

## PAPER VERSUS PIXELS: PLEASE DON'T TAKE MY PENCIL AWAY

The Honorable Jean Rosenbluth\*  
United States Magistrate Judge, United States District  
Court for the Central District of California

I'm not old. (If you know me and think otherwise, please keep it to yourself.) But when I sit down at work in front of my bank of computer screens, often with my tablet and smart phone nearby, I feel old. I stare at these amazing machines knowing that they're capable of helping me so much more than I let them. Part of it is time: I simply don't have any, or at least not enough to allow me to engage in the sort of extended dialog my machines need to explain to me everything they can do. But much of the enervation I feel when near them arises from a sort of fuddy-duddiness mixed with nostalgia and, truth be told, fear: The way I've always done things is better than the way you want me to do them (and maybe I won't be as good at your game).

And of course, the way I've always done things involves paper, reams and reams of paper. I've probably wiped out several prefab forests all by my lonesome. Except for the shortest of motions or applications, I read everything the lawyers file in hard copy even though most of it is now submitted electronically. I resist the urge to print something as soon as I get the electronic notice of its filing, instead badgering my poor clerk to make a reminder call to any lawyer who hasn't complied with our Court's local rule requiring a paper copy to be submitted to chambers no later than noon the day after the document was filed.<sup>1</sup> I'll be darned if I'll let technology shift costs to the Court.

The very existence of the local rule suggests, of course, that I'm not the only judge who prefers paper over pixels. Oh, I know that some judges keep essentially paperless chambers and edit and read extensively on a tablet (even I write on the computer,

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1. C.D. Cal. Civ. R. 5-4.5.

although I generally hit print before engaging in any kind of comprehensive self-edit), but more, I think, maintain paper files and edit on hard copy. Virtually every technological innovation at the Court is implemented in a way to accommodate the judges, including me, who still want paper.

I can't speak for other judges, but I like the feel of paper, flipping pages back and forth to ensure I've said everything I want to say and not a word more. Or, when reading a brief or motion, scribbling notes in the margin or underlining words or phrases as they strike me. (And yes, I know I can do that on a tablet. But it's not the same. Seeing my own scrawl on the page connects me to the work, invests me in it, in a way that's not possible with a tablet.) I like the way the printed page looks, and I gain some sort of meaningless satisfaction in seeing that my margins are even and my headings are properly formatted. Studies show that people comprehend written content better when it's printed on paper than on a computer screen, I tell myself to assuage my guilt as I print out the 45-page brief that no amount of reminding could get the lawyer to submit in hard copy. And that's true: numerous studies from august<sup>2</sup> sources have concluded that people who read on paper "more effectively directed their attention and working memory."<sup>3</sup>

But I wonder, who are these "people"? They're probably mostly like me, middle-agers who grew up in a paper-bound world. I imagine our brains are simply different from those of children of the digital age, who are just now entering adulthood. My mature brain has had to adapt to something new, whereas theirs were shaped and molded from birth by that very same thing. I don't linger too long over these questions, however, before hitting the print key. I know that I simply read and compre-

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2. Side note: my machine is rebellious today, insisting that I mean the month of August, with a capital A, rather than "venerable," as Merriam-Webster defines the word I intended to use. I could not stop the machine from automatically and repeatedly changing the initial letter of the word to a capital A. I finally figured out that if I left the word intact and deleted only the first letter, I could retype it as a lower-case letter without the machine protesting. These sorts of endless spats with technology contribute to my reluctance to give up paper and pen.

3. Ferris Jabr, *The Reading Brain in the Digital Age: The Science of Paper versus Screens*, SCI. AM., Apr. 11, 2013, <http://www.scientificamerican.com/article/reading-paper-screens/> (explaining that more than a hundred studies have shown paper superior to a screen for reading comprehension, but noting that the effect is less pronounced with lighter fare and younger readers).

hend better in hard copy, or at least believe that I do, and studies of “people” back me up. So far I haven’t found any compelling reason to abandon paper.<sup>4</sup>

My first job out of college was as an editorial assistant at a national magazine. One of the senior editors there refused to use a computer, banging her stories out on a manual typewriter—not even an electric!—as she’d been doing for 30 years. Although I liked her a lot and knew her work was much admired, I also thought her silly. Her refusal to even try to learn the new technology when it most certainly would make her job easier was just plain foolish, it seemed to me. And she was a bit selfish, I thought, because someone else (that is, me) had to input all her stories into the computer after she had written them.

And now I have become her. I don’t want to edit on a computer, and except for the simplest of orders or the most minor of revisions, I generally don’t. My law clerks have to input the changes I make on the hard copies of drafts into a second draft, which they then print out for me to read to begin the whole process again. They probably mutter under their breath as they do so, and I don’t blame them. Their jobs would be much easier if I could wean myself from paper. And despite my religious recycling and relentless chasing down of lawyers who have not submitted the required chambers copies, my paper fixation costs precious dollars.

Yes, the promise of technology is seductive. It can instant-message my law clerk when I’m on the bench or tell me with one key stroke if the case I want to cite is still good law. And someday, perhaps when I’ve got more time and the stakes are less high, I’ll let my machines show me all the other things they can

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4. Except one. There’s no getting around it, doing work on the road is much easier electronically. No one wants to lug heavy file folders and 50-page decision drafts in their suitcase. When I have to go out of town is when I most regret my techno-aversion. I’ve tried to master it, I have. I even learned how to edit on a tablet. But I never felt sufficiently comfortable with the machine that I wanted to use it all the time, and when more than a few weeks passed between trips I found myself forgetting how to make the edit function work. I grew exasperated trying to remember and resentful that the thing wouldn’t just tell me. Why won’t machines give up their secrets willingly? Indeed, my machines are always sending me perplexing messages: I can’t edit because the document is in read-only mode. Do I want to allow an app to use my camera? My browser does not support the video I want to watch. I often don’t know how to answer the machine, and I just wish it would be quiet and let me do what I want. A small but not insignificant virtue of paper is that it never talks back.

do. But when it comes to writing and editing, I'm sticking with paper—even if I'm part of the last generation for which that will be true.