GOING PAPERLESS: A BUSINESS CASE AND IMPLEMENTATION PLAN

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PEGGY GRUENKE is the Director of Practice Operations and Business Development with Curo Legal. With over thirty years' experience in the legal environment, as an entrepreneur, business owner and IT consultant, Ms. Gruenke has combined her experiences to bring results and a competitive advantage to law firms assisting solo and small firm attorneys in building their business by providing management, operational, and business development services. She started her own business, LegalBizSuccess, in early 2013, recognizing the growing need for her services in the Cincinnati area. Later in 2013, she was named to her current position in Curo Legal. Curo Legal was founded out of a desire to help legal professionals become more efficient and productive at serving their clients and developing successful and fulfilling law practices. In her role with Curo Legal, Ms. Gruenke directs the delivery of practice operation services, including practice management, technology virtual assistance, marketing, financial services and professional development. She is a Certified Clio Consultant as well a member of the Northern Kentucky, Cincinnati, Ohio, and American Bar Associations.
I. THE MINDSET AND COMMITMENT: CONSIDERATIONS FOR MOVING TO A PAPERLESS ENVIRONMENT

So you've decided to move to a more paperless environment. How do you accomplish your goals, make sure your whole team is on board and not break the bank in the process? Where do you start? Do you scan everything as it comes in and how will everything be consistently filed and retrieved? What about all those old closed cases? What is a realistic goal and what are the benefits? How much will it cost? Who will develop the process and implement it? These are just a few logistics questions every firm must think through before diving head first into the process.

A. Team Approach

When you make a decision to drastically change the way your firm works, it is bound to cause some anxiety and doubt. It takes a long time to break old habits and create a new mindset with new habits. It's not going to happen overnight. In the case of moving to a more paperless environment, the key is to show your staff and attorneys how much time they are wasting by spinning their wheels looking for documents. If you can have them think about, in hours per day or week, the time they are spending dealing with paper every day and show the team actual numbers (hours multiplied by billable rate), it will be easier for them to buy into the new system. When they start thinking about the time spent looking for files or going to the printer to retrieve paper, they may start understanding how disruptive their day is when dealing with paper.

A return on investment scenario:
Implementing a Paperless System with Document Management
A Return on Investment Scenario
Data taken from a presentation given at ABA TechShow 2012 and actual firm experience

Firm Size: 2 attorney and 3 staff.
Hourly rates: $200 Attorney
$50 Staff

<table>
<thead>
<tr>
<th>How Much Time is Spent on these tasks:</th>
<th>Min/Day</th>
<th>Hours/wk</th>
<th>Hours/year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wasting time and resources on document &quot;quests&quot;</td>
<td>Attorney: 15</td>
<td>1.3</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Staff: 20</td>
<td>1.7</td>
<td>80</td>
</tr>
<tr>
<td>Recreating important content because you can't find it</td>
<td>Attorney: 10</td>
<td>0.8</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>Staff: 20</td>
<td>1.7</td>
<td>80</td>
</tr>
<tr>
<td>Opening documents simply to understand what they contain</td>
<td>Attorney: 5</td>
<td>0.4</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Staff: 5</td>
<td>0.4</td>
<td>20</td>
</tr>
<tr>
<td>Losing documents because they are not labeled consistently or stored together</td>
<td>Attorney: 15</td>
<td>1.3</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Staff: 20</td>
<td>1.7</td>
<td>80</td>
</tr>
<tr>
<td>Time spent walking to printer or copier to retrieve print jobs or make file copies</td>
<td>Attorney: 10</td>
<td>0.8</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>Staff: 15</td>
<td>1.3</td>
<td>60</td>
</tr>
</tbody>
</table>

Total Cost of Attorney: $44,000.00
Total Cost of Staff: $16,000.00

Now calculate these numbers based on number of users at your firm:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Attorney</td>
<td>4.0</td>
<td>$44,000.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$176,000.00</td>
</tr>
<tr>
<td>Staff</td>
<td>2.0</td>
<td>$16,000.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$32,000.00</td>
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</tbody>
</table>

You will need to invest in hardware and software and don't skimp to save a few dollars upfront. The faster scanner will pay for itself in the time it saves you and your staff. What is the value of your time and your staff's time? Your staff will become frustrated and doubtful if they feel as though they could have filed a paper copy in the time it took to scan and save the digital version. The above scenario helps justify the cost incurred on hardware and software. You can see how quickly it can pay for itself.

