With the passage of the UCITA act in a number of states this is a serious possibility. Whether the dispute is resolved in your favor or not, you could still be without your data for an unacceptable amount of time.

Finally, what about professional liability in the event client confidentiality is breached? Law firm e-mail messages are increasingly carrying the same sort of disclaimers traditionally associated with faxes. Will every single wordprocessing document have to carry a similar warning?

### Program Functionality

Will full-featured programs be available? To date, efforts at "Internet suites" such

*(Continued over)*

## ASPs *(Continued)*

as those from Corel and Star Office have been largely unsuccessful due to slow response time and limited features. In a culture where users complain about having to make an extra mouse click or two, what will be the reaction when it takes two minutes to save a document or footnotes are not available?

### What Will Work?

There are currently intermediate options that combine some of the advantages of outsourcing with maintaining your data securely. These typically take the form of web-enabled applications that can be accessed using a simple web browser from anywhere with an Internet connection, but with the data still residing on your system. Novell's GroupWise has had this capability for several years (a very long time in "Internet years") and has gotten to a point where the web version has almost identical capabilities as the normal office version.

Document management programs such as Worldox, PCDocs or iManage are releasing Internet-enabled products that allow a firm to access its documents via a simple web browser. These programs allow you to search for your documents, view them and "check them out" to your local hard drive to work on. When you have finished, you can then upload them via the Internet again. These are "half-way houses" but work well for limited use, e.g., you are at home and want to work on a document.

It is unclear how effective this approach will be in terms of database-intensive programs such as case management programs. The closest analogy today is probably On-Line shopping services. Ask yourself the question: when you purchase something on line, how long does it take

between the time you click OK and your purchase is actually registered (i.e., written to the database). Would you accept this kind of delay for your calendar or case management program?

### Conclusion

In order for an ASP model to work, vendors will have to offer full featured programs at near current network speeds. To date, that does not seem to be even close to happening. ○

## Love/Hate Viruses

The recent "I Love You" worm virus and the subsequent, even more lethal, versions once again demonstrate the need for extreme care concerning e-mail and other viruses. Major corporations were forced to shut down their e-mail systems for a full day or more to eradicate the virus and smaller companies with fewer resources may have been even worse off. Users of Microsoft products (Word and Outlook) have to exercise special care, since these products are designed to be wide open, including to the effects of the current strains of viruses. For the first time, a number of analysts in the computer trade press have suggested that companies who really want to provide security against viruses should consider getting rid of Outlook. Microsoft has taken a very hard line that the security holes in their products are beneficial to their customers because of other uses to which they can be put, such as seamlessly downloading information from the Internet or extracting information from your PC for the benefit of Microsoft. Especially in light of the half-hearted "patches" Microsoft has issued in the wake of this incident, it is unlikely that it will take security issues any more seriously in the future.

The most immediate line of defense is never to open an e-mail attachment directly. Always view it or delete the e-mail directly. If you are using Internet Explorer, disable Active X controls. In addition, be sure to turn on the file extensions so that you can spot any attachment with a ".vbs" or ".vba" extension and delete it immediately. Unless you really need it, uninstall the Windows scripting host. The best source for information concerning this and other Microsoft issues is Woody's Office Watch (at [www.wopr.com](http://www.wopr.com)).

Users of "always on" internet connections (cable modems, DSL connections) *must* get a home user-type firewall. Two of the best software-based firewalls are Zone Alarm (free from [www.zonealarm.com](http://www.zonealarm.com)) and Black Ice (\$39 from [www.networkice.com](http://www.networkice.com)).

Hardware firewalls for the small or home office are also available for a few hundred dollars.

If you have any doubts, check out Steve Gibson's monitoring software, Shields Up, at [www.grc.com](http://www.grc.com). You will probably be unpleasantly surprised about the security of your Internet connection. ○

---




---

## Heckman Consulting News

Heckman Consulting will have a booth at the Connecticut Bar Association meeting in New Haven on Monday June 5, and will share a booth with Automated Legal Information at the Rhode Island Bar Association meeting on Friday June 9. Come by and see us! Check out software you are interested in, such as Amicus Attorney, Time Matters, Worldox, Summation Blaze, WordPerfect, Metz Phones, Timeslips, PC Law, and other programs. ○

Heckman Consulting llc  
One Fencove Court  
Old Saybrook, CT 06475

Stamp