SECTION 8

Law Office Technology for Your New Firm

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I. Objectives

1. Discover quicker and easier ways to handle heavy workloads and manage details.

2. Save time in the document creation process using a document assembly program linked to practice management software.

3. Automatically delegate sets of tasks to assistants and efficiently supervise progress.

4. Improve the quality of office life with time-saving and organizing techniques.

II. Why Use Practice Management Software?

Practice management software, also known as case management software, combines a variety of features that may be brought to bear on law office inefficiencies. Let's consider some of the problems that this sort of software can address.

A. Common Problems in Law Offices

An inventory of problems that reduce the efficiency of a law office may include some combination of the following:

1. Time wasted looking for information

2. Inefficient reuse of work product

3. Income lost from time not tracked

4. Poor coordination among attorneys and staff

5. Too little communication with clients

6. Overly slow creation of paper documents for clients

7. No quick access to up-to-date matter information

8. Incomplete client information

B. How Practice Management Software Helps

The core functions of practice management software include storing and managing information about:

1. Clients, experts, referral sources, attorneys, companies and organizations

2. Matter facts, including status, notes, names, chronologies and dollar amounts

3. Docket entries, deadlines, personal calendars, docket date rules, and reminders

4. Tasks, including due dates, assignment dates, follow-ups, and delegated work

Practice management software has grown well beyond the core functions. Now it includes:

5. Automatic document generation: document assembly, merging case information

6. Document management: automatic naming and saving, full-text search, and workflow

7. E-mail: creation, automatic linking to people and matters, and document attachments

8. Intra-office messaging and telephone messages

9. Conflict of interest checking

10. Timekeeping and billing, either internal or via links to other software

11. Legal research tracking with links to cases and Web pages on the Internet

12. Two-way exchange of information with laptops and Palm organizers

III. Creating Documents: Word Processing and Document Assembly

A. Word Processing Software

Though WordPerfect continues to hold the loyalty of many in the legal profession, Microsoft's sharp competitive practices have assured dominance of Microsoft Word in the business world in general. The most cost effective way to acquire either Word or WordPerfect is to bundle it with a new computer. Currently the Small Business version of Microsoft Office is the best version for most business users.

Adobe Acrobat's PDF (Portable Document Format) files have emerged as an extremely popular format for Emailing documents. You can download the free Acrobat Reader in order to open PDF files, but you need "full" Acrobat or a competing product in order to convert word processing documents into PDF files. We recommend paying for Acrobat because of the important ways it integrates with Microsoft Word. With the right options turned on, Acrobat creates an electronic, clickable table of contents for Word documents that use consistent formatting for headings. In addition, it creates clickable links to Web sites and Email addresses.

The real key to efficient use of word processing software lies in developing a collection of model documents. You do not have to be a rocket scientist to insert variable into standard cover letters, fax cover sheets, and a wide variety of other documents. By all means, invest the incremental time required to collect and automate model documents as you go about producing work for your clients. Certainly you will need to modify old documents for new clients, but by doing so systematically you will create intellectual capital that will pay you and your firm very significant dividends.

B. Automating the Creation of Documents

Most lawyers fail to take advantage of technology that automatically creates documents. They think document assembly only works for practice areas where cookie cutter documents are produced over and over. But document assembly features now appear in practice management software as well as in dedicated document assembly software packages. You do not have to run a forms mill in order to realize true efficiency from automatic document creation.

Document assembly software such as HotDocs® automates the process of creating documents from standard forms. Some of these forms can be purchased from publishers; others need to be created by each law office. Using special MS Word or WordPerfect templates, document assembly software presents the lawyer or paralegal with multiple choice and fill-in-the-blank questions that drive the completion of a document customized to the client's particular situation. http://www.hotdocs.com

C. What Is Wrong with Using "Save As"

A number of potentially damaging and embarrassing consequences may flow from using the "Save As" method for creating new documents from old ones.

Rather than using document assembly software, many law practices use the word processing command "Save As" as their primary method for reusing existing work product. The lawyer or assistant finds an old document that is somewhat similar to the new one needed by the client. The old document is opened in the word processor and a copy is made using "Save As." Then the copy is painstakingly edited to change all the client-specific information and to adjust the language. The "Save As" approach has a number of disadvantages.

Here are some of the problems that may arise from using "Save As":

1. An instance of another client's name may be overlooked and left in the document. Search and Replace will not find all instances of a client's name if the spelling is subtly different in some places.