The other key component to getting the team buy-in is to be sure you include everyone in the process from the beginning. People seldom like to have major decisions forced upon them without some knowledge and involvement. One successful strategy is to have a kickoff meeting where you discuss the plan for going paperless and give them the opportunity to contribute to the process. Your staff is very knowledgeable about current firm procedures and will provide some great input if given the opportunity. At the meeting, bring in the scanners you are considering buying and let them try them out and see it in action. Let their opinions be heard during the process. They will become more vested in the project if they feel they have contributed. It is important to identify a few early adopters who you can get trained quickly, who can experience the benefits and become
advocates during the transition. If you can't identify any staff that may be good fits for this "early adapter" role, start asking for volunteers.

I have seen more success with paperless projects if the implementation and training starts with the support staff. If you can get them comfortable with this new adventure, they will become the bridge to successful implementation with the lawyers in the office. The other idea is to make a challenge out of it, incentivize them for the best ideas and feedback. Keep the progress of the project front and center and acknowledge the small successes along the way.

B. Have a Plan and Write It Down

Before you can make decisions about what you need in the way of scanners and software, you need to decide what your goal is and the level of simplicity you want to use to implement your paperless plan.

1. Write a document management procedure manual. The table of contents of such a manual may include the following:
   a. Introduction and mission.
   b. Definitions/terms.
   c. Equipment and software.
   d. General document management policies.
   e. Client intake.
   f. Setting up a new client folder (both paper and electronic).
   g. Scanning procedures.
   h. Naming conventions or insert document management information.
   i. A guide to selecting which documents to scan.
   j. Document retention and destruction procedures.

2. When you think about storing your documents digitally, you need to make sure your existing file storage system will support the added volume of documents. Whether you are storing your data in the cloud or in-house on a local server, this needs to be addressed and considered as an additional expense – if you need to purchase more file storage space. And you have to think beyond the additional number of documents and consider total size. PDFs are larger files than Word documents and searchable PDFs (OCR) are larger than non-searchable PDFs.
a. Will you be setting a rule that says you are only scanning from a certain date forward or will you go back and scan all closed files? If going back and scanning legacy documents, you may need more space.

b. Backups become even more critical in a paperless environment. Will you have enough space on your backup media or online backup service? If using online backup, you need to consider how this cost will increase over time and factor this into your budget.

3. What type of scanner do you need to support the volume of documents? Who will scan the documents? What scanning methodology will you implement?

When establishing your scanning process, the primary decision is to determine whether you are going to use a centralized or localized scanning solution or take a hybrid approach. Firm size will be a primary factor determining which way you go. Solos and very small firms will likely do their own scanning (localized), while medium to larger firms will have the volume of scanning that will mandate resources dedicated to scanning (centralized).

a. Centralized scanning solution.

A centralized scanning solution utilizes a larger capacity, faster scanner, with the scanning function typically handled by one person who performs a majority of the scanning of incoming mail and other paper documents. Think of a digital document center with a fast scanner where you have one person doing the day-to-day scanning. One of the advantages of this system is that there is one person (or a few people) who has the primary and perhaps dedicated job to make sure the documents get scanned into the electronic file.

b. Distributed scanning solution.

If each staff person is going to scan their own documents, then a small, but fast desktop scanner (ScanSnap Fujitsu) on the desks of key support staff who can scan the documents as they come in, before the attorneys get hold of them, is key to success. The advantage is that the people who are receiving the documents are more likely to be familiar with what they are, and what is to be done with them.

