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The Paper LESS Office: Shattering the Paperless Office Myth with a Process that Works

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PRESENTED BY THE COMPUTER SECTION OF THE WISCONSIN STATE BAR

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Presented by:
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- ◆ Marquette Univ. Law School, 1986 (Law Review)
- ◆ Founded MicroLaw, Inc. in 1985
- ◆ Legal Technologist, Educator, Author
- ◆ Over 1000 law offices assisted across North America
- ◆ Frequent author and speaker nationwide on legal technology subjects
- ◆ Chair, Wisconsin Law & Technology Conference 2002-2006
- ◆ Chair, Milwaukee Bar Association Technology Committee, 2002-2007
- ◆ Chair, National Solo & Small Firm Conference, 2006-2007
- ◆ Chair, ABA LPM Section Computer & Technology Division and Member, TECHSHOW 1997- 2001 Board, Co-Chair, LegalTech CLE Planning Board
- ◆ Technolawyer Legal Technology Consultant of the Year 1999, Contributor of the Year 2001, 2002, 2005, 2006
- ◆ Chair, T3 Network of Independent Legal Technology Consultants

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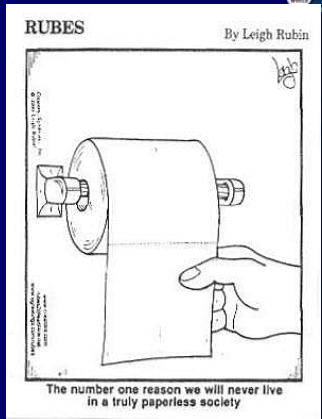


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Brand Technology & Law Firm Training Software

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Buddy, Can You Paradigm?

- ◆ This is not the “Paperless Office” of myth
- ◆ The “Paperless office” is the great lie of the technology age
- ◆ We’re not likely to get rid of paper -not in our lifetimes
- ◆ So let’s give up on Paperless and talk about Paper **LESS!**



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Electronic Collaboration: The Name of the Today’s Legal Game

- ◆ There has been a meteoric rise in the need to electronically collaborate
 - ▶ With clients
 - ▶ With courts
 - ▶ With co-counsel
 - ▶ With experts
- ◆ Issues include:
 - ▶ Much of our case files exist only in paper form
 - ▶ Varying formats and compatibility challenges
 - ▶ Security, privacy and confidentiality issues
- ◆ Policy issues for every law practice
- ◆ But, ultimately, electronic collaboration is only truly practical and possible if we have electronic case files!



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The Fundamental Shift . . .

- ◆ Traditionally, law offices have prioritized in this manner:
 - ▶ Paper file is primary, electronic file is secondary
- ◆ But in this era of 24x7x365 “instancy” of communications and expectations of collaborative response time, everything is different
- ◆ What this means is that we are shifting to (whether you realize it or not) . . .

Electronic file primary, paper second

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A New Process, A New Concept: A Way to Manage Paper That Actually Works


- ◆ We're going to look at a completely different way of taming the paper monster that conspires to bury us every day
- ◆ And is the key to enabling electronic collaboration



The Process: Why This is Different

- ◆ The system is tied to every aspect of the practice's operation including case preparation, use at trial and for administration
- ◆ **The Philosophy:** a single workflow process which is applied to all cases, small and large alike
- ◆ PCs are *tools* to further the process and should *never* obscure the process
- ◆ Use traditional workflow without complicating it by using confusing software--**KEEP IT SIMPLE!**
- ◆ The smaller cases are daily practice for the larger ones so the lawyer is always prepared to use this technology (especially at trial) and apply the same process to larger, more demanding cases


*Let's See What a
Paper LESS™
Law Practice
Looks Like . . .*

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The Paper LESS Office™: The Key

Notice that we did NOT say the
“Paperless” office (the one of
“myth”). More on this . . .


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Two Important Concepts:

1. Scanning Does Not Always
Mean OCR

And



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2. Scanning Equals “Digital Paper”; merely
turning physical paper into electronic paper
(*Searchable PDF*): which is easier to store,
easier to find, easier to share -no more time
wasted playing “who hid the client file!”

