



Building Office Synergy

Approved for 1.5 General Credits for Washington Attorneys

Presented on Nov. 25, 2014 • Seattle, WA

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Program Faculty

A Special Thank You to Our Program Chair and Faculty!

Those who have planned and will present at this WSBA CLE seminar are volunteers. Their generous contributions of time, talent, and energy have made this program possible. We appreciate their work and their service to the legal profession.

Program Faculty

Charity Anastasio – *Washington State Bar Association, Seattle, WA*

M. Owen Gabrielson – *Farr Law Group PLLC, Enumclaw, WA*

Peggy Gruenke – *Legal Biz Success, Cincinnati, OH*

Thomas L. Rowe – *OTB Consulting, Cary, NC*



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Program Schedule

Building Office Synergy

Tuesday, November 25, 2014

11:30 a.m. Online registration * Sign-in

12:00 p.m. Building Office Synergy

1. The Law Office: The Parts of a Working System
 - Gain a macro view of law offices systems: the components and how they work together for law office management efficiency
 - Questions from participants
2. Case Study #1
 - A discussion of system challenges and best practices
 - The Solo Office
 - The Small Firm Office
 - Questions from participants
3. Case Study #2
 - A discussion of system challenges and best practices of a large firm office
 - Questions from participants
4. Review and final questions

Charity Anastasio – Practice Management Advisor, Law Office Management Assistance Program, WSBA, Seattle, WA

M. Owen Gabrielson – Farr Law Group PLLC, Enumclaw, WA

Peggy Gruenke - Legal Biz Success, Cincinnati OH

Thomas L. Rowe - OTB Consulting, Cary, NC

1:30 p.m. Complete Evaluation Forms * Adjourn



Faculty Biographies

Charity Anastasio

Charity Anastasio graduated from The University of Washington with a BA Degree in English in 2001 and Seattle University School of Law in 2007. She opened her practice in 2008 where she focused on Estate Planning, Probate, and Family Law issues in her Kirkland office. In 2013 she joined the WSBA's LOMAP team as a Practice Management Advisor. Now she has the honor of meeting lawyers where they are at in their newly budding, transitioning, or winding up of their solo or small firm, assisting lawyers in making their practice flourish and their dreams come true. You can reach Charity at charitya@wsba.org or 206-733-5949.

M. Owen Gabrielson

Owen Gabrielson is a member of Farr Law Group, a trusts and estates boutique in Enumclaw, Washington. Owen's practice focuses on trust and estate litigation and probate/trust administration. Before joining Farr Law Group, Owen spent two years as a commercial litigator at a national law firm, Holland & Knight, and almost five years with a Seattle firm, Graham & Dunn, where his practice focused on representing financial institutions. When not working, Owen is skiing at Crystal Mountain with his wife and law partner, Megan.

Peggy Gruenke

With over 30 years combined experience in the legal environment, entrepreneur/business owner (her and her husband used to own a billiard club) and an IT consultant, Peggy has combined her experiences to bring results and a competitive advantage to law firms, assisting solo and small firm attorneys in building their businesses by providing law practice management, legal technology, operational, financial and business development services.

Peggy started her own business, LegalBizSuccess, in 2012, recognizing the growing need for her services in the local Cincinnati attorney community. In 2014, she grew her business to include helping lawyers all across the US. LegalBizSuccess brings solo and small firm lawyers affordable and integrated law firm operations services all in one place to assist them in managing and growing their business. Peggy is Xero Certified, a Clio Consultant-Gold Certified and serves on various industry committees.

Thomas L. Rowe

Mr. Rowe is a founder and Managing Director of OTB Consulting. His unique background as a technology expert and attorney enables him to provide valuable legal technology insight to law firms and businesses, and has helped him become a recognized leader in providing technology solutions for the legal industry.

Mr. Rowe earned a dual degree in Computer Science and Business Administration from Vanderbilt University in 1981. A fourth generation attorney, he received his Juris Doctorate from the University of Georgia School of Law in 1986.

Biographies continued on next page

Biographies (cont.)

After practicing law for 9 years in Decatur, Georgia, he left a successful trial and school law practice to form TurnKey Computer Solutions, Inc.. During this time, Mr. Rowe was actively involved with technology oriented CLE, and in the growth of the online legal technology community. In 2001 he was named the TechnoLawyer.com Legal Technology Consultant of the Year.

Prior to that, Mr. Rowe was Vice President of DATA.TXT Corporation. Mr. Rowe was the director of the Certified Independent Consultant (CIC) Program, and as the “Trainer of the Trainers”. He also formed Practice Management Partners, Inc., a legal technology consulting company specializing in Time Matters consulting and training. In 2004, Mr. Rowe formed Out of the Box Developers, LLC to develop and market add-on products for Time Matters Software. OTB’s award-winning Practice Area Templates for a variety of practice areas are in use by hundreds of law firms.

Beginning in 2006, Mr. Rowe was the chief architect of BKexpress , the leading practice management system for consumer bankruptcy firms. In 2007, Mr. Rowe and Out of the Box Developers partner, Mr. McNeill, merged all their respective companies into OTB Consulting, through which they provide Practice Management and other legal technology consulting services to law firms and businesses throughout the United States, and many foreign countries.

CHAPTER ONE

BUILDING OFFICE SYNERGY

November 2014

Charity Anastasio
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WSBA LEGAL LUNCHBOX

Building Office Synergy

THE SOLO OR (VERY) SMALL FIRM TECHNOLOGY MAP

Charity Anastasio
Practice Management Advisor
Law Office Management Assistance
Program

November 25, 2014





HARDWARE

TANGIBLE IN-OFFICE EQUIPMENT

- + Can be minimalist for a solo or small firm, transferring expense to employees in home offices
- + There are some key must have elements:

LAPTOP

PC

Lenovo X1 Carbon
Lenovo ThinkPad T430S

Mac

MacBook Air
MacBook Pro

Chromebook

Acer C720 P
HP Chromebook 14

Aim for fast and
lightweight.

PHONE

iPhones

Get legal apps first and
interface well with Mac
products

Androids

Interface well with Google
products

Voice Over IP

Low cost
Works same as LAN line
("land line")

Keep costs low, but
invest in quality.

OFFICE EQUIPMENT

Scanner

Fujitsu ScanSnap 500

Laser Printer

Aim for speed, low cost ink
HP M401DW Laserjet Pro

Online Fax Service

Affordable
Many options

Paperless offices
save money.

SOFTWARE

PROGRAMS USED TO DO WORK

- + Look for flexible products that work well with others and give you your data in a usable format when you leave
- + There are some key must have elements:

MICROSOFT OFFICE SUITE

Word and Excel

For the drafting and
computing

Outlook

For the calendaring and
email

OneNote and PowerPoint

For the note taking,
research, collaboration, and
presentations/trial.

Office 365 offers all
the same in cloud.

Mac can run MS
Suite.

ADOBE ACROBAT

Standard

Basic editing PDFs,
converting to Word and
Excel, simple forms.

Pro

Disassembling and
rearranging PDFs, convert
to PP, scrub metadata.

Cost

Price was obstacle. Now
reasonable monthly fee.

Virtually everyone
has Reader, but the
paid versions offer
much more.

PRACTICE MANAGEMENT

Google Business Apps.

Basic organization, best bang for buck. No billing capabilities.

Credenza Pro

Outlook plug-in and affordable, basic. No billing capabilities.

Clio

Great organization and classy branding capabilities on bills and emails. EVERYTHING.

MyCase

Client communication centric client portal, user friendly, good organization. Almost everything.

TIME AND BILLING

TIME 59

Basic, affordable, pay annually.

Bill4Time

Bellevue, WA, user friendly online, customization possible.

RTG

Stand alone license on software or online version.

