Affordable Technology for Solo and Small Firm Productivity

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AFFORDABLE TECHNOLOGY FOR SOLO/SMALL FIRM PRODUCTIVITY

Whether you're just starting out or have been running a small firm for years, it pays to be cost-conscious about your technology choices. In this session, you'll learn how to build a technologically-savvy small law firm, with affordable options for practice management, legal research, client collaboration and billing, and tips on how to capture and use firm data to make your practice more successful.

1. **ADVANTAGES OF A SMALL FIRM**

- You can be light, lean and low to the ground.

- You are the decision-maker.

- You can control overhead.

- You can re-invent the practice of law.

- You can take advantage of technology.

- You can choose to hire only people that you like. It makes working a lot of hours far more palatable.

2. **DISADVANTAGES OF A SMALL FIRM**

- You are the decision-maker, thus the buck stops with you.

- You must be lean, otherwise you can't sustain your practice.

- You must spend time and resources to select, learn, and implement the right technological products.

- You must be ahead of the curve, agile, and constantly keep up with updates and advances in substantive law, management, and technology.

- You must compete for business with other law firms and now with legal technology software (e.g. online document providers, online dispute resolution), limited license legal technicians, and court navigators.

3. A PRIMER IN BUSINESS PLANNING FOR SMALL FIRMS

In order to maximize the advantages and minimize the disadvantages of small firm practice, you need to first have a plan. Your plan should come before any consideration or implementation of technology. This applies whether you a just starting up or have been in practice for years. What should be included in your business plan?

- Executive Summary
  - What is your firm's mission statement? What is its purpose and what will it do?
  - What are your major goals? What is needed to achieve those goals?
  - What is your vision? Where do you want your firm to go or to become in the next 3, 5, 10 years from now?

- Market Analysis and Plan
  - What and where is your competition?
  - What threats exists? What opportunities exist?
  - Who are your potential clients and how do you reach them?
  - What do you do and is there demand for it?
  - How will you measure your return on investment?

- Description of Your Firm
  - What services will you offer?
  - What are you competent to do?
  - How do you differentiate yourself from other practitioners?

- Financial Plan
  - How much does it cost to run your law firm?
  - How much do you need to make to breakeven or to profit each month?

- Administrative and Operations Plan
  - Where will you locate your practice?

- Do you need physical space?

- Do you need staff?

- What policies and procedures do you need?

- Technology Plan

    - What technology do you need versus want for your practice?

    - Do you want your data stored in the cloud or on a server?

    - How will you secure your electronic data? How will you respond to a data breach?

    - What backup system will you use?

    - How will you train employees use technology securely?

- Exit and Temporary Absence Plan

    - How will you close up your practice? Who will take over your practice if want to get out?

    - Do you have a plan for coverage if you want to take a vacation?

    - Do you have a plan for unexpected situations?

    - Do you have a backup attorney who has access to everything necessary to continue your practice or wrap it up?

4. **WHO DO I REALLY WANT TO BE? OPPORTUNITIES FOR THE SMALL FIRM IN A WORLD OF TECHNOLOGY**

Now that you have a general plan to help guide you through practice and set you up to maximize the use of technology in your practice, let's take a look at the specific opportunities for small firms with regards to technology. Overall, technology will help you increase productivity, be competitive, and turn a profit.

4.1 THE BASICS - It should go without saying that you need the basics for your firm.

- Hardware
    - Computer
    - Phone
    - Scanner
    - Printer
    - Internet Service Provider + Router + Firewall
- Software
    - Word Processing and PDF
    - eFax
    - Client Relationship Management
    - Case Management
    - Time and Billing
    - Accounting Software
    - Document Management, Assembly, and Forms Creation
    - Backups
- Other
    - Website
    - Legal Research

4.2 AUTOMATE – Do not repeat processes.

- Automation is key to productivity and efficiency. Your firm should be thinking about how to automate processes.
- Text Automation – You should never type the same thing twice
    - Automate responses to client emails by saving canned emails to Microsoft Quick Parts.