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The Process, Step-by-Step

1. We open a file or one is sent to us, usually in paper form. We turn it into “digital paper” using the Paperport (or high- speed) scanning systems. Some clients are already forwarding files in “*digital paper*” form via e-mail - consider PDF as the default file format



All Incoming Documents are Scanned with a Desktop or Centralized Scanner



“A Vintage PaperPort Scanner”



FUJITSU



Visioneer’s Paperport scanners pioneered the “distributed” scanning approach. Today use Fujitsu’s ScanSnap, Visioneer’s Strobe XP 450, or Xerox’s really quick Documate 252 models on staff (and lawyer) desks



And for large stacks of incoming documents, use a high-speed scanner as departmental centralized scanning systems . . .

High-speed scanners like those from Canon, Ricoh, Kodak, Panasonic from 30-100 ppm for \$2500+



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Fujitsu’s High-Speed Scanners from about \$1200+ offer 25+ ppm scanning speeds



2. The Next Step - Document Management is the "Digital Glue" that ties the Paper LESS™ System Together

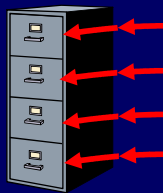
It allows us to open and store documents just as in a paper filing system



And just as with a traditional file cabinet, finding any document, for any client, or any "form", is as easy as walking to your file cabinet and pulling the appropriate paper file



Every client has a drawer in our "Electronic File Cabinet"



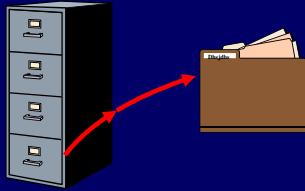
- ← Safety Insurance
- ← Jones Trucking, Inc.
- ← Susan Smith, M.D.
- ← Estate of William Johnson

Two DM approaches:
1) Dedicated DM such as Worldox (www.worldox.com)
2) DM built into case management systems

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In the Safety Insurance drawer, we pull the brown expandable file containing the “Sally Smith v. David Jones & Safety Ins.” matter

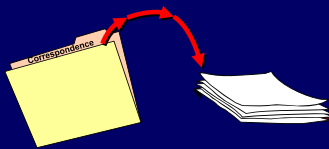


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Inside the brown expandable file for the “Sally Smith” matter we pull out the “Correspondence” manilla folder. Inside are the documents sought



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Let’s see how our electronic “File Cabinet” appears in the Worldox Document Management System software . . .

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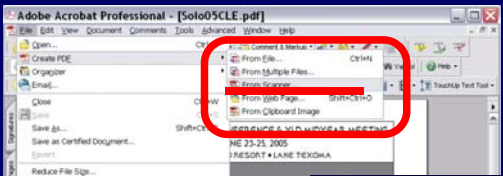
**All Documents are Organized by Worldox-
the Virtual “File Cabinet,” making it
impossible to lose anything
and possible to locate all documents in a
flash: even for the terminally messy**

**You have a completely
contiguous electronic
client file - no longer split
into two places!**

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**Getting Scanned Received Documents into
Your Document Manager is a Breeze . . .**



Scan directly into PDF, then “Save As” to your DM system (Worldox) or use the dedicated buttons in case managers like Time Matters

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What is Case Management?

And Why Would Your Firm Be Crazy Not to Have It?

- ◆ It’s a perfect fit, given that document management and retrieval are really just subsets of the overall case information management process!
- ◆ Case managers are programs that are literally “kitchen sinks”, tracking all sorts of law firm information including:
 - ▶ Case information about each of your matters
 - ▶ Calendaring, docketing and ticklers
 - ▶ Conflict searches
 - ▶ Case notes, logged as you work your files
 - ▶ E-mails and documents related to your cases
 - ▶ Firm administrative information
 - ▶ Assembly of routinized documents for clients and firm purposes

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Reasons for Using a Legal Case Manager

- Instant access to all information about each case and firm info without wasting time chasing down paper files -beyond a document manager, "connect" your documents to your cases! *This becomes the Paper LESS Case File!*
- Other things you can do with a case management system:
 - Avoiding embarrassing conflicts of interest
 - Avoiding malpractice - there are rock-solid reminder systems to help you avoid missing key dates and deadlines
 - Recapture lost and otherwise billable time trying to find case statuses
 - Streamline routinized document generation for all matters - these products are for litigators and transactional firms alike!
 - Extend your reach - cut the cord to the office by taking case information anywhere on a laptop or PalmPilot