Many affordable options.

Pick the one you find intuitive.

ACCOUNTING, ETC.

Quickbooks

Online or stand alone license. Almost everyone uses.

Xero

An online newer accounting set up. Purportedly user friendly.

Chrometa

Another add-on product to help you keep track of time.

The accounting side needs to interface with your time and billing side.

PAYMENT SYSTEMS

The Square

Versatile, looks cool,
works for earned fees.

LawPay or LawCharge

Protections for Lawyer Trust
Accounts, for advance fee
deposits.

PayPal

Versatile, good for earned
fees.

Depends on client
base. If clients ask
for it, get it.

PHONE APPS (1)

TimeClock

Affordable, tracks time and costs by case on phone.

Expensify

Makes tax time much easier. Record payments, mileage and travel as you go.

Any.do

To Do list manager with nice features, simple system. Good organization tool.

Make the management of the business more accessible.

PHONE APPS (2)

Transcript Pad and Trail Pad

Call out key facts or ideas on the go. Well worth \$89 if trial lawyer.

Microsoft Word Application for iPads

If Mac user but want office suite capabilities. \$10.

Jury Attorney

Jury selection sample questions or add own. In beta. \$16.

Trial apps improve court experience.

Always new products.

PHONE APPS (3)

Social Media

Market the firm from your phone with Facebook, Twitter.

File Commander

Organizes your files on your phone. A clearinghouse.

WordPress or Blogger

Write and post blogs from phone.

Know what your website looks like on different devices. Aim for responsive.

OTHER PRODUCTS

Virtual Meetings

The farther your reach,
the more potential
clients. Clients like it.

Calendaring Options

iPad and Mac users like
Fantastical 2. Google
calendaring is flexible too.

Doodle Calendaring

If ever you must coordinate
many calendars together.

Got Dictation?

Dragon Naturally
Speaking 13 Premium
or your phone.

SECURITY

PROTECT AND MAINTAIN CLIENT INFORMATION

- + Breaches of information will become more and more common
- + Ethical obligation to understand technology before we use it
- + System failures = lost \$ & opportunity

STORAGE AND BACKUP

Cloud

CrashPlan, Carbonite, Box,
or SugarSync

External Hard Drives

Expensive and great:
ioSafe Solopro or NAS
Bargains: Seagate \$73 and
Western Digital

Ghost Imaging

ReBit or
Acronis TrueImage 2014
Premium

Redundancy is your
friend!

Backup 3X in 3
different places.

PASSWORD MANAGERS

LastPass

Inventory passwords and recommend changes. Most popular. \$12/year.

1Password

Most of same features. Costs \$7.99.

Dashlane

Most of same features. Free!

Look for one that informs & generates randomized passwords.

ENCRYPTION

Free and low cost options

Boxcryptor, Viivo,
Cloudfogger, Safemonk, or
Safebox.

Encrypt Everything

Capabilities in Word, Adobe,
and email.

Static and in transit.

Own the key

If they own the key, they can
give it away any time (i.e.
Dropbox).

It is easier than it
sounds.

Get into the habit.

RISK MANAGEMENT

Prey Control Panel

Tracks all devices and turns them against thief stealthily.

Antivirus

On all devices including phone. Regular scans.

Knowledge

Be aware of new threats.
Turn off WiFi.
Don't fall for scams.

Key Policies

Internal controls.
BYOD to work.
Internet use.

RESOURCES

Self-Audit Checklist

A check-up on your law firm.

Business Plan Template

Map your next course of action.

Lending Library

A wealth of knowledge accessible from anywhere.

And US!

We answer questions by phone or email free of charge.

THE BASIC INFRASTRUCTURE

We live in an exciting era where there is no shortage of gadgets and tools to employ in your office to make life easier. But if you had every single technology, you would have no time to work—you would be spending all your time figuring out how to use them and what the new thing was.

What this continuing legal education course aims to do is to give you an overview of all the components in a law office and how they work together, in an effort to give you a sense for where the wholes may be in your own infrastructure, what products or procedures you can adopt to improve your workflow and systems for more efficiency, effectiveness, and satisfaction. This chapter focuses on the very basics, setting out what a sole or very small practice needs to function effectively and efficiently. It is a baseline to grow from.

In mentioning specific products, it is not an endorsement. There is no guarantee of a particular result. Everyone is different and some products sing to one and grate on another. Try out the products for yourself and do your own research.

HARDWARE

Laptop

Get a decent, robust laptop. You can go Mac or PC, whichever you prefer.

Lenovo X1 Carbon or **Lenovo ThinkPad T430S** for PC preference folks.

MacBook Air or **MacBook Pro** for Mac preference folks. The Air is supposed to have stupendous battery life.

If price point is a concern, look for sales at Costco and Frye's. You need a fast, lightweight laptop.

There is a decent argument that you could run your whole law firm from a Chromebook alone, if you are not averse to cloud usage and have worked out your security solutions sufficiently. The **Acer C720 P** is only \$199. If you want a bigger screen, check out the **HP Chromebook 14** at \$299.

Phone

Lawyers predominantly like iOS phones, so the legal apps tend to come out faster on those.

Android phones have all the same capabilities, so if you are not attached to having the newest app, check them out. Consider how your tech interfaces together. There is something to be said for Mac laptop and iPhone or Google products and an Android phone working seamlessly together.

Scanner

The **Fujitsu ScanSnap** is the best product out there. It sits on your desk, scans 25 pages front and back within one minute by pushing one blue button. You can save your scan to any device, software program, or email you want. (If you want to try one out, come to the LOMAP office and you can sample it and other practice management, and time and billing programs in the visiting attorney's office.)

Laser Printer

There are so many to choose from and most of them are just average. I have had the HP M401DW Laserjet Pro recommended to me. It is about \$400, but you get what you pay for with printers. Try to find one with speed and low price on ink as opposed to one with more bells and whistles.

Fax Service

Some practice areas no longer need fax numbers, but other courts (e.g. Administrative) are still heavily reliant on fax machines. Employ an online fax service. They are easy to use and extremely affordable. Advantages include no fax machine or dedicated phone line in your office, the ability to send a fax directly from your word processing program, online storage of your faxes, broadcast faxing, email or phone notification of arriving faxes, some services read your fax to you, and you save money. Here are some of the fax services that have been recommended:

- | | |
|---------------------|-------------------|
| ✓ eFax.com | ✓ Faxage.com |
| ✓ Fax87.com (local) | ✓ RingCentral.com |
| ✓ Rapidfax.com | ✓ Fax911.com |
| ✓ ElectronicFax.com | ✓ SmartFax.com |
| ✓ MyFax.com | ✓ FaxOrama.com |

SOFTWARE

Microsoft Office Suite

Word. Every area of law I can imagine has heavy usage of Word. Most folks do not need help choosing this, but most also underutilize it. Do short trainings on YouTube and the Microsoft Office page, to freshen and improve your understanding and efficient use of its myriad features.

Outlook. Calendaring is ultra-important. Improvements to Outlook 2010 make this a highly effective product that will increase your efficiency and keep you on time and on target. Become an intermediate user at a minimum. (See Calendaring below for more options.)

OneNote. I do not know how I lived without OneNote for all these years. It interfaces with Outlook seamlessly. Notes are taken and stored in a flexible format that is easy to search and anything can be posted to. Microsoft's answer to Evernote.

Excel. If you are doing anything with client asset calculations, from probates to settlements, you will appreciate the wide capabilities of Excel. It can also act as a searchable database for the thrifty.

PowerPoint. Anyone who does presentations, whether in court, at CLEs, or to community groups, will benefit from learning the capabilities of PowerPoint and using it to tell a more compelling story.