2. Language that was tailored for another client and that is inappropriate for the current client's situation may be left in the document.

3. A standard clause that was removed from another client's document but would be appropriate for the current client may be omitted.

4. Improved, alternative clauses drafted for various other clients' special situations are not readily available for consideration in drafting the current client's document.

5. Pains must be taken to search for and replace the words He, Him, His, She, Her, They, Them, and Their when they do not fit the current client or clients. Some may be missed.

6. Tedious reformatting may be required to adjust paragraph numbers and to avoid awkward page breaks.

7. The time-consuming process of proofreading is longer and more nerve-wracking because the proofreader knows there are many potential problems in "cleaning up" another client's document for use with the current client.

D. Advantages of Document Assembly

1. Dramatic reduction in time to complete customized documents

2. Greater consistency and accuracy in document preparation

3. Increased quality through the use of checklists of important alternative clauses

4. Reduced proofreading time through the use of boilerplate language and customization summaries

5. Increased profits resulting from value-based billing and greater capacity to serve more clients

IV. Why Link Practice Management to Document Assembly?

The client and matter information stored and updated in practice management software becomes instantly available for use in creating documents and Email messages.

One of the drawbacks of the usual implementation of document assembly software is that it is treated as a separate program used only to produce a limited number of form documents. By linking document assembly to a practice management program, lawyers can increase the power and usefulness of both valuable tools.

A. Create Multiple Documents from the Same Information

Practice management software provides an excellent location for storing a wide variety of information about a client. Information used for an initial set of documents can be automatically reused for other documents. Information is readily referred to and updated in practice management software. There is less likelihood that outdated information will appear in documents generated from document assembly software linked to the office's practice management system.

B. Use Client Information for Other Purposes

Names, addresses, phone numbers, birthdates and other client-specific information have many uses in a law office. Such information can be entered once during the client intake process and used many different purposes. There are obvious uses, such as contacting the client and developing legal advice based on the facts. But client information may also be reused to develop interest in other legal services and to serve the client in unrelated legal matters.

C. Keep Information Up-To-Date

People who are new to integrated systems often do not appreciate how helpful these systems are in keeping information up-to-date. When information in the practice management system is used in many different ways, there are more opportunities for the office staff to update changed addresses, phone numbers, E-mail addresses and other client information. After one person corrects information for one purpose, it is immediately available to everyone else in the office for a variety of other purposes.

D. Managing Document Overload

Better practice management software packages go beyond storing client information and linking it to document assembly software. Now they aid law offices in managing the rapidly growing volume of documents needed in the practice of law. At the same time that a document is generated using information from the practice management system, it can be saved and linked to the corresponding client and matter. The powerful retrieval and searching capabilities of the system facilitate reference to and reuse of the office's inventory of documents.

E. An Example: Creating Documents from Time Matters Software

A practice management system containing matter and client information can be linked to the firm's word processing software, automating the process for creating new documents. Beginning at the electronic matter record, the user selects one of the firm's forms. Information is merged automatically into a new client document.

For example, Time Matters® software offers three ways to do this. http://www.timematters.com

a) The simplest method does not require the creation of a full library of merge forms. Rather, the Windows clipboard can be used to insert both boilerplate text, client information and matter information into any document using Copy and Paste functions.

b) Merge templates are a second method. They permit the merging of client and matter data directly into a firm's commonly created documents.

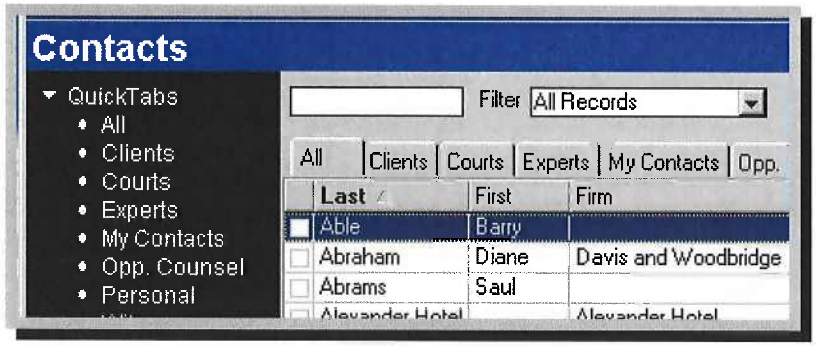
c) Information in Time Matters® client and matter records can also be merged into HotDocs® templates, offering more power and flexibility in handling document variations. http://www.hotdocs.com

Let's step through the process for automatically creating a document using information saved in Time Matters.