A second advantage of this methodology is that the documents enter the office "closer" to the people who actually know what they are for and what to do with them.
The final advantage of this methodology is that you have more staff involvement in the process and they will gain a better understanding of the paperless environment.

4. Will the documents being scanned need to be searched by name/date only or fully text searchable? Why is this important to know? Because if you want the ability to have documents fully text searchable, then you will need the scanner to come with software that will convert the scanned document to searchable PDF or purchase third party software to accomplish this. Keep in mind:
   a. Searchable PDF files are larger than image only PDF files.
   b. Scanning to searchable PDF does take a little longer so if you are using the desktop scanners, make sure you have a PC that isn't ten years old trying to do this work.
   c. If you plan on scanning old closed files, consider scanning these as non-searchable.

5. Once scanned, where and how will the documents be saved? This brings in the discussion of a document management system. How will you enforce consistency among all users to make sure things all files are being stored in a logical way and thus easily retrievable? Are you going to rely on a manual system and trust everyone complies or implement a system that ensures consistency? The manner in which you save your documents is called a document management system, and there are various types that will be covered briefly later in this paper.

6. What will happen to documents after they are scanned? Will they be shredded, and if so be sure you consider using a company that assures confidential shredding of your documents. The trunk of your car with garbage bags full of documents to take to the local recycling center is not the right answer. Also, you need to determine which documents for which you need to keep originals. Include this in your document management procedure manual.

7. Assign someone in the firm to audit your paperless system. This person will periodically make sure that the procedures developed and adopted in your document procedure manual are being followed. This is key early in the implementation phase to ensure everyone is on board and the workflow is working. Consider rotating this job so all the staff gets to experience the importance of ensuring the system is working. It also reinforces accountability.

II. THE BUSINESS CASE FOR GOING PAPERLESS

There are a number of advantages to moving towards a paperless office. There are efficiencies to be realized and it can serve to improve teamwork among your
staff and boost morale. Your staff will be learning a whole new concept, developing a new set of tools and gaining knowledge about technology in a law office environment.

Once you have made the move to a paperless office and your team has participated in the implementation, your next step will be transitioning your clients and co-counsel to this new mode of delivering and collaborating on documents. This is the next stage of a paperless office: implementing technology to make your law office more paperless.

An example of this technology which takes your paperless office to the next level includes:

- The use of electronic signatures
- Electronic faxing
- Use of document collaboration tools
- E-filing where available

A. E-Filing and the Paperless Office

You can't discuss a paperless office in litigation practices without addressing ECF (electronic court filing) or e-filing. ECF, where court filings are handled electronically, typically in the Acrobat PDF format, takes the scanning component out – the filings you receive are already paperless. But, as ECF becomes more and more common, it will actually drive the need to go paperless.

While evidence and discovery may still be exchanged as paper, the fact that all the pleadings – motions, briefs, notices, orders – are required to be filed and received as electronic documents will dictate that firms have the technology to interact with the ECF systems. Once they do that, the next logical step will be to go fully paperless.

The following is a link of the states and their current e-filing status: http://www.ncsc.org/topics/technology/electronic-filing/state-links.aspx

It isn't a matter of "if" it is a matter of "when" all the courts will be 100 percent electronic. By going paperless you are getting a jump on other firms and will be ready when the courts are.

B. Ten Advantages of Going Paperless

1. Organized files.

   Centralized and organized digital files (with sub files) of all your client data [pleadings, correspondence, notes, memos, transcripts, financial information and supporting documents, emails, accounting, everything] on your servers and available for access remotely.
2. Instant sharing of information.

Better collaboration with clients and your staff/attorneys; improved client service and happier clients.

3. Reduction in expense = increase in firm profits.
   a. Use of digital letterhead.
   b. Less paper, staples, storage boxes, ink/toner, file folders.
   c. Time = money.

4. Freedom to work remotely.

A paperless office makes remote desktop access more practical and efficient, enabling members of your firm to access the network and all our client data from any computer with secured internet access.