A PDF Creator

The question is not if you should get Adobe Acrobat or a similar product, but which version you should get. Virtually everyone has **Adobe Acrobat Reader** loaded on their computer already, permitting one to view and read PDFs.

You should invest in either **Adobe Acrobat Standard** or **Adobe Acrobat Pro**. Standard gives you basic capabilities of creating and editing PDFs, can convert into Word and Excel, create basic forms, and much more. Standard has electronic signing capabilities.

Pro can convert to PowerPoint also, has enhanced editing and rearranging, reassembling and disassembling PDF capabilities. Pro also allows you to redact permanently. Pro has protection of document and metadata removal that Standard does

not have. It also has greatly improved form creation capabilities. There is a comparison chart on the website (see Resources).

Price used to be a major barrier here because Adobe Pro is \$449 for a license. Now you can get it on a monthly subscription without having to pony up again for updates. The cost monthly for Standard is \$14.99 and Pro is \$19.99. There is a free trial and if you start with Standard, you can upgrade. Note also that if you get the Fujitsu ScanSnap (below) it comes with a Adobe Standard license. I asked and they said it was not eligible for upgrade, but it gives you a longer trial than the free trial and may suffice for a good year before you decide you must have the advanced capabilities of the Pro version.

Nuance has a similar product with close to identical features, but for much less because it has less brand recognition.

Action	Standard	Pro
Read PDF Files	X	X
Convert to Word or Excel files	X	X
Convert to PowerPoint		X
Convert PDF to HTML/web pages		X
Edit PDF files	X	X
Find and replace in PDFs	X	X
Merge files of different formats in PDF	X	X
Brand the merged file consistently		X
Insert audio, video, or interactive media		X
Create fillable forms in PDF	X	X
Advanced, easier PDF forms creation		X
Review and notate PDFs	X	X
Manage shared reviews		X
Compare two PDF versions and highlight	X	X
Sign document electronically	X	X
Get others' electronic signatures on PDFs	X	X
Protect and Restrict PDFs	X	X
Remove metadata	X	X
Redact information permanently		X
Create guided/automated steps to be applied to all PDFs created		X

Accounting System

Most lawyers use Quickbooks. The program is about \$125 for a license. There is Quickbooks online now, for \$10.47 per month for the first 6 months (a discount from \$14.99 per/mo) for the essentials. That version will have all you need for now. A newer, possibly more user friendly product is Xero. It is \$9 per month for the starter plan, but that only gives you 5 invoices a month and 20 transactions. If you go with Xero, hopefully you will be upgrading to the Standard at \$30 per month in short order.

Practice Management Software

You need an organized office. One of the best ways to achieve this is through practice management software. There are online and licensed versions. The licenses are generally expensive and online versions are by monthly subscription, but may have security or licensing questions.

Here are four viable options for practice management software in order of least expensive to most expensive. They all have different qualities and will match different individuals. Use free trials to shop around and pick one you like the best.

Google Business Apps. \$5 per user per month of \$50 per year, whichever is less. A very basic framework for practice management that could serve as a stopgap in a period of growth. Security concerns are always noted with Google products, though *Google Apps in One Hour for Lawyers*, an ABA publication, says they are unwarranted and I know many lawyers that agree. It is worth consideration with the price point and features.

Credenza. For an office that needs very little practice management and is using Outlook, this is a great option. The standard plan is free and the upgraded version is about \$25 per month per user. It is a bare bones practice management system with a very low learning curve for anyone accustomed to Outlook, because it is an Outlook Plug-in..

MyCase. Cloud based client portal and practice management software. It comes with a distinct client-centered, client-communication focus, and is one of the most user friendly systems to learn that I have tried. Price is about \$39 for lawyer users per month, \$29 for support staff users per month.

Clio. Also cloud based and user friendly, but with a focus on efficient systems, effective billing and office management, and organized files. It has some client portal qualities, but not the fundamental driver of the product, like with MyCase. It is highly customizable, making firm branding very uniform and slick with sufficient time put in to implement. It is \$65 per user, per month.

Time and Billing Software

TIME59. This is a web based system that costs \$99 per year. It is bare bones; all a stealthy office needs. The owner is responsive to users and the product is out of development. There is a nice bank of reports based on lawyer requests.

Bill4Time. Also an online system out of Bellevue, Washington; this is a popular product. It has some practice management components, mobile apps, and interfacing with other systems. Cost for a sufficient version to start with is \$19.99 per month for the first user and \$9.99 per month, per additional user.

Harvest. This is an online system that costs \$12 per month for the first user, \$10 per month for additional users. It has a phone application and would be accessible from anywhere there is an internet connection as well. It has some project management components and reporting features along with time and billing.

RTG. You can either purchase a standalone software program license that costs only \$95.00 or RTG Bills Online, a web based billing system, at \$15.95 for a single user and progresses from there in smaller increments than \$15. Though it is not what I would call user friendly, it is the most affordable option over time, especially for users that do not want to store information on the internet.

Chometa. One of the most innovative timekeeping tools I have seen. It is an add-on to another time and billing system that acts as spyware on your devices where the spy

reports to you. It scans and retrieves any actions that do not appear to be logged in your timekeeper system, then lists them for you and asks where to put them. It works on a multiplicity of devices and works with most top products. This is a great option for a person struggling with time capture.

Payment System

Certain practice areas need to take credit cards while others not so much. For example, criminal or family lawyers usually do, while estate planning and probate may not see the need often enough to engage a service. If you find clients are asking to pay by credit card regularly, you are in one of those practice areas and should respond by making it available.

LawPay for unearned legal fees collected. Lawpay protects your IOLTA account funds from canceled credit card payments by taking it from your operating account. It also charges any fees to the operating account so you do not have to figure out how much to put in the IOLTA for fees. There is a small firm plan at 3.5% of the fee and a \$5 per month charge. If you want to take credit cards for advance fee deposits, this is the way to go. Lawcharge is a comparable system, though I know little about it.

The Square for earned legal fees collected. The square attaches to your phone or can be used online. The usual rate is about 2.75%. It is very user friendly. There are similar comparable products out there.

Dictation

Dragon Naturally Speaking 13 Premium. Many of the newer lawyers I talk to do not see a need for dictation, or they say they are using **Serie** on their phone more and more. But dictation is still great for some, even though it is usually a flawed program that you need to double check the work on. The legal version of Dragon is not work it, on authority, but this version at \$200 a license is worth the price. It runs about \$200 for this license.

Virtual Meetings

Consider GoToMeeting by Citrix, Google Hangouts, and Skype International. The free version of Skype has been so poor since Microsoft bought it (maybe two years ago) that I would not recommend using it for clients.

Calendaring

In addition to Outlook, there are other products that work either in conjunction with it or to replace it. **Fantastical 2** for iPad users or **Google Calendar** for the Android set. Both do the same things as Outlook, but with different levels of playing well with others and different systems to get used to using.

Doodle Calendaring is for collaborative meeting setting. If ever you must set up meetings with numerous busy participants, use Doodle calendaring which permits you to set general dates and have people weigh in with their availability. Very easy to figure out and use.

Cell Phone Applications. You need to consciously make your life easier and more manageable. Here are some applications that help small businesses do that.

Expensify is an application to log expenses as you go, instead of having hundreds of receipts to go through at tax time. You can categorize them as reimbursable or billable or neither; take a picture of the receipt, attach notes about the expense, and categorize

them. You can export results and manage your expenses online. It also has a trip plan organizer that lets you import your itinerary and gives you flight alerts and auto-expenses certain things. The free version limits how many receipts you can scan to 11 per month and limits the features. The pay version (\$15) permits more receipts and time tracking and invoicing.

