

## Practice and Case Management: From Vendor Selection To Firm Adoption



Ross L. Kodner



Tom Rowe



Andrew Z. Adkins III



Brook Boehmler

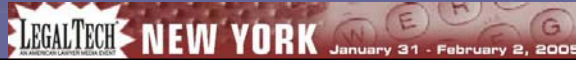
Practice and Case Management: From Vendor Selection to Firm Adoption

## Introductions

- Ross Kodner, MicroLaw, Inc.
- Tom Rowe, Out of the Box Developers
- Andrew Z. Adkins III, Legal Technology Institute
- Brook Boehmler, Thomson Elite

## These Materials Are Online At:

- MicroLaw.com:
  - [www.microlaw.com](http://www.microlaw.com)
  
- Legal Technology Institute:
  - [www.law.ufl.edu/lti](http://www.law.ufl.edu/lti)



3

## Andrew Z. Adkins III

- University of Florida Levin College of Law (1997)
  - Director, Legal Technology Institute
  - Associate Director, Technology Services
  - Executive Director, ICAIR
  - Adjunct Professor, "Law Practice Management"
- Legal Technology Consultant (1989)
- ABA TECHSHOW Chair (2000, 2001)
- LegalTech Conferences Co-Chair (2000-2004)
- "Computerized Case Management Systems"
- "You Can't Get Much Closer Than This"



4

## Ross L. Kodner

- MicroLaw, Inc. (1985) – Founder/CEO
  - Consultant to law firms and law depts worldwide on tech and practice mgmt
  - Certified consultant on multiple legal tech apps
- Attorney
- Frequent Author/Columnist, Speaker
- Advisor to legal technology product vendors
- Technolawyer Consultant of the Year
- Legaltech CLE Co-Chair, ABA TECHSHOW Board, Glasser Legalworks Board, and planner for hundreds of state and local tech CLE events
- Developer of the Paper LESS Office™ process



5

## Tom Rowe

- Out of the Box Developers and Practice Management Partners
  - Leading Time Matters consultant
  - Developer of Time Matters practice area template systems
- Attorney
- Formerly VP for Time Matters software
- Long-time legal technology consultant
- Frequent Author/Columnist, Speaker
- Technolawyer Consultant of the Year
- Lead Trainer – Time Matters Certification Programs for Consultants and Users



6

## Brook Boehmler

- VP – Thomson-Elite
- Formerly VP ProLaw
- Long-time PrMS industry expert
- Frequent speaker on PrMS and knowledge management topics



7

## Defining Practice Management

- What Practice Management is
- What Practice Management is not
- MS Outlook? Legal practice manager?



8

## Fully Integrated PrMS

- Back Office (Financial Management)
- Front Office (Case/Matter Management)
- Document Management?
- Email Management?
- Remote Access?
- PDA Connections?
- Document Assembly?
- Qualify as “knowledge management”?



9

## Back Office Functions

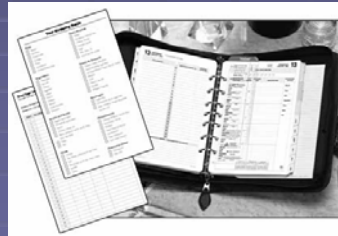
- Time Tracking
- Billing
- General Ledger
- Accounts Receivable
- Accounts Payable
- Check Writing
- Trust Accounting
- Cost Recovery
- Conflict of Interest



10

## Front Office Functions

- Contact Database/Rolodex
- Case Database
- Document Generator
- Calendar/Docket
- Case Notes/Diary
- Reporting



## Current PrMSing

- Rolodex/Contact Database
- Case File Management
- Calendaring/Scheduling
- Generate Documents
- Case Reports/Firm Reports
- Time, Billing & Accounting

## Benefits of Full Integration

- Single Data Entry
- Shared Client, Case Information
- Client Centric Computing = “New School”
  - *Document Centric = “Old School”*
- Increased Accuracy, dramatic reduction in wasted admin time



## Disadvantages of Full Integration

- Not necessarily “Best of Breed” in both case management and financial management
- Garbage in – Garbage out
- Efficiency could be a disadvantage if you are still on the billable hour

## Product Selection

- Request for Proposal (formally if firm is larger, informally and internal if firm is smaller)
- Checklist to Compare Products
- Legal Technology Conferences
- Legal Technology Publications
- Legal Technology Consultants to guide the process
- State Bar Practice Management Advisors



15

## Additional Considerations

- Current Technology Environment – what do you need your PrMS to integrate with?
- Data Migration and Conversion Planning – where will your data come from?
- Current Processes and Workflow – automating an inefficient procedure set makes no sense
- Available Internal Resources – how much lawyer and staff time will be required?