5. Recapture time spent searching, waiting, recreating, and walking.

6. Responsiveness.

Use electronic signatures for documents. This will enable you to get important time sensitive documents out the door almost instantly, such as title transfers, mortgage agreements, undertakings and accounts.

7. Faster communications with clients.

Clients can communicate almost instantly, since they receive documents once they are scanned into your system.

8. Faster delivery of services to clients.

You can communicate with clients more efficiently and deliver services as and when they need them and provide regular and timely accounting.

9. Improve efficiencies in file transfers.

Documenting your file and covering the steps you have taken is much easier and more efficient in a paperless environment. If the file needs to be transferred to another law firm, or if there is a complaint, you can readily and easier summarize and document every step you have taken on your client's behalf.
10. Faster file retrieval.

If you need to check a document or file for a client several years later, it can be done in a matter of minutes, rather than the traditional system used by many firms where boxes of closed client files are stored in their basement or at an offsite storage facility. Often times, someone will need to travel to the offsite facility and, as a result, it could take a few days or even a few weeks before the closed file and requested information or document is retrieved.

III. STEPS TO SETTING UP A PAPERLESS SYSTEM IN A LAW FIRM:
A. The Tools Needed:

<table>
<thead>
<tr>
<th>Tools Needed for successful Paperless Implementation</th>
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<tbody>
<tr>
<td><strong>Scanners</strong></td>
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<tr>
<td>$410.00 Fujitsu ScanSnap iX500 Comes with Adobe Standa</td>
</tr>
<tr>
<td><strong>Double Monitors</strong></td>
</tr>
<tr>
<td>$125.00 Need two video out connections Operating system needs to support Dual monitors</td>
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<tr>
<td><strong>Digital Signature Software</strong></td>
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<tr>
<td>$14/mn per User RightSignature DocuSign EchoSign - Comes with Adobe</td>
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<tr>
<td>These plans all have a $10-$20/mn Per User Premium option</td>
</tr>
<tr>
<td><strong>PDF Software - Adobe Acrobat</strong></td>
</tr>
<tr>
<td>$299.00 Standard - Free with ScanSnap; can upgrade to Professional Professional</td>
</tr>
<tr>
<td>Adobe is the legal $429.00 standard Monthly subscription is available</td>
</tr>
<tr>
<td><strong>Digital Faxes</strong></td>
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<tr>
<td>Base monthly package allows for certain # of faxes, then charged if you exceed this</td>
</tr>
<tr>
<td>$8/mn RingCentral</td>
</tr>
<tr>
<td>$16/mn eFax</td>
</tr>
<tr>
<td>$8/mn MetroFax</td>
</tr>
<tr>
<td><strong>Cloud Based Storage</strong></td>
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<tr>
<td>$15/mn per User Box.net DropBox for Business edition</td>
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</tbody>
</table>

- Scanners

Examples of the types of scanners that are used in the distributed environment are the Fujitsu ScanSnap and Xerox DocuMate scanners. These scanners have popularized the "One Button" scanning concept, wherein a scanner is attached to a workstation via USB cable, and the scanning is started by loading the pages to be scanned and simply pressing one button.

The ScanSnap/DocuMate scanners are typically rated from 20-30 ppm. They all scan to a PDF format, scan in color, and provide duplex scanning capabilities. The duplex capability is a real advantage for firms that work with documents that are printed on
both sides. Because it scans both sides of the document, it reduces the actual scanning time by half.

These scanners typically come with a full version of Adobe Acrobat or PaperPort, and have a smaller document feed tray (about fifty sheets).

They cost from $400, meaning that for the cost of one of the higher speed units you can have many of the smaller units available around the office where they may be more conveniently used. Because they have a small fax machine-like footprint, they can be placed on desks without taking too much room.

The ScanSnap scanners have been a huge reason why law firms have been able to move toward a paperless office goal.