TimeClock Android App. Timeclock is a timekeeping app. The free version offers only two current clients but one gets unlimited clients in the pay version. Timeclock permits one to log time per client, to pause that time or switch to another case, and add notes that are relevant to the time entry. You can leave the app and turn off your phone without the clock stopping, or backtrack and manually enter time you forgot to add. It allows the entry expenses (or costs) and millage. The pay version permits an exporting reports into three different formats, send invoices to clients in pdf format to clients from the app. This application is \$9.99.

Any.do is a simple **to do list** app. I didn't like Any.do at first. It had this hard to read black background and I didn't understand how it worked. In other words, I hadn't played around with it enough to see the value. Fast forward to now when I feel like I can't live without it. I changed it to the much clearer white background and started inputting things into my to do lists. It breaks things into Today, Tomorrow, Upcoming, and Someday. You can give firm deadlines, alarms, store notes, and move things around easily. I like that it leaves completed items on the list so I can gloat to myself about my accomplishments. I especially like that I can draw my finger through things to show completion. It just feels satisfying. I also like how it asks me to take a minute and plan my day. Very orienting and makes my tasks feel somehow more accomplishable. It is free.

Trello is an organization app that focuses on using the Kaban (board) method of project management and collaboration. In other words, it is more visual and less linear than to do lists and email threads. It takes some getting used to for some (meaning me) but there is real value here if you like it, especially because it is free.

WordPress or **Blogger**. If you have a website and a blog, consider using one of these apps to get your blogging done.

File Commander permits you to manage and organize your files on your phone. Works with cloud series for backup. It is intuitive and easy to use, but sometimes stores things redundantly (in a bad way, not a good backup way).

Jury in Attorney Application. \$16, in beta testing as of this publication. This application helps with your jury selection. It offers sample questions or you can impute your own. You can rank the importance of the questions you ask and change the jury box settings to however many jurists you need.

Transcript Pad and **Trail Pad**. Two applications for the iPad that permit trial lawyers to highlight and call out particular pieces of information on the go while in trial. \$89 each.

Microsoft Word Application for iPads. If you want to be able to use Word on your iPad, this affordable application permits that versatility. \$10.

Storage and Backup

Cloud Options. The business versions of the following are examples of sound products that have wide endorsement. Be sure not to purchase the personal versions.

CrashPlan: Not very clear on pricing, but extensive features and stacks up to other products well.

Carbonite: Between \$600 and \$1000 per year for 500 GB of storage and other security features.

Box \$15/user/month with unlimited file size and, but must sign up for three users minimum. 5 GB file size limit. Some amazing collaboration and control characteristics.

SugarSync: (\$55/month or \$550/year for up to three users and 1000 GB storage) for online (in the cloud) backup and live phone support.

External Hard Drives. For external hard drives, ioSafe Solopro or NAS at \$500 or \$600 is very pricey for a new lawyer. Seagate \$73 and Western Digital are more affordable, but may not come with encryption and other safety features you would want.

Ghost Image. Your storage works with your backup--is essentially one layer of backup--but should not be the only one. ReBit and Acronis TrueImage 2014 Premium are products that make a ghost image of your computer for you. This is essential, because you do not just want your data backed up. You want your systems and framework backed up as well.

SECURITY

Encryption

The thing to consider on encryption, besides price, is whether you own the key completely without the company having a copy, or whether the key is recoverable from them if you lose it, with some verification of identity. (Most will probably want a recoverable key, but unrecoverable keys mean you are the only owner of that information which will be attractive to some.) All of these work on Mac and PC.

Boxcryptor. \$96 per year for unlimited business use. You can recover a lost key.

Viivo. \$9.99 per month for business use and the key is recoverable.

Cloudfogger. Free and the key is recoverable if you selected the password recovery option.

Safemonk. \$79 per month for business version and it has recovery of key.

Safebox. Does not work on mobile devices and does not have key recovery, but it is only \$9.99 for one license on multiple computers.

Password Managers

LastPass. Only \$12/year. The most popular. Lastpass can generate random passwords for you or use your current ones. It audits your current passwords and let you know if they

are stale. If one site is compromised and it shares some of your passwords, it will tell you what other sites you need to change your password to also.

1Password. This application is \$7.99 and works the same as LastPass in many ways.

Dashlane. It says it is free.

Sticky Password. This one is also \$12/year.

Devise protection from theft

Prey Control Panel. This product can track where all your devises are at any given time. They have advanced features that permit you lock down all functionality when it is stolen, hide this program from the thief, take a picture of the thief, and GPS locate the devise. It is easy to use. Prices vary depending on how many devises. (see below.)

Max \$399 ^{USD} /month	Premium \$99 ^{USD} /month	Plus \$39 ^{USD} /month	Home \$15 ^{USD} /month	Personal \$5 ^{USD} /month
Top-of-the-line, for massive protection	Tight control for organizations	Smart protection for medium-sized groups	The people's choice, our most popular plan	Peace of mind for the cautious one
Up to 500 devices	Up to 100 devices	Up to 30 devices	Up to 10 devices	Up to 3 devices
~ \$0.8 USD device/month	~ \$1 USD device/month	~ \$1.3 USD device/month	~ \$1.5 USD device/month	~ \$1.7 USD device/month
10% discount on annual term	10% discount on annual term	10% discount on annual term	10% discount on annual term	10% discount on annual term
Choose this plan	Choose this plan	Choose this plan	Choose this plan	Choose this plan

Antivirus. Everyone needs antivirus and malware protection on all devises. Many have their computers set, but forget to do the same thing with their phones. I use **Avast** application for antivirus protection.

RESOURCES

LOMAP Self-Audit Checklist <http://www.wsba.org/Resources-and-Services/LOMAP/Self-Help-Resources>

LOMAP Business Plan Template

www.wsba.org/~media/Files/Resources_Services/LOMAP/Law%20Firm%20Business%20Plan%20Template.ashx

Comparison of Adobe Standard and Pro <http://www.adobe.com/products/acrobat/product-comparison.html>

How to Buy an External Hard Drive:

<http://www.pcmag.com/article2/0,2817,2358135,00.asp>

RAID Levels Explained: <http://www.pcmag.com/article2/0,2817,2370235,00.asp>

Laptop Buying Guide <http://www.cnet.com/topics/laptops/buying-guide/>

Fax Service Comparative Chart www.faxcompare.com

Solo Law Practice Technology Setup, *Sam Glover* <http://lawyerist.com/72561/solo-law-practice-technology-setup/>

ABA 2014 Solo and Small Firm Legal Technology Guide, *John Simek etc.*
<http://shop.americanbar.org/eBus/Store/ProductDetails.aspx?productId=214281> (also in the LOMAP lending library)

ABA Technology Buyer's Guide <http://buyersguide.americanbar.org/>

ABA Practice Management and Time and Billing Software Comparison Chart
<http://www.americanbar.org/content/dam/aba/migrated/tech/ltrc/charts/pmtbchart.authcheckdam.pdf>

ABA Tech Overviews and Charts

http://www.americanbar.org/groups/departments_offices/legal_technology_resources/resources/charts_fyis.html

Cloud Computing/Software as a Services for Lawyers

http://www.americanbar.org/groups/departments_offices/legal_technology_resources/resources/charts_fyis/saas.html

Cloud computing checklist (from Canada)

<http://www.lawsociety.bc.ca/docs/practice/resources/checklist-cloud.pdf>

Cloud computing due diligence guidelines (from Canada)

<http://www.lawsociety.bc.ca/docs/practice/resources/guidelines-cloud.pdf>

SoloSez ABA Solo, Small Firm and General Practice Division (listserv threads)

<http://www.americanbar.org/groups/gpsolo/resources/solosez.html>

GPSolo Magazine (ABA publication online)

http://www.americanbar.org/publications/gp_solo/2014/september-october.html

QUESTIONS

LOMAP

206-733-5914

1-800-945-9722, ext. 5914

lomap@wsba.org

Charity Anastasio

206-733-5949

1-800-945-9722, ext. 5949

charitya@wsba.org

Ethics Line

206-727-8284

1-800-945-9722, ext. 8284

Thank you!