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The Case Management Marketplace

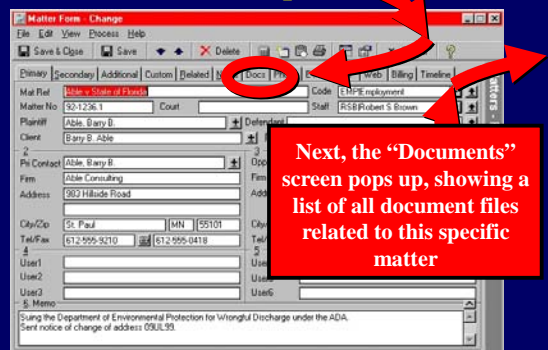
- There are a number of capable smaller firm- oriented case managers
- As independent consultants, we can pick and choose as we see fit
- PracticeMaster, TimeMatters, Amicus Attorney and ProLaw all integrate with Worldox



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Click the "Docs" Link in TimeMatters, For Example



Next, the "Documents" screen pops up, showing a list of all document files related to this specific matter

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The Paper LESS Lawyer - Not Just for Litigators!

- ◆ The Paper LESS Office process is equally suitable for transactional lawyers as it is for litigators
- ◆ Divorce lawyers can organize property-related documents
- ◆ Elder lawyers and estate planners can organize financial documents, tax information, etc.
- ◆ Corporate lawyers can maintain all corporate records electronically and communicate with corporate officials electronically
- ◆ Bottom line - ALL lawyers should go Paper LESS!



The Paper LESS Office at Age Twelve

- ◆ Lawyer "multi-tasking" on client files is greatly facilitated - innate increase in client service
- ◆ Document drafting time reduced due to absence of paper markups - recycling older work product is much easier for the lawyer - shift of some primary document generation to the lawyer and "finishing" work to the staffer
- ◆ Trial prep changes - far better sense of where all documents and material information are located
- ◆ "Work away" and "collaborative" capability dramatically changed with full access to entire case file from anywhere--home, on the road, etc.



The Paper LESS Office at Age Twelve (cont.)

- ◆ Enhanced ability of working with experts and co-counsel; ability to e-mail electronic versions of entire case files and not have to send or FedEx paper files
- ◆ *Staff Perspective* - they prefer the electronic file approach so they only have to file papers once and it doesn't get lost since it rarely leaves the file; they can always find the file since it's on the system; and the ability of staff to telecommute if needed as well



The Paper LESS Office Planning Tips

- 1 Start with a core of PC proficient lawyers and staff; they should already be at least "intermediate" in terms of comfort with Windows and your primary applications
- 2 Start out with a consultant who understands the "big picture" of the office's current and desired workflow
- 3 Standardize on Searchable PDF for the scanned file format
- 4 Buy the best/fastest equipment you can afford
- 5 Don't skimp on training!
- 6 Be patient--you don't become Paper LESS™ overnight!



The Plan

- ◆ Use readily available PC hardware and software, integrate it and maximize the human resources and intellectual capital to the maximum degree
- ◆ The beauty of the concept is that it **IS** just a concept - a blend of the most common, and least costly, "canned" software applications
- ◆ The mix of canned applications = more than the sum of the parts - this is not some "pie in the sky" megabuck solution only affordable by a few large firms . . .



The PC Network: The Hardware



- ◆ Windows 2000/2003 on the server (or even Linux), Novell Netware OK too - even Apple networks
- ◆ **Capable fileserver with at least 80+ gigabytes of very fast drive space and plenty of RAM**
- ◆ 2.2+ ghz Pentium 4 workstations, ideally with larger 17" or 19" LCD monitors, large local hard drives and 512+ Mb of RAM (the more the better)
- ◆ High-capacity data backup
- ◆ **Distributed and centralized document imagers/scanners**

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The PC Network: The Software

- ◆ WordPerfect X3 Suite or Microsoft Office Suite 2003... or both suites and Adobe Acrobat for creating PDFs
- ◆ **Worldox GX or other document manager/work product retrieval**
- ◆ **Adobe Acrobat 7/8 or similar PDF writer**
- ◆ PC FAX system (Internet is an option, want PDF as the format)
- ◆ **Groupware! Lotus Notes, Novell GroupWise, Microsoft Exchange/Outlook**
- ◆ Case/practice information management software to tie it all together!