B. Creating Electronic Documents from Word, Excel and Other Applications

While scanning takes your paper documents and converts them to electronic copies, the print button in Word, Excel, and other similar software takes on a new meaning – every time you print a document instead of printing to paper you are creating an electronic document, typically in the Adobe Acrobat portable document format (PDF). Instead of printing to paper and filing the document in a physical file cabinet, you print and store the PDF on the computer or in the cloud. Instead of being mailed or FedExed, letters or agreements are converted to PDF and emailed. Depending on the content of the documents or the size, you can also share the document through a secure document sharing portal. Instead of using a court runner to deliver pleadings to the clerk of courts, PDF versions are uploaded to the court e-filing system.

The current version of Adobe Acrobat is Acrobat XI. Discussing all the features and benefits of Acrobat XI is a full day course in itself. But you should look at the difference between Acrobat Standard vs. Professional.

As a quick summary, here are some of the common features of Adobe frequently used in the world of paperless:

1. Converting PDFs to searchable text for enhanced searching capability – OCR;

2. Building and assembling documents;

3. Using the advanced document processing tools, you can do full text indexing with catalog builds an index of words in the specified PDF files;

4. Securing documents with password to prevent unauthorized modifications;

5. Measuring and drawing on documents;
6. Bates stamping;
7. Redaction;
8. Digital signatures;
9. Text editing;
10. Inserting comments;
11. PDF/A format for federal court e-flings.

Adobe Reader is used mostly for viewing and navigating PDFs. It lets you zoom in and out, rotate pages, jump to specific pages, and search for key terms in a single document, or through a batch of PDFs.

In the latest version of free Adobe Reader you can:

- Search for key words and phrases in a single PDF, or a group of PDFs
- Navigate quickly and easily through a PDF, and zoom in on small text
- Temporarily rotate the PDF to read a mis-rotated page
- Make highlights and sticky note type comments, which serve as hyperlinked tags
- Fill in PDF forms and save the additions you make
- Digitally sign a PDF using Echosign, (which is Adobe's online service for digital signatures).

If you’re just starting to get used to dealing with PDFs, you can save yourself some money (for now) and focus on learning how to use the free Adobe Reader program.

IV. HOW TO MANAGE THE ELECTRONIC DOCUMENTS IN YOUR OFFICE

As many who seek the paperless office find, the scanning and printing to PDF is the only tip of the iceberg. The actual physical scanning is the easy part. The harder parts to master are:

- Making sure that everything gets scanned.
- Making sure that everything gets put in the right place.
- Making sure that you can easily retrieve what you save.
In other words, while technology is integral to the process, going paperless isn’t really a scanning issue as much as it is a procedural, protocol and a cultural change issue.

A. Making Sure that Everything Gets Scanned

Often times when you review how to change office protocols, procedures and culture, it is important to look at the "old school" way of doing what you want to do digitally/electronically. In that sense, when going paperless the best place to start is to look at how it works in the paper world. Typically, someone in the office receives the day's mail and opens it. It is then delivered to the person responsible for acting on that paper – normally the person in charge of the file that the piece of paper is in regard to. They review the paper document, maybe make a notation or two, record tasks or deadlines that are needed to respond to the document, and scribble on the document the file or file number into which the document should be filed. The document then gets placed in an "outbox." A staff member picks it up, puts it in a stack to be processed or goes ahead and places it in the file folder. Later, when someone needs to do something that relates to the document that has been received, they get the paper file, leaf through it, locate it, and then act on it.

Who has time to file?

Often the breakdown in this very common system is the "filing" aspect of it. Because the staff is presumably busy, the documents that need to be filed are often stacked up until someone has time to get to them. Notice I didn't say makes time to get to them. My experience has shown that filing typically is a low priority item only because a busy staff or attorney can't very well tell a client, judge, opposing attorney, someone else calling, "hey, I will get back to you – I have some filing to do."

