

# How to Swallow an Elephant: Practical Tools and Strategies for E-Mail and Information Management

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#### Introduction

E-mail truly *is* a curse when your in-box runneth over and your unread mail count numbers in the hundreds day after day. You aren't alone if you feel like you're trying to eat an elephant with a demitasse spoon. Clients expect instant answers while lawyers and staff struggle to keep up with the uncontrollable flow of e-mails and e-news. The problem will only get worse. It is estimated that by 2008 in the United States alone, seven to ten billion e-mail messages will be sent and received. The answer isn't to shut off the flow of electronic information but to effectively manage it, keeping it organized and readily accessible when you need it.

The overwhelming onslaught of relevant and time-sensitive material coming from a variety of sources—e-mail, magazines, web sites, faxes, voicemail—creates a feeling of information anxiety. If this sounds like your day, start by analyzing what's holding you back from getting organized and maximizing your time. Are you making technical errors? Are external errors or psychological obstacles in your way?

#### **b** Technical Errors

You've set aside the wrong time of day to complete the task. You've miscalculated how long it takes. You're the wrong person for the job. The task is overly complex. You can't remember what you have to do. Your space is disorganized. You don't have everything you need to get it done.

#### **b** External Errors

You have an unrealistic workload. You have physical limitations which you haven't accounted for. You are in transition. You are in an interruption-rich environment. You have a disorganized partner. You don't have adequate staff support.

#### **b** Psychological Obstacles

You may have unclear goals and priorities. You have a fear of downtime. You need to maintain control, and won't delegate effectively. You have a fear of failure. You have a fear of disrupting the status quo. You have a need for perfection.

"What a minute," you say, "what about the e-mail elephant?"

The e-mail elephant feeds on disorganization!



## **Cures for Time Disorganization**

You may have tried to use a one-size-fits-all time management template. If it worked, consider yourself lucky and skip the rest of this section. For the rest of us, you have to do some customization because we are not one-size-fits-all people. When are you most productive? Do you find yourself hitting your stride in the afternoon, or are you an "early bird" who is dragging by the middle of the afternoon? You will do your best work when you are at the top of your game physically and mentally. Don't waste peak work time attending to low-level tasks. When it comes to managing your time there is a lot for you to control: telephone calls; voicemail; e-mail; snail mail; magazines and newsletters; faxes; meeting with clients; conferring with colleagues; responding to staff; analyzing case facts; doing the "work;" tracking and completing projects; making court appearances; and then finding time to learn how to use time-saving tools and gadgets to do it all again tomorrow more efficiently.

## **Cures for Information Disorganization**

The first step to process and organize all that information is to identify and categorize the incoming "stuff." Is it actionable? If not, throw it away or file it for future reference. If yes, what is the required action? If it's a relatively short action, one that can be done five to ten minutes, just do it! Will it take longer? If so, can you delegate it elsewhere? If you can get beyond the simple need to control, you will find that a good deal of what comes across your desk can be deftly handed off to others to handle. For those things which require extensive action but cannot be delegated, you need to quickly map out a plan. Take just a few minutes to break it down into a few broad steps, then make diary and/or task entries to begin each step, and file it away. By taking the few minutes up front, when the reminder pops up you will be picking up something which is already started, rather than starting from scratch. Psychologically, that goes a long way toward defeating the procrastinator who hides in your office and stares back at you in the mirror.

# **Practical Productivity Tools**

Personal productivity software programs like Outlook can help you keep your priorities organized and on track. Case management programs also have productivity tools, and in addition will help you with conflict checking, docket/calendaring, and financial information access, timekeeping, contacts, notes, document and e-mail tracking by client matter. These programs can manage your e-mail, calendars and scheduling, tasks, sticky notes, instant messaging, contact lists