CHAPTER TWO

CASE STUDY – MEDIUM SIZED FIRM – BROWN MARSHALL

November 2014

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WSBA LEGAL LUNCHBOX

Building Office Synergy

CASE STUDY – MEDIUM SIZED FIRM – BROWN MARSHALL

Thomas L. Rowe, Esq. (Tom)
Legal Technology Consultant
OTB Consulting – Cary, North Carolina
November 25, 2014



MOVING THE NEEDLE

TIME AND RESOURCES
TOP DOWN BUY-IN



CHANGE PROCESS

Top down buy-in to make substantive technology changes ... requirement not a choice.

Full buy-in by staff and attorneys ... has to be the "new way" or the highway.

Understand that this is an **INVESTMENT**, not just an **EXPENSE**.

"Price is what you pay, value is what you get" ... Warren Buffett

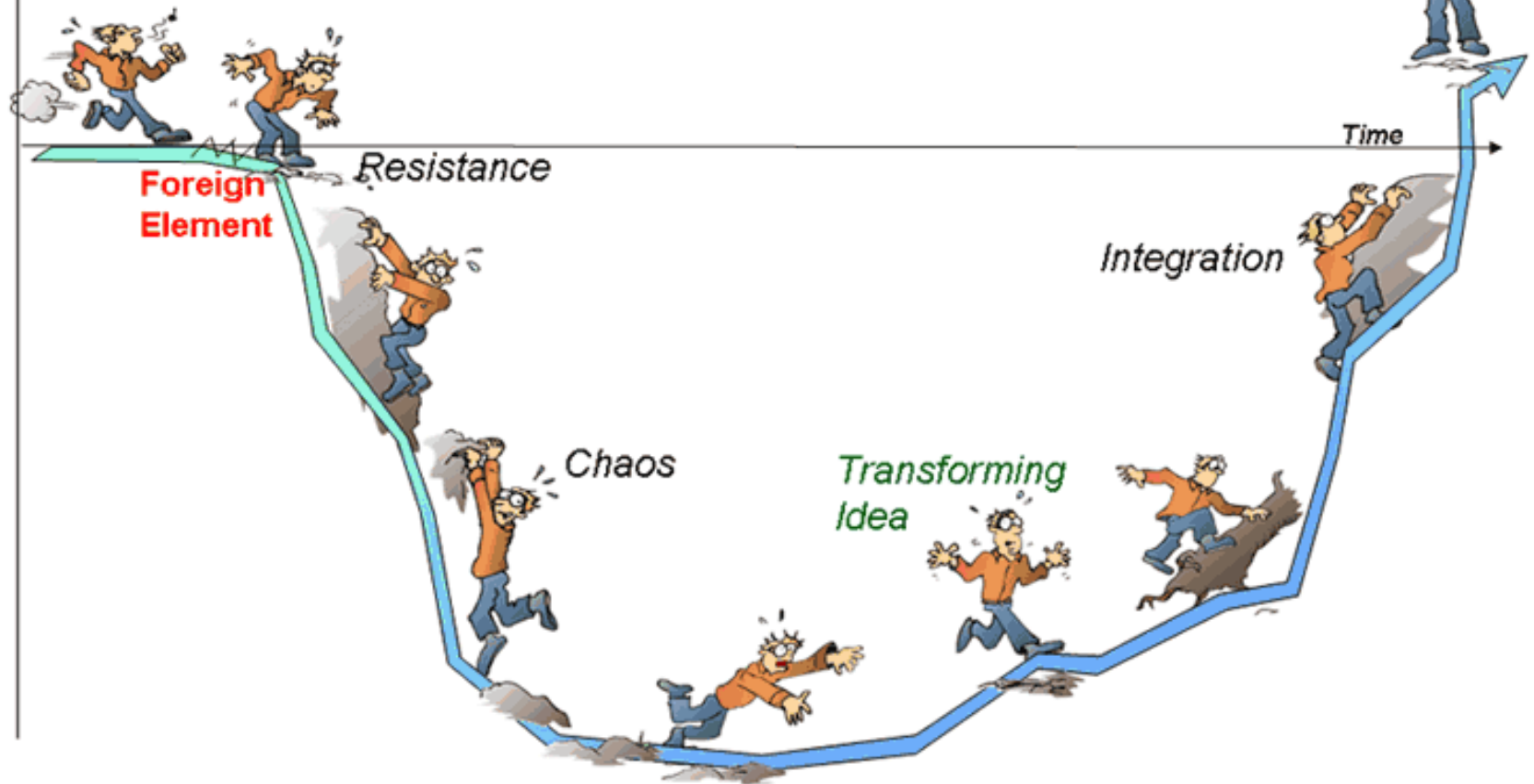
Change takes time and effort ... it doesn't happen overnight

Performance

The Change Process

New Status Quo

Old Status Quo



TECHNOLOGY AUDIT

THE STARTING POINT OF ANY
TECHNOLOGY PROJECT

+ If you don't know where you are
and where you want to go
you will never get there!

TECHNOLOGY AUDIT

Review current technology – hardware and software systems.

Review the firm's internal protocols and procedures – if there are any.

Develop a clear understanding of the firm's strengths and weaknesses, and where the firm wants to be in the future.

Design an ACTION PLAN – we overestimate what we can do in the short term, and underestimate what we can do in the long term.

BROWN MARSHAL

REAL WORLD EXAMPLE OF TECHNOLOGY CHANGE

- + 25 person litigation firm on the east coast that has been in practice for 20 years.
- + Obviously had existing hardware and software infrastructure.
- + Focus – becoming more paperless & mobile.

AUDIT RESULTS

Some reluctance by senior attorneys/partners to invest in the newer technology.

Staff that was, for the most part, eager for anything that would help them do their jobs easier and in less time.

"I'd love to get home on time for once!"

- Decent existing hardware with a good IT relationship.
- Existing LPMS – Time Matters.
- No Document Management.

- No document retention policies
- No protocols on BYOD
- Surprisingly, less than desirable backup plan.

BUY-IN

Meetings with senior management to explain the value proposition.

Demos of various products and procedures to show them how their practice could be better.

Staff buy-in was cemented with demos of how their life could be better – was never in doubt or a problem.

No need for carrot and stick practices for the staff – they were on board from the start.

HARDWARE

The firm had decent hardware, but was in need of some upgrades.

Took the opportunity to upgrade to virtualized servers which had a number of advantages, the most important being backup and disaster recovery.

Because Brown Marshal already had an investment in their hardware, we didn't consider DaaS.

Any firm considering upgrading hardware needs to look closely at DaaS – Desktop as a Service – or other similar off-site solutions.

PRACTICE MANAGEMENT

Current excitement in SaaS LPMS doesn't translate to larger firms – Clio, MyCase aren't designed to work for larger firms at this point.

- Exception – ActionStep that can scale to larger firms and is more feature robust.
- The traditional premise-based products are still the best fit for firms this size.

Brown Marshal already had an investment in LexisNexis' Time Matters so no need to switch.

- Only using 10% - 20% of the functionality:
- Customization to use more fully.
 - Training to make sure being used properly.

TIME AND BILLING

- Medium firms have more diverse billing needs.
- Most premise-based LPMS have robust Time and Billing applications.

- TABS3
- ProLaw
- PCLaw
- Billing Matters

Brown Marshal was already using Billing Matters, the billing companion to Time Matters.

- Additional training enabled the firm to use their billing program more fully.
- 3rd party reporting services were added.