16

## Your Current Technology Environment

- Word Processing Environment
  - Word Processor
  - Document Generator
  - Macro Package
  - Document Management System
  - Email
- Substantive Software System(s)
- Knowledge Management?



17

## Your Current "Processes"

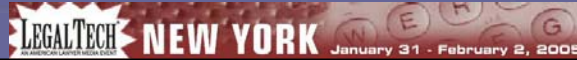
- |                             |                       |
|-----------------------------|-----------------------|
| ■ File opening              | ■ Cost recovery       |
| ■ Conflict checking         | ■ A/P, check writing  |
| ■ Calendaring, docketing    | ■ A/R, collections    |
| ■ Case/matter tracking      | ■ Payroll             |
| ■ Doc. Production, delivery | ■ Trust accounting    |
| ■ Document management       | ■ GL, accounting      |
| ■ File and records mgt.     | ■ Practice management |
| ■ Communications            | ■ Litigation support  |
| ■ Client relationship mgt.  | ■ Legal research      |
| ■ Time tracking & entry     | ■ File closing        |
| ■ Billing                   | ■ Budgeting           |
|                             | ■ Reporting           |



18

## Your Current Internal Resources

- IT Department
  - Software Application(s) Specialist
  - Database Administrator
  - Network, Communications
  - Help Desk, Training
- External Consultant
- Systems Integrator(s)
- Maybe you have no real IT resources at all? Or in a smaller firm, maybe it's your brother-in-law's buddy?



19

## People Issues, Responsibilities & Accountabilities

- Management Involvement
- Attorney Involvement
- Staff Involvement
- Technical Staff Involvement
- Consultant Involvement
- Vendor Involvement



20

## Costs

- Planning and Product Selection
- Software Costs
- Installation & Integration
- Configuration & Customization
- Data Conversion and Migration
- Training
- Maintenance & Support



## Needs Analysis

- Workflow Analysis
  - Follow information flow through your office
  - Write it out – use a consultant/coach to help
- “PrMS” Notebook
  - Case Intake Sheets
  - Interview Notes
  - Word Processing Documents
  - Memos to the File
  - Internal and External Emails

## Request for Proposal

- Process of Elimination
  - Target Specific PrMS Developers
  - Develop a PrMS “Matrix”
- Larger Firm: Invite Bids from Several Developers
- Smaller Firm: less formal, often with help of a consultant
- Evaluate Proposals
- Check References
- Presentation by PrMS Developers (larger firm), or consultants (smaller firms)



23

## Implementation

- Project Management
- Configuration & Customization
- Pilot Group – Test Rollout
- Broader Rollout
- Training
- On-Going Maintenance and “Slipstream” Tuning/Tweaking
- Regular Usage Review and Improvement



24

## PrMS – Return on Investment

- No other legal technology has the potential for positive return on investment
- A well-selected, well-implemented PrMS can generate a financial return in the high multiple of the project cost in a relatively short time period
- The opposite is also true if the system is poorly selected and implemented



25

## PrMS – Return on Investment

- Positive returns can be attributable to several areas of functionality:
  - Lawyer and staff time no longer wasted looking for information that could otherwise only be found in paper files
  - Document assembly / document generation
  - Eliminating the wasted lawyer and staff time subsidizing duplicative entry of contact and matter information



26

## PrMS – Return on Investment

- Practical returns to expect – the basis for calculation:
  - Recovering wasted time looking for paper
    - Average reported billable recovery = 15 minutes per day per lawyer and 15-30 minutes per day per staffer
  - Document assembly
    - Harder to calculate as an average since many firms never get this far
  - Reducing or eliminating duplicative entry:
    - Average reported billable recovery = 15 minutes per day per staffer, negligible impact on most lawyers



27

## Small Firm Case Management Costs – Solo to 3 Users

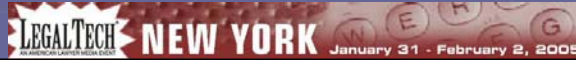
- Firm Size: Solo - 3 Users
- PrMS Budget (SW only):
  - \$300 - \$2000
  - Abacus Law
  - TimeMatters
  - Amicus Attorney
  - Practice Master (fka Case Master)
  - PC Law
  - ProLaw Ready