In a paperless office, this step and potential snag doesn't magically disappear. The paperless office paradigm doesn't suddenly create less work in getting the documents into the file, even when it is an electronic file. Thus, the first step is to make sure that you have a protocol in place to ensure that all incoming documents, ECF, email attachments, etc., get saved in a timely manner. A document that doesn't get properly filed creates a hole in your system whether the system is a traditional paper system or a paperless system.

But, you say, we are so busy, we just don't have time to get that done. Yeah, you are the only busy law firm in the world. But, you say, I set up the protocols and no one seems to follow them. From the stick perspective, make the filing protocol a requirement for getting a paycheck, and then be ready to follow through on your threat. From the carrot perspective, provide incentives for staff that get all the documents scanned and properly classified in a timely manner. Consider hiring a part-time employee whose only job is to spend an hour a day scanning and filing, alleviating the possibility of confused priorities. This problem
has been around forever, it is only the form in which it now occurs that has changed.

As a chain is only as strong as its weakest link, we've found that paperless office efforts are only as strong as the protocols and practices for getting the electronic data into the system. If you are in a hotel the night before a deposition looking for the interrogatory responses, and they haven't been scanned or filed, it doesn't really matter that you have a paperless office.

B. Making Sure That Everything Gets Put in the Right Place

The misplacement of a document is just as bad as not getting it filed at all. And, if the way in which you store your electronic documents makes them difficult to retrieve then you are defeating the main purpose of the paperless office.

There are two distinct trains of thought when it comes to the storage of documents:

1. **Manual DMS.**

   A manual document management system relies on some type of hierarchical file storage system into which scanned documents are saved. If you choose to utilize a manual filing system, there are some tried and true suggestions to help make it as efficient as possible:

   a. The larger your firm becomes, the less likely you can use a manual system. A true solo might be disciplined to know exactly where all documents should be stored, or where to go to locate the documents that they previously saved.

   b. Create a single shared file folder for the root-folder where all documents are to be stored. The first sub-folder under the root-folder should be the name of the client, or the case. Under that folder should be a series of sub-folders into which your documents are saved and stored. For example, in a litigation matter you would find folders for Correspondence, Pleadings, Discovery, Memos, Re-
search, etc. Under Pleadings you might have sub-folders for Answer, Complaint, Briefs, Motions, etc., while under the Discovery folder you might have sub-folders for Interrogatories, Document Production, Requests to Admit, Expert Witnesses, etc.

c. To make it as likely as possible that the folder structure will remain consistent, you should have a template folder in which all the sub-folders exist. As part of your file opening protocol someone is charged with opening the new folder and then dragging and dropping the appropriate folder structure into the new case folder. You will need a folder template for each type of case that you handle – a litigation case will obviously require a different set of folders than a transactional matter does.


Document Management Systems take a different approach. With a DMS, you will never drill down into a folder structure ever again. In fact, you may not even know where the documents you are saving are stored. Nor should you care. Instead, the DMS software takes over where a document is stored based on information you provide it. For example, when you save a document you are required to give it a name, identify the client and/or matter it is about, the date, time, and perhaps a code or two that identify or classify the document. With this information, the DMS then saves the document either in a database or in a file structure of its creation and management. Because you have to
complete the fields that are requested, the documents will get stored in the correct location each and every time. In other word, the DMS software manages the "folder structure" creation and management for you.


a. True solo practitioner.

A true solo practitioner can typically make a manual system work, although they shouldn't shy away from software that can help them become more efficient. The solo would proceed like this:

i. The day's mail is opened and sorted.

ii. Using a ScanSnap, the mail is scanned to a PDF file.

iii. As each PDF is reviewed in Acrobat, the solo presses Save and drills down through the Client > Case/Matter > DocType folders and saves the document using a descriptive name.

iv. The paper is shredded.

A well-organized solo should be able to pull this off.

b. Solo practitioner with one staff.