DOCUMENT MANAGEMENT

Main focus of the project due to the goals of being more “paperless” and more mobile.

Being paperless and more mobile go hand in hand – you can’t really be mobile with paper files.

Mobility was key for a firm that had people on the road taking depositions, going to hearings, being in trial, and needing to work from home.

- Eliminated premise-based DMS due to the priority to be more mobile.

DOCUMENT MANAGEMENT

Decision on DMS:

- Netdocuments
- MetaJure

Netdocuments

A traditional DMS where documents and email are profiled. Top DMS in the cloud.

MetaJure

A new, Seattle-based company with a impressive and powerful Google-like searching product.

The firm chose Netdocuments as they were more comfortable with the traditional profile-based DMS, but the decision was primarily based on the inherent mobility of NDs.

PAPERLESS

The key aspect of being paperless is the “less” – it doesn’t mean no paper, just less of it.

An evolutionary, not revolutionary change – going from using paper to being paperless can be tough for more mature attorneys.

Tools:

- Scanners
- Adobe Acrobat
- Practice and role playing

This type of change truly takes time and patience.

BYOD

BYOD – Bring your Own Device

A growing concern with law firms as staff use their own phones, laptops and tablets.

Brown Marshal has experienced a rapid growth in staff bringing in their own devices, yet they had no official BYOD policy – which, unfortunately, isn't surprising.

NEED TO HAVE A POLICY!

- Acceptable Use
- Devices and Support
- Reimbursement
- Security/Risks

Great resources are on Twitter:
#BYOD
Provides voluminous amounts of information.
Also, and obviously, Google.

BACKUPS

Surprisingly for a firm their size, Brown Marshal had a deficient backup plan.

- Lack of redundancy created a single source of failure.
- Multiple backups, multiple media types, multiple locations.

For larger firms, tape is a must.

While firms have moved away from tape, it is the fastest way to backup larger data stores.

Backup isn't truly a backup without testing restores.

CONCLUSION

EVOLUTIONARY, NOT REVOLUTIONARY CHANGE

- + The firm now has buy-in from all levels.
- + They are using their software far better than before.
- + Ongoing training programs has increased adoption & use.
- + The firm is far more mobile as they can access their documents from anywhere at any time.
- + They have redundant backup systems, and do test restores quarterly.
- + They have work to do, but they are controlling BYOD better.

QUESTIONS

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- Practice Management Systems
- Document Management Systems
- Paperless Office Concepts
- DaaS / Cloud Solutions

Thank you!



CHAPTER THREE

GOING PAPERLESS: A BUSINESS CASE AND IMPLEMENTATION PLAN

November 2014

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Going Paperless: A Business Case and Implementation Plan

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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 in into the process.

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 everyday and show the team actual numbers (hours * 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.

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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				
How Much Time is Spent on these tasks:		Min/Day	Hours/wk	Hours/year
Wasting time and resources on document "quests"	Attorney	15	1.3	60
	Staff	20	1.7	80
Recreating important content because you can't find it	Attorney	10	0.8	40
	Staff	20	1.7	80
Opening documents simply to understand what they contain	Attorney	5	0.4	20
	Staff	5	0.4	20
Losing documents because they are not labeled consistently or stored together	Attorney	15	1.3	60
	Staff	20	1.7	80
Time spent walking to printer or copier to retrieve print jobs or make file copies	Attorney	10	0.8	40
	Staff	15	1.3	60
			Hours	Cost
Total Cost of Attorn			220	\$44,000.00
Total Cost of Staff T			320	\$16,000.00
Now calculate these numbers based on number of users at your firm:				
Attorney:		4.0	\$ 44,000.00	\$176,000.00
Staff:		2.0	\$ 16,000.00	\$32,000.00

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 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

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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.

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.

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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).

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.

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 3rd party software to accomplish this. Keep in mind:
 - a. Searchable PDF files are larger than image only PDF files

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- 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 10 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. And 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 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.

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 moral. Your staff will be learning a whole new concept, develop a new set of tools and gain 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

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- Use of document collaboration tools
- E-filing where available

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% electronic. By going paperless you are getting a jump on other firms and will be ready when the courts are.

10 Advantages of Going Paperless

1. Organized Files
Centralized and organize 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.

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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

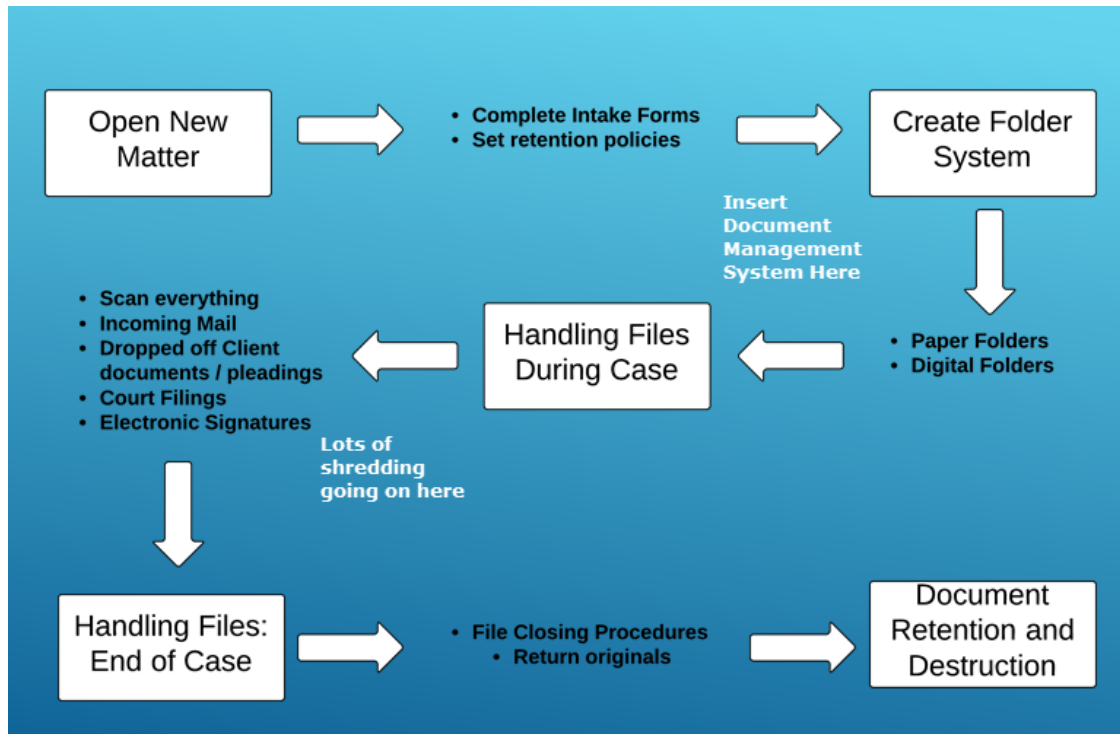
If you need to check a document or file for a client several years later it can be done in a matter of minutes, rather than the traditional system used by many firms where boxes of closed client files are stored in their basement or at an offsite storage facility. Often times, someone will need to travel 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.

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Steps to setting up a paperless system in a law firm:



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The Tools Needed:

Tools Needed for successful Paperless Implementation

Scanners	\$410.00 Comes with Adobe Standa	Fujitsu ScanSnap iX500
Double Monitors	\$125.00	Need two video out connections Operating system needs to support Dual monitors
Digital Signature Software	\$14mn per User	RightSignature
These plans all have a Premium option	\$10-\$20/mn Per User	DocuSign
	\$0 - \$15/mn per User	EchoSign - Comes with Adobe
PDF Software - Adobe Acrobat	\$299.00	Standard - Free with ScanSnap; can upgrade to Professional
Adobe is the legal standard Monthly subscription is available	\$429.00	Professional
Digital Faxes	Base monthly package allows for certain # of faxes, then charged if you exceed this	
	\$8/mn	RingCentral
	\$16/mn	eFax
	\$8/mn	MetroFax
Shredder - Use a local company. It's cheap and it's more secure.		
Cloud Based Storage	\$15/mn per User	Box.net
Per User pricing; Sign up for Business edition	\$15/mn per User	DropBox

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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 50 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.