- o Go a step further and try [TextExpander](#) or [Active Words](#) to use keyboard shortcuts to expand words, phrases, and even templates.
- Document Automation – Drastically reduce the amount of time you spend generating documents.
  - o First, build a document database with templates that you use repeatedly. These might include letters to opposing counsel, intake forms, contracts, estate planning documents, and more.
  - o You'll need a central repository to store all those documents and then a process to input client/contact information into individual documents.
  - o Some of the many document automation products include [TheFormTool](#), [DraftOnce](#), [HotDocs](#), [Pathagoras](#), [TurboLaw](#), [DocMoto](#), [LEAP](#), and [Smokeball](#).
- Scheduling Automation – Take scheduling off your task list and let clients take control.
  - o Input or sync your calendar to an online service and embed them into your website or provide them to your clients via a link. The client then books the appointment, receives an automated confirmation, the appointment is automatically added to your calendar, and the client receives a reminder email sometime before the appointment.
  - o A few calendaring tools include [Doodle](#), [TimeBridge](#), [Schedule Once](#), [X.ai](#), [Calendly.com](#), [Microsoft Bookings](#), [MeetMe](#), and [YouCanBookMe](#).

4.3   CLIENT SERVICE – Empower your client through technology.

- Website - Turn your website into a tool that clients engage with.
  - o Different consumers want different types of information. Deliver the same information in different ways – a scholarly article for the retired professor, a one-minute video for the short video consumer, blogs for those who are somewhere in between.

- Create a blog and connect the blog to your website. You can still set up blogs for free using [Wordpress](#), [Wix](#), [Tumblr](#), [Blogger](#), [Medium](#), and other similar providers.
- Publish scholarly articles on your website. Research supports that such articles get read and are a point of engagement.
- Review consumer research for your target consumer and customize your website accordingly. Consider setting up a specialized website to provide a certain legal service.
- Allow clients to initiate legal processes through your website. Do so with intake forms and remember to include proper disclaimers.

- Client Portals – A space for lawyers and clients to interact.
  - Create secure client portals that clients can access through your website.
  - Clients receive their own username and password.
  - Use the portal to share documents, communicate, update clients on their matters, assign tasks, remind them of deadlines and court dates, and send invoices and pay bills.
  - Client portals are among the many features of cloud-based practice management tools such as [Clio](#), [RocketMatter](#), [MyCase](#), [CosmoLex](#), [LEAP](#), [PracticePanther](#), and [ZolaSuite](#).

- Electronic Signatures – Make signing a breeze for your client.
  - Rather than require a client to print, scan, or even worse mail a document for signature, let the client sign directly from their computer or mobile device.
  - Secure esignature products include [DocuSign](#), [EchoSign](#), [HelloSign](#), and [RightSignature](#).

- Online Payments – Who pays by check anymore?

- o Get paid faster by allowing clients to pay online – by credit card, checking accounting, or if you are really modern, in bitcoin.
- o Many cloud-based practice management tools now offer integrated payment processing either through their own merchant or third-party such as [LawPay](#).

4.4 KNOWLEDGE MANAGEMENT – Gain insights about your practice.

- Knowledge Management is about capturing information that will help people do their job and will help facilitate automation and use of data. Knowledge is the most strategically important resource and helps firms to understand their capabilities. There are simple inexpensive ways to do this in a small firm.

- Capture knowledge and processes. The first step toward creating a "Knowledge Management Strategy".
    - Do you have checklists for everything that is done on a regular basis?
    - Do you have processes that are documented so that new paralegals who can read can follow your processes without re-inventing the wheel?
    - How will you capture knowledge that exists within peoples' heads?
    - Read *The Checklist Manifesto.*

- Create a habit of saving information. Because most small firms don't have a dedicated knowledge management professional, all lawyers and staff should be engaged in the process of knowledge management.
    - Create a section in your document management system that is just for your firm library. Divide the section into major categories and subcategories. Structure the system in a way that avoids duplication of efforts.
    - Develop a memo that explains the system.
    - Train attorneys and staff.

- Encourage attorneys and paralegals to create and save memos with information that might be used again. It has become common to send a quick email with research information and no effective method to capture that information for future use.