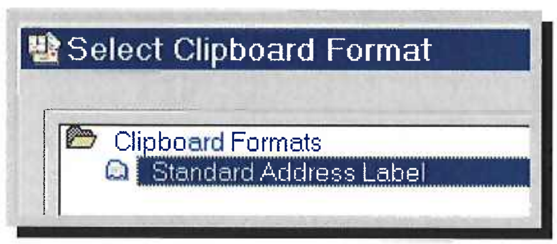
1. Merging a Document - Simple

Time Matters has a simple process for tasks ranging from addressing a letter to creating a durable power of attorney incorporating a client's name, address, primary and secondary agents.

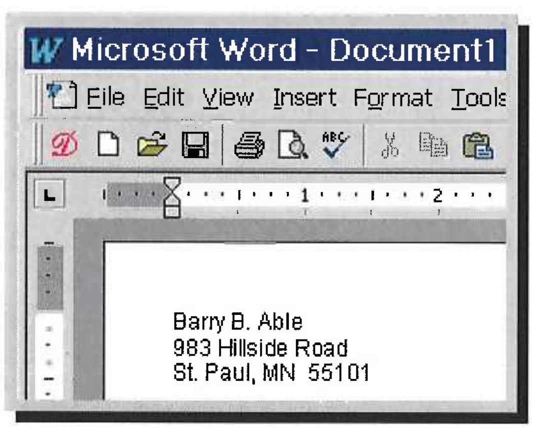
First, highlight the record for the client or matter containing the relevant name and address information:



Second, click the Clipboard icon and pick the Clipboard Format you want from the list:

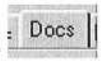


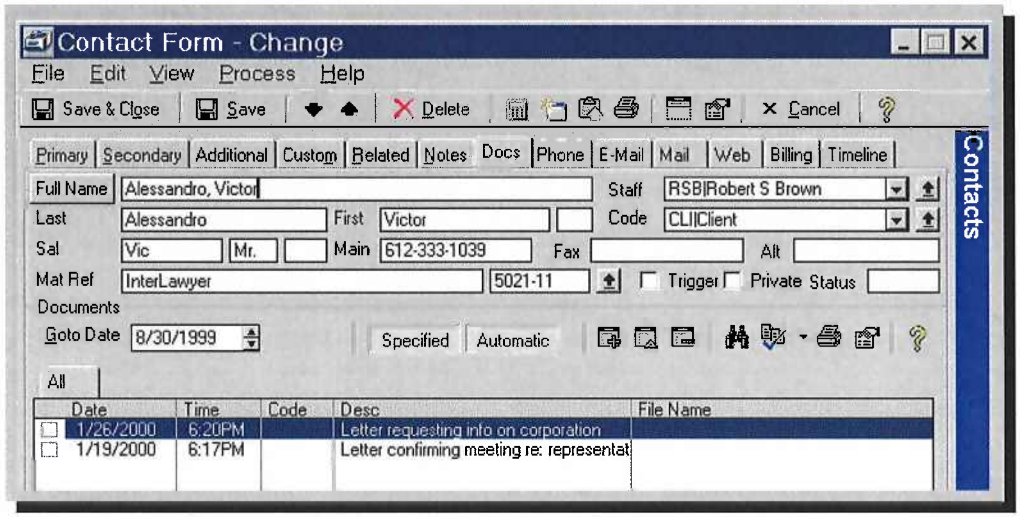
That's just about it. The text you need is sitting in the Windows clipboard, ready for you to paste it into a document in your word processor, an e-mail message, or anywhere else you can paste text.



2. Merging a Document - Powerful

Time Matters can automate the process of both creating and storing documents using Merge Templates that link to word processing templates. Here is how to use this feature.

First, open the record for the client or matter for which you want to create a document and click the Docs tab 



At first glance, the screen may seem a bit overwhelming. Relax. Ignore the first three rows of buttons and tabs. They are used to go to different screens or perform other functions. The entries in the white fields in the middle section of the screen give the basic client information. This section is repeated on every Contact screen to help you keep your bearings.

At the bottom of the screen is a list of documents for this client and buttons used to create and find them again.

Click the New Document button  to bring up the equivalent of a 3x5 card profiling the new document. Important information is already automatically recorded here.

Proceed by clicking the Merge button 

to begin creating the document.

Choose the template for a document and click the next Merge button.

Modify the suggested file name if you wish, then click OK.