28

## Small Firm Case Management Costs – Solo to 3 Users

- Implementation Costs – 1-3 Users
  - Product selection consultation – Free to \$2000
  - Configuration (“Customization”) and project planning
  - Data migration time can vary considerably and is hard to predict with certainty until underway – look for “ranges”
  - 1 - 20 Days in Firm
    - \$500 for a guided “DIY” project to - \$20,000+ (for comprehensive workflow analysis, workflow and practice streamlining for multiple practice areas with document assembly)



29

## Small Firm Case Management Costs – Solo to 3 Users

- Training Costs: 3 Users
  - Initial Training: 1 - 3 Days
  - Initial Costs: \$500 - \$3000

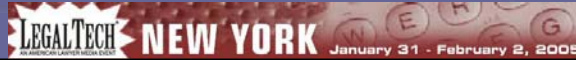


30

## Small Firm Case Management Costs – Solo to 3 Users

- Cost Summary
  - Product consultation \$0 - \$2,000
  - Software \$300 - \$2000
  - Implementation \$500 - \$20,000
  - Training \$500 - \$3,000
  - Total Cost Range \$1,300 - \$27,000  
(Or More! Excludes non-billable lawyer/staff time value)

SW is only about 20% of the Total Cost!



31

## Small Firm Case Management - Costs – 10 Users

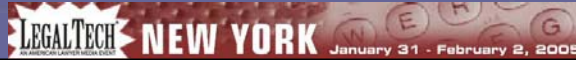
- Firm Size: Solo - 10 Users
- CMS Budget (SW only):
  - \$2000 - \$10,000
  - Abacus Law
  - TimeMatters
  - Amicus Attorney
  - Practice Master (fka Case Master)
  - PC Law
  - ProLaw Ready



32

## Small Firm Case Management – Costs for 10 Users

- Implementation Costs - 10 Users
  - Project consultation – Free to \$5,000
  - Configuration (“Customization”) and project planning
  - Data migration time can vary considerably and is hard to predict with certainty until underway – look for “ranges”
  - 3 - 20 Days in Firm
  - \$500 for a guided “DIY” project to - \$30,000+ (for comprehensive workflow analysis, workflow and practice streamlining for multiple practice areas with document assembly)



33

## Small Firm Case Management – Costs for 10 Users

- Training Costs: 10 Users
  - Initial Training: 2 - 4 Days
  - Initial Costs: \$1000 - \$6000



34

## Small Firm Case Management – Costs for 10 Users

### ■ Cost Summary

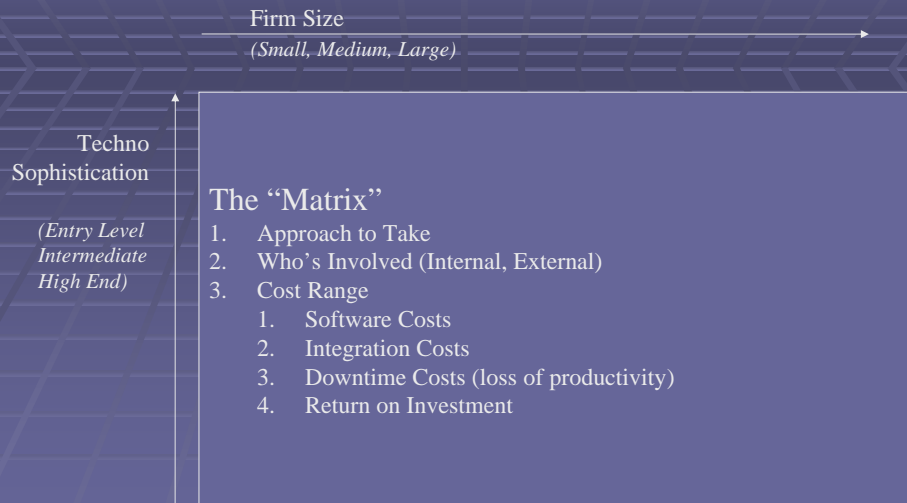
- Product consultation      \$0 - \$5,000
- Software                      \$2,000 - \$10,000
- Implementation            \$500 - \$30,000
- Training                      \$1,000 - \$6,000
- Total Cost Range    \$3,500 - \$51,000

(Or More! Excludes non-billable lawyer/staff time value)

SW is only about 30% of the Total Cost!