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 e-mailed. 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:

- Converting PDFs to searchable text for enhanced searching capability - OCR;
- Building and assembling documents;

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- Using the advanced document processing tools, you can do full text indexing with catalog builds an index of words in the specified PDF files;
- Securing documents with password to prevent unauthorized modifications;
- Measuring and drawing on documents;
- Bates stamping;
- Redaction;
- Digital signatures;
- Text editing;
- Inserting comments;
- 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 PDF, you can save yourself some money (for now) and focus on learning how to use the free Adobe Reader program.

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.

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

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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.

As a chain is only as strong as its weakest link, 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 file, it doesn't really matter that you have a paperless office.

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:

- Using protocols and procedures to create a manual system of storage and retrieval.
- The use of a Document Management System (DMS) to store and locate your documents.

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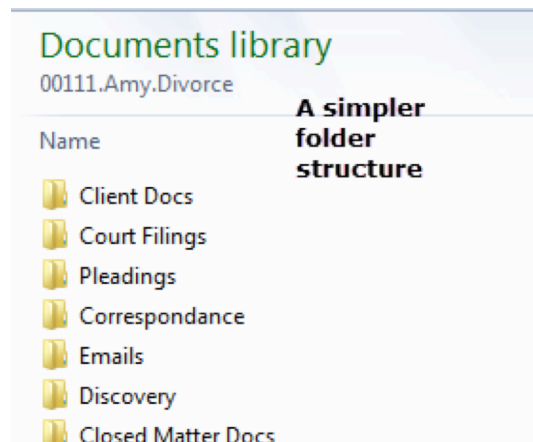
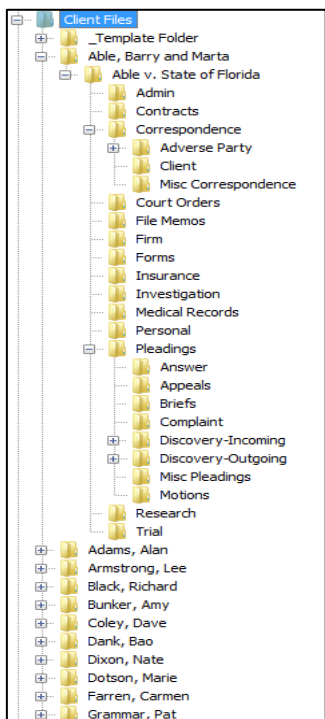
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The primary deciding factor is typically cost – a DMS costs money, but saves time and is more accurate. Manual systems don't have an upfront cost, but could have backend friction costs due to the inefficiencies that are inherent in such a system.

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:

- 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.
- 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, Research, 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.



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- 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 (DMS)

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.

Scenarios

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:

- The day's mail is opened and sorted.
- Using a ScanSnap, the mail is scanned to a PDF file.
- 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.
- The paper is shredded.

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

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.

- The day's mail is opened and sorted by the staff member.
- Using a ScanSnap, the mail is scanned to a PDF file.

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- 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.
- 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.
- 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.

Small Firm of Five

With three attorneys and 2 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

- The day's mail is opened and sorted by a staff member.
- Using a ScanSnap, the mail is scanned to a PDF file.
- 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.
- 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.
- 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.

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.

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Planning

Backing 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:

- **What** – what data do you want backed up?
 - Servers
 - Local workstations
 - Laptops
- **Where** – where do you want to put it?
 - Local drives
 - Removable drives
 - Tape systems
 - Online, off-site
- **When** – how often do you backup, and at what time of the day?
 - Work files backed up immediately when changed
 - Hourly or at least often during the day
 - Nightly
 - Weekly or monthly for archiving
- **Who's in charge** of making sure the backup system is in place?
 - Make it the responsibility of one person so there is no mistake who is responsible
 - Have a cross-trained backup
- **Who follows up** afterward to verify that the backups were done?
 - Have someone other than the person setting the system up do the verification

CHAPTER FOUR

TOOLS AND RESOURCES

November 2014

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CLIENT INFORMATION SHEET

Full Legal Name: _____

Physical Address: _____
STREET ADDRESS

CITY COUNTY STATE Zip

Mailing Address (if different): _____

CITY STATE Zip

Home Phone: _____ Work Phone: _____

Cell Phone: _____ E-mail: _____

This information is confidential. With preliminary matters completed, we are able to devote the entire consultation to assisting you.

*** For office use only ***

Client Name: _____

Matter Name: _____ Matter Number: _____

Matter Type: [] CORP [] EP [] ESCR [] LIT [] PTA [] RE

Hard File: [] Redwell [] Folder

Subfolder names: [] No Subfolders

- 1. _____
2. _____
3. _____
4. _____
5. _____

Engagement Letter: [] Yes [] No

Terms: [] Hourly [] Flat (\$ _____) [] Adv. Fee Deposit (how much?) \$ _____

Client Mgr: [] MSF [] MOG [] JAB [] KLR
Project Mgr. [] MSF [] MOG [] JAB [] KLR

Attorney Initials: _____

Notes:

Check when completed: [] B4T [] SD [] SnapData [] Hard File [] Engagement Ltr. [] Clip
Your initials: _____



File Close Form

Client Name: _____

Matter Name: _____

B4T Matter No.: _____

CLOSED MATTER No. _____
(For EP Matters, leave blank)

Closing Letter? Yes No

Notes:

Atty initials: _____

Accounting: check when complete:

- There are ***no outstanding receivables*** for the matter
- There *is a zero trust balance* for the matter
- B4T: matter status changed to "Closed"
- B4T: If no other open matters, client status "Disabled"
- QB: client/job status inactive

Your initials: _____

Records: check when complete:

- This completed form scanned and saved in SnapDone notes/memos
- Hard copy of this form left in front of hard file
- Closed matter number (for non-EP matters)?
- Update Outlook notes w/ Closed number or index of EP docs?
- File moved to shed.

Your initials: _____



MEMORANDUM

To: Peggy Gruenke
From: M. Owen Gabrielson
Date: November 18, 2014
Subject: FLG IT and Operations Configurations

Below is a list of essential pieces of FLG's law practice with notes.

1. COMPUTER NETWORK

(serviced by a third-party IT vendor on a flat monthly fee):

- a. On Premise Windows Small Business Server 2011
- b. On Premise Security Measures/firewall, etc.
- c. Microsoft Exchange / Office / Adobe Acrobat X or XI
- d. On Premise Voicemail
- e. GEMS (Estate Management Software)
- f. Experimenting with FORMTOOL
- g. Backup Options
- h. Anti-virus
- i. Anti Spam Protection Options

ISP1: Comcast Business Cable Internet (20/6)

ISP2: CenturyLink Ethernet over Copper (3/3)

*** Know the difference between asymmetrical and symmetrical bandwidth

*** SLA?

*** Why have redundancy?

*** Standby server?

j. ALTERNATIVES to On-Premise Solution

(1) Hosted Exchange

Adv: powerful like a big firm

Disadv: costly when seats approach 8+; may want straw man seats

(2) Clio, or Cloud Practice Management Software aimed at Solo Practice

2. TELEPHONY:

(serviced by IT vendor for flat monthly fee)

a. ASTERISK server / Cisco SPA 525g Internet Phones

(1) Phones use CenturyLink SIP Trunk

Adv: low cost; voicemail to email; easily scaled; custom options

Disadv: need IT vendor

b. Alternatives to On-Premise Solution Voice Solution

(1) Hosted

Adv: low cost with few seats; easily scaled; custom options

Disadv: expensive as you add seats

FLG considered hosted telephones with Intermedia.net. It was an impressive solution, but not cost effective without also using a hosted exchange. A weakness of the hosted solution is that bandwidth is eaten by calls between extensions.

