

Why PDF?

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Information is the lawyer's stock in trade. Lawyers process information. Historically, much of the information processed by lawyers has existed in paper form. As times have changed, so has the format of information. Today, much information exists in digital form, while much remains in paper. Digital information can be stored, manipulated, analyzed, and managed much more effectively and efficiently than information maintained in paper format. Someday, the vast majority of information will be created and maintained in digital format. In the meantime, the information that comes to lawyers on paper can be converted to digital format.

To convert paper-based information to digital information, you must first choose a digital format. Formats vary in what tools are available for working with the files, and how easily and universally the files can be shared with other people. With Acrobat, you can easily convert paper documents to digital files and then work with them in many different ways. You can also convert other digital file types, such as word processing files or spreadsheets. Virtually any file that can be printed on paper can be converted to Portable Document Format (PDF). Acrobat does more than just allow you to work with digital documents in the same ways you work with paper documents. It does not, however, replace your word processing application (such as Microsoft Word, Corel WordPerfect, and so on).

Digital information can exist in many formats. Just as paper-based information may be bound in books or jotted on the backs of cocktail napkins, and be written in many different languages,

digital information can exist in a variety of media and formats (although the choice of format is more important than the choice of medium). Converting existing stocks of paper-based information into digital information also requires a choice of image format. Today, common image formats include JPEG, TIFF, and PDF. The choice of format appears to have been made: courts and government institutions have chosen PDF.

Portable Document Format was invented by Adobe Systems, Inc. Refined and perfected over 15 years, Adobe PDF lets legal professionals capture and view information—from any application, on any computer system—and share it with anyone around the world. PDF files can be viewed and printed on any computer system—Macintosh, Microsoft® Windows®, UNIX®, and many mobile platforms. Adobe PDF files look just like original documents, regardless of the application used to create them. Paper documents scanned to PDF look just like their hard-copy counterparts and can be quickly turned into computer-searchable files. Unlike PDF files, documents scanned to Tagged Image File Format (TIFF) lose their original appearance when converted to searchable files. When it comes to long-term file retention, the PDF/Archive standard (PDF/A) enables organizations to archive documents electronically in a way that ensures preservation of content for later retrieval and reuse with a consistent and predictable result over an extended period of time in the future. The International Organization for Standardization (ISO) has approved PDF/A as an archive standard. PDF is an open specification and has been implemented by more than 1,800 hardware and software vendors. A PDF is a PDF no matter what software was used to create it. As a result, PDF has become the de facto standard for the secure and reliable distribution and exchange of electronic documents, and has a proven track record. PDF is a universal file format that preserves the fonts, images, graphics, and layout of any source document, regardless of the application and platform used to create it. PDF files are compact and complete, and can be shared, viewed, and printed by anyone with the free Adobe Reader program. To date, more than 500 million copies of Reader have been distributed.

You can use Acrobat to convert, create, distribute, and exchange secure and reliable PDF files (you cannot create PDF files using Reader). There are alternatives to Acrobat for the creation of PDF files, such as 1-Step RoboPDF, absolutePDF Creator Easy, activePDF Composer, and Pdf995, to name a few (www.planetpdf.com lists almost three hundred tools under the category “Creation & Conversion”).

Governments and enterprises around the world have adopted PDF to streamline document management, increase productivity, and reduce reliance on paper. For example, PDF is the standard format for the electronic submission of drug approvals to the U.S. Food and Drug Administration. The federal judiciary’s Case Management and Electronic Case Files (CM/ECF) system has

been implemented in almost all district and bankruptcy courts. CM/ECF allows the courts to have case file documents in electronic format and to accept filings via the Internet. CM/ECF systems are now in use in 89% of the federal courts: 89 district courts, 93 bankruptcy courts, the Court of International Trade, and the Court of Federal Claims. Most of those courts accept electronic filings. More than 27 million cases are on CM/ECF systems, and more than 200,000 attorneys and others have filed documents via the Internet.

The CM/ECF system stores case and related information as PDF files. Most legal professionals find the system easy to use—filers prepare a document using their word processor of choice, then save it to PDF for electronic filing with the court. Attorneys practicing in courts offering the electronic filing capability can file documents directly with the court via the Internet. When documents are filed electronically, the system automatically generates and sends a verifying receipt by electronic mail—no more waiting or paying for conformed copies. Other parties in the case automatically receive notification of the filing. There are no added fees for electronic filing in federal court (existing document filing fees apply). Litigants receive one free PDF copy of every document electronically filed in their cases, which they can save or print for their files.

CM/ECF also provides courts the ability to make their documents available to the public over the Internet via the Public Access to Court Electronic Records (PACER) program. PACER offers users a fast and inexpensive way to obtain comprehensive case and docket information as PDF files from federal appellate, district, and bankruptcy courts via the Internet. Electronic access requires registration with the PACER Service Center, the judiciary's centralized registration, billing, and technical support center.

The volume of documents produced as PDF files through disclosure and discovery in litigation continues to grow. Recognizing the power and efficiency of electronic documents, attorneys employing best practices—be they co-counsel, opposing counsel, or in-house counsel—expect that documents will be exchanged as PDF files. Likewise, clients have come to expect legal professionals to provide documents as PDF files. Given the widespread adoption of PDF as the standard for electronic files, lawyers need to work with those files using Acrobat.

Acrobat provides good image-acquisition capabilities, including the ability to perform optical character recognition (OCR) while retaining an exact image of the scanned pages. Recent versions of Word and WordPerfect contain drivers to publish word processing files to PDF. Because PDF is an open standard, companies like Corel and Microsoft can develop and include PDF tools in their software applications.

Besides acquiring images, Acrobat makes PDF files truly useful. For example, bookmarks and sticky notes can be added to image-only files. If the

files have a text background, the text can be formatted with highlighting, strikethroughs, or underlining. PDF files with background text can be searched; image-only files cannot be searched but information contained in the Document Summary or in attached notes is included in indexes of document collections. PDF files can be reviewed and annotated; the annotation can be summarized and published to PDF with just a few keystrokes or mouse clicks.

Acrobat allows lawyers to work with digital documents in much the same way they work with paper documents. That does not mean that Acrobat replaces your word processor. Just as you cannot effectively edit a paper document, you cannot effectively edit documents using Acrobat. You can mark them up, like you would a paper document, but the real work of editing remains the domain of word processing applications. While Acrobat adheres to many of the familiar techniques we employ to work with paper-based documents, it allows lawyers to work with digital documents more efficiently, more effectively, and with greater mobility. With a scanner and Acrobat, any law office can become a paper-free office. The person who does the paper filing becomes the person who scans incoming documents. When documents are scanned and saved they are “filed.” For more information on how Acrobat can provide the foundation for a paper free-office, see Chapter 16, “Acrobat in the Paper-Free Office.”