## Tips for Mid-Sized and Larger Firms: Cost Projections

- We could spend hours attempting to profile PrMS costs for multiple firm size profiles
- Some guidelines to help you calculate project costs
  - For a well-selected, well-implemented system, expect between \$3,000 and \$10,000 per person in costs
    - \$5,000 per person is a realistic 12 month target
    - Higher figures usually involve firms with many areas of practice, document assembly sub-projects
    - Lower figures usually mean some type of compromise which will reduce long-term functionality and returns

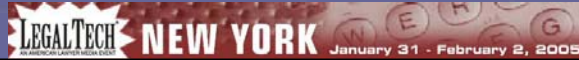


## Return on Legal Technology Investment Calculation

- Let's Explore how this plays out . . .

## Top 10 Products

- Integrated v. Non-Integrated
- Specialty Software
  - Personal Injury
  - Immigration
  - Intellectual Property
  - Real Estate
  - Corporation



39

## Fully Integrated Systems (alpha order)

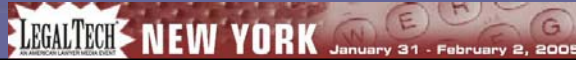
- CLS/Summit (Computer Law Systems, Inc.)
- Perfect Practice (ADC Legal Systems, Inc.)
- PerfectLaw (Executive Data Systems)
- ProLaw (Thomson-Elite)
- Practice Manager (RealLegal)
- RainMaker
- PCLaw
- PracticeMaster (Software Technology, Inc.)
- Time Matters – Billing Matters (Lexis)



40

## Selecting Consultants

- Independent v. Vendor-Specific Consultants
  - What are the differences?
- Role of Consultant
  - Coach? Advisor? Educator? Project Manager? Outsourced IT Dept for smaller firms? Devil's advocate? Sounding board?
- Credibility and Qualifications
  - Amateurs v. experts
  - Geography – live and virtual consultation
  - Finding qualified consultants
  - Certifications and real-world experiences
- Cost of consultants
  - “If you think hiring an expert is expensive, try hiring an amateur” – Red Adair
  - Costs of NOT hiring a consultant – the cost of *pro se* technology projects



41

## PrMS Implementation Success Tips

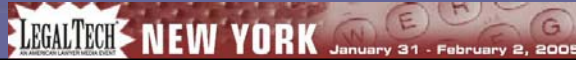
- No single “right” way, but many “wrong” ways
- Not a magic bullet – no “magic wand” or “pushbutton” thinking allowed!
- Time and effort are required – ban the word “easy” from your firm
  - Plan and implement smart = dramatic return on investment
  - Shortcuts and penny-wise, pound foolish = failed projects and bleeding money



42

## PrMS Implementation Success Tips

- Tips for larger firms:
  - The 64,000,000 Gorilla Factor can be a barrier to getting a PrMS project started
  - It doesn't have to be an "all or nothing" proposition
    - Implementing for individual practice groups can make sense
    - Individual offices can benefit greatly even if there is no firm-wide implementation



43

## PrMS Implementation Success Tips

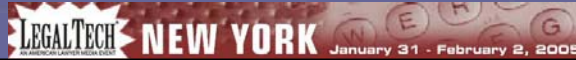
- One: Educate internally – what is PrMS?
  - Get consensus and "buy-in"
- Two: Product consultation and selection
  - Objective and subjective considerations
- Three: Build a planning team and PLAN!
  - You can't expect PrMS to solve your practice problems if you don't first determine what those problems are! (remember: no magic bullets)



44

## PrMS Implementation Success Tips

- Four: Document your processes on paper – streamline workflow procedures **FIRST!**
  - Automating current inefficient processes makes no sense
- Five: Customize! Customize! Customize!
- Six: Training – think “backwards” for success
  - Not like learning any other legal software
  - It’s a process first, application second
- Seven: Know the PrMS landscape
  - Read legal tech periodicals
  - Attend tech CLEs
  - Talk to your peers (listserves, bar resources, etc.)



45

## PrMS Implementation Success Tips

- Eight: Cheerlead internally – a positive attitude is essential
- Nine: Visualize - What will your firm be like one year after a successful project starts?
  - Answer in advance the “what’s in it for me” question everyone has
- Ten: Never give up!
  - Some PrMS projects fail when success is very close – stick with it, commit to the time necessary
- Eleven: Always room to improve
  - Smart firms never “finish” their PrMS systems – they periodically review progress, tweak and fine-tune
- Twelve: The most expensive course is NOT implementing PrMS!



46

*THANK YOU!*

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