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The Paper LESS Office and Running Your Law Practice as a Business . . .

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Cost Justification and the Paper LESS Office . . . An Economic No-Brainer!

- ◆ Thinking of technology as an expense is backwards mentality - technology, implemented well, **MAKES MONEY!**
- ◆ What if each of your lawyers were to recover as little as 15 minutes of billable time, per day, every day - the time spent spinning their wheels chasing paper files?
- ◆ What is immediate access to a client's file worth when they're on the phone expecting a "quick case status" (and not having to say "I'll have to get back to you"?)



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Cost Justification . . . REAL NUMBERS!

The facts:

- ▶ You save 15 minute a day . . .
- ▶ You bill \$200/hour . . .
- ▶ You can bill another \$50 a day
- ▶ That's \$250 a week!
- ▶ That's about \$1000 a month!!
- ▶ That's \$12,000 a year! Per lawyer!!!
- ▶ In a five lawyer firm, that's \$60,000 a year in "found" billings!
- ▶ And that's not even considering the impact on staff time!



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Client Satisfaction . . . Marketing Your Technology Edge . . .

- ◆ Think like a marketer . . . you need to in order to propel your practice forward!
- ◆ Happy clients pay bills and generate more work, more referrals, etc.
- ◆ Happy clients get answers when they ask questions, not a day later
- ◆ The Paper LESS Office allows lawyers and staff to status a client instantly, while on the phone . . .

Why does it take SO long for my lawyer to tell me what's happening with our case??



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The Cost of being Paper LESS . . .

- ◆ It can be as simple or elaborate as your budget permits
- ◆ From a "least cost" perspective, one can add as little as a document manager (about \$475 per seat) or the DMS functions inside of case managers like TimeMatters, individual image scanners as little as \$400 per seat and throw in some cost for "the plan" and "the training" and *voila*, you can be Paper LESS™!
- ◆ Of course, this presumes, you have a system structure consisting of the "right stuff" in terms of networking, workstation hardware and application software

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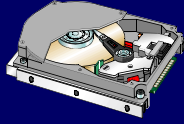
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So How Much Space do All These Images Require?

◆ Scanned images used to take up an **ENORMOUS** amount of hard drive space

◆ Today, scanning software uses all sorts of ultra-sophisticated compression techniques so it's a virtual non-issue today

◆ Even if you were tight on hard drive storage space, it still is FAR more economical today to just add more hard drive space than to take even a MOMENT of human time to cull through your documents and try and delete or archive files to reclaim space



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Do We Really Need a Document Manager? Can't We Do This With Windows Explorer?

◆ Um . . . sure . . . but think about this .

◆ Do you REALLY want your partner, the one whose VCR at home flashes "12:00, 12:00" to spend half of his/her day in the single most potentially destructive Windows utility of all time?



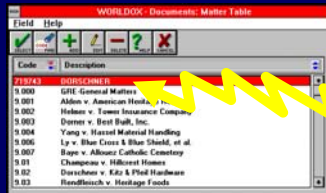
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Work Any Time, Any Place . . .

The busy lawyer or staffer can telecommute from anywhere to dial into the office network (from anywhere, anytime) to access client files, calendars, read and reply to e-mail.



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Transforming Your Firm

- ◆ Generate a Plan!
- ◆ *Understand the strengths and weaknesses of your present case handling process*
- ◆ Be realistic. Don't expect miracles and outlaw "push-button" thinking
- ◆ *Emphasize the process and not the equipment*
- ◆ Commit to training and expect gradual results: emphasize non-traditional, hands-on training
- ◆ *Celebrate the inches but shoot for the miles*
- ◆ Avoid technology "Band-Aids": equipment accumulation does not equal practice changes or give you a competitive edge--only employing a process will!



Now Go Out and Get Paper LESS™ In Your Firm!



For Help becoming "Paper LESS" in your Law Practice . . . I'm happy to help!



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