(2) Comcast phones

Adv: good call quality

Disadv: that's it – good call quality

3. COPY MACHINE:

a. Konica Minolta BizHub 420 (5 year lease)

(1) Regret #1: Next time will add additional paper tray

(2) Regret #2: Next time will add document finisher upgrade

(3) Regret #3: Next time will up ppm count

b. A second small machine would come in handy; not yet cost justified

4. DOCUMENT MANAGEMENT:

- a. SnapDone (snapdone.com)
- b. Excellent/simplified document templates management for letters, faxes, memos
- c. Snapdone is very simple compared to the advanced programs (ProLaw, Abacus, Amicus, etc.). We have suggestions for improving SnapDone, but given my past experience with ProLaw and iManage, and seeing other users' experience with these programs, this solution has been a success.
- d. Weakness is SnapDone is not planning newer versions. FLG is investigating alternatives for when MSFT discontinues Windows 7 support.

5. CONTACTS MANAGEMENT:

- a. SnapDone (Main UI; Links with Outlook 2010)
- b. Outlook 2010 (Public Shared Folder, main storage for contacts and associated notes)

6. ACCOUNTING:

- a. QuickBooks 2014 Professional (3 User)
- b. Use B4T reports for simplified revenue side internal metrics
- c. B4T integrates with QB very well

7. BILLING/INVOICING:

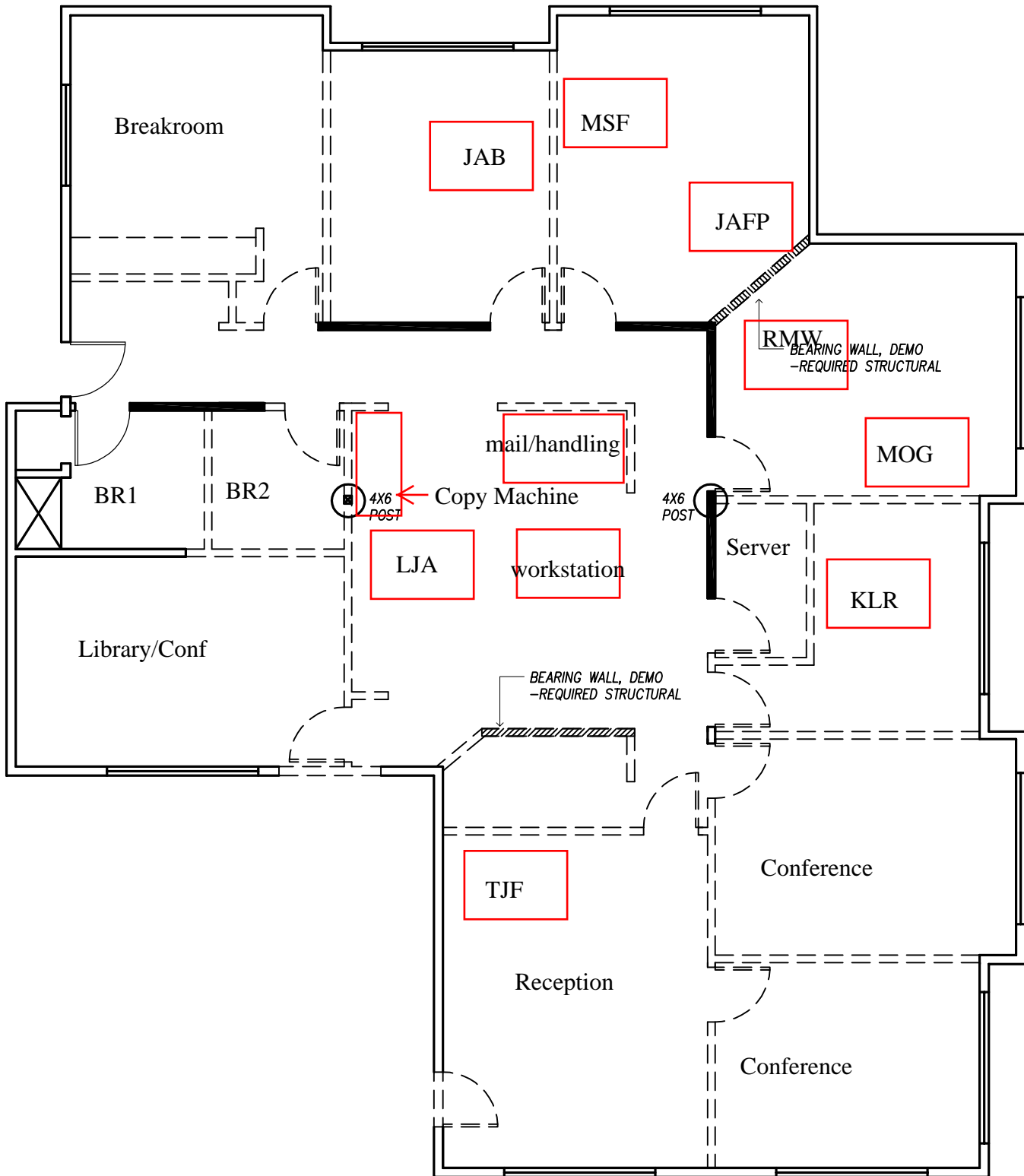
- a. Bill4Time.com (Cloud based)
 - * Integrates with QB

8. CONFLICTS MANAGEMENT:

- a. Attorneys/Staff review contacts databases for potential client and adverse/related party names (Outlook; Bill4Time).
- b. This is not the most elegant solution, but with three attorneys has worked well. Because of our size, and similar practice area, and scheduling input and reviewed by a

common person, conflicts are identified very quickly on matter open, and with sophisticated staff.

c. Adding an additional internal procedure of sending a daily firm-wide email listing proposed engagements would improve the quality of the conflicts search, and is a consideration as the firm moves from three to four attorneys.





We do good work.

We feel good when we do good work.

We respect our clients and each other.

Value: We have Integrity.

Definition: We work with clients and each other openly, honestly, and sincerely. When we say we will do something, we will do it; when we say we cannot or will not do something, then we won't do it.

Behaviors:

- I clearly define the commitments I make, ensuring my promises are well-understood by the person to whom I'm making that promise.
- If I am unable to keep a commitment, I inform all people who will be impacted immediately.

Value: We have High Expectations and do Quality Work.

Definition: We work very hard at providing our clients value. Our work product is aesthetically pleasing, meets clients' needs appropriately, and is error free.

Behaviors:

- I approach problems formulaically by asking, "what are the options, the possibilities, and what do they involve?"
- I am thorough.
- I produce typo-free work product.
- I pay attention to formatting and recognize uniform formatting of the office.
- My work product is grammatically correct, readable, and not ambiguous.
- My work product is technically accurate.
- My work product meets or exceeds FLG's competitors' work.
- My work product reflects that sophistication does not mean complication.

Value: We Listen and Understand.

Definition: We are willing to listen to criticism and see how we can improve. We are kind and deliberate to our clients and each other.

Behaviors:

- I listen.
- I take constructive criticism in a professional manner.
- I consider clients' physical needs when I seat them in a conference room.
- I communicate with all of our clients, regardless of physical or mental impairment, with dignity and respect.
- I communicate respectfully with my colleagues.
- I speak directly to a colleague who has upset me in anyway about the issue at hand.