- Examples:
  - Perhaps your law firm provides start-up services to entrepreneurs. Your knowledge management strategy might include:
    - Creating checklists outlining the process for forming various types of entities.
    - Creating checklists for review and protection of intellectual property.
    - Creating checklists for considering best tax status of a start-up entity.
    - Saving information on resources for capital, information about start-ups in different industries, valuation information for different industries, regulatory issues encountered by particular industry types, and available federal and state tax credits related to capital expenditures or hiring employees.
    - Automating forms to readily create the documents needed to support entity formation and the related needs of a new business. This will allow rapid response, accuracy, and a cost-effective fee structure.
    - Keep up-to-date research resources available with information that will be useful to entrepreneurs or to the attorneys supporting the entrepreneurs.
    - Enter data about your clients into a database in a way that you can readily keep them in mind when industry developments occur about which you should advise them.

- Tools – Suggestions for collecting and storing knowledge.

- Evernote and other note-taking programs. Evernote can collect and store resources including text or handwritten notes, documents, audio, and more. Organize the information into notebooks and tag the notes with labels to allow for easy search and retrieval of information. Evernote for Business provides a central repository to be used by all firm members to find and share knowledge, and to collaborate.

- Law practice management systems. You can store immense amounts of data, resources, and documents in a law practice management system, which can then be shared with your entire firm.

- Document management systems. Document management systems store loads of data about documents, including versioning history, metadata, audit trails, security, and more. Some document management systems include DocMoto, NetDocuments, WorldDox, IManage, LEAP, Smokeball, and MetaJure.

4.5   BIG DATA – Analyze big data for competitive advantage (it isn't only for large firms).

- Generally, Big Data is used to refer to the significant volume of unstructured data that is available to law firms. Big data might be derived from external sources, such as compilation of case data or reports, but also might be derived from internal sources, such as case management systems and other internal data collection tools. Big data allows for better decision making and can create opportunities for firm growth. For small firms, you need a strategy because collecting endless data can be expensive. Be selective in what information you decide to collect and analyze.

- How can Big Data be used to help small law firms?
  - Predictive Analysis - linking together cases of like kind to predict possible outcomes and profitability.
  - Pricing Strategy – use data to develop a price strategy.

- How many times have you handled a certain type of case?

- What were the outcomes?

- What was the cost to the client?

- What were the internal costs and thus profitability to the law firm?

- o Marketing and Client Relation Insights

    - Capture and analyze contacts with detailed information, such as where they reside, how they are connected to you, and what their interest is in your firm.

    - Capture detailed data regarding referral sources to determine who refers to you, how often and when, and how they are associated with your firm.

    - Mine website and social media data to make decisions about where to spend your marketing budget (e.g. Google Analytics).

    - Record reactions to communication, reactions to bills (i.e. thank you notes vs complaints), and reactions to services (i.e. positive vs negative feedback). Use it to revise and improve client service.

    - Some tools for collecting this data include customer relationship management systems, such as Lexicata, Zoho, Insightly, Streak, Hubspot, or law practice management system (see aforementioned products).

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- o Litigation

    - E-discovery – use Big Data to help find what is important to the litigation.

    - Case analysis – using Big Data to analyze verdicts and predict outcomes (e.g. Ravel Law, Lex Machina, Juristat, DocketAlarm), examine opposing counsel's history (e.g. CourtLink), and support settlement offers and acceptance.

4.6   ARTIFICIAL INTELLIGENCE – Don't fear it, take advantage of it.

- What Is Artificial Intelligence?

- Artificial Intelligence is when a machine mimics the cognitive function of the human mind.
- Computers complete tasks that were traditionally done by humans.
- Artificial intelligence can be used by law firms to enhance client service and reduce consumer costs.

- Benefits of AI
    - AI can save time.
    - AI can assess risk at an earlier point in time.
    - AI can result in better quality work.
    - AI can support more efficient processes.
    - AI can assist with document review, proofreading and research – and reduce attorney time and frustration.

- Examples of AI for small firms include:
    - CARA by Casetext – "Case Analysis Research Assistant" is an AI system that will analyze citations in briefs, memos, and other documents and return a list of "suggested cases" that are relevant to, but not cited in the document.
    - Zero – An iPhone app that uses AI to automatically capture billable time and organize email.
    - LawGeex – Automated contract review.
    - Judicata – Research engine aimed to provide a more accurate and granular map to the law.
    - ROSS – Your "On-Demand Research Associate". ROSS uses machine learning to fine tune research methods and to hone in on answers to substantive legal issues.