You would think that just adding one additional person wouldn't make that much of a difference, but watch how it reveals the weakness of a manual system.

i. The day's mail is opened and sorted by the staff member.

ii. Using a ScanSnap, the mail is scanned to a PDF file.

iii. The scanned PDFs are placed in a shared folder for the attorney review … often a folder named Attorney Review, or Scanned2Process, or other similar name.

iv. As each PDF is reviewed in Acrobat, the attorney presses Save and drills down through the Client > Case/Matter > DocType folders and saves the document using a descriptive name.
v. The paper is shredded.

This scenario introduces the idea, and potential problem, that when one person scans a document to a PDF file, how do you get that document to another person doing the review? In the paper world, the document would simply be dropped into the attorney's Inbox where it would be reviewed. Using an Attorney Review folder creates an electronic Inbox that serves the same function as the one that sits on the attorney's desk. But, who is going to make sure that the review takes place? It will be important that there is some type of validation step by the staff member to make sure the attorney doesn't let the review process get stacked up.

c. Small firm of five.

With three attorneys and two staff, the scenario using a manual system fails and the need for a DMS becomes more obvious. Let's first look at how this would work using a manual system.

i. The day's mail is opened and sorted by a staff member.

ii. Using a ScanSnap, the mail is scanned to a PDF file.

iii. The scanned PDFs are placed in one of five (5) shared folders for the attorney or staff to review ... the folders in this example would likely be named TLR Review, LKF Review, WRA Review, where the initials correspond with the attorneys and staff.

iv. Each attorney and staff member has to review their respective Review folders, pressing Save and then drill down through the Client > Case/Matter > DocType folders and saving the document using a descriptive name, using what they know about the document.

v. The paper is shredded.

Assuming the scanning is getting done in a timely manner, the problem now arises when one or more of the attorneys don't check their folders regularly. Perhaps they are on trial, or involved in a large transaction and just don't have time to get to the folders. In that case, someone can be designated to cover for them, just as they would in the
paper world. But, what if one of the attorneys is a procrastinator? The more people involved, the more difficult it gets to manage the paperless office.

4. Open v. closed system.

A very important point you need to understand is the difference between an open and closed system. With the DMS that you find in LPMS like Time Matters, Practice Master, and Amicus, the user has a choice to press a button and save the document, or they could have simply hit the Save button and saved it as they would have in a manual system like the one described above. Dedicated, or stand-alone DMS, like Worldox and NetDocuments actually take control of the Save buttons on all applications on a computer and don't let you store documents without using their application. The LPMS DMS model is an open system, meaning you can use it or not. The stand-alone DMS is a closed system that takes away that decision from the end user. The open system provides a little more flexibility, but opens the system up to being misused. The closed system ensures that all documents will be in the DMS, but makes it more difficult to work with in the instances where a firm might work with documents that don't really need to be in the DMS.

V. BACKING UP YOUR PAPERLESS OFFICE

There is nothing like the sound of a shredder to bring home the importance of backing up your data. Once you realize that you no longer have paper copies, and that loss of your electronic documents will, at best, result in very costly recovery processes, you will make sure that you are backed up with multiple redundancies.

- Planning

Back up your data doesn't happen without time, effort and cost on your part. But, whatever it costs, that cost will pale in comparison to what it would cost if you lost part or all of your data. Take time to design your backup plan, reduce it to writing, and then review it periodically to make sure that you haven't added some source of data that has been missed by your system. Make sure you cover:

1. What – what data do you want backed up?
   a. Servers.
   b. Local workstations.
   c. Personal devices.
2. Where – where do you want to put it?
   a. Local drives.
   b. Removable drives.
   c. Tape systems.
   d. Online, off-site.

3. When – how often do you backup, and at what time of the day?
   a. Work files backed up immediately when changed.
   b. Hourly or at least often during the day.
   c. Nightly.
   d. Weekly or monthly for archiving.

4. Who's in charge of making sure the backup system is in place?
   a. Make it the responsibility of one person so there is no mistake who is responsible.
   b. Have a cross-trained backup.

5. Who follows up afterward to verify that the backups were done?
   Have someone other than the person setting the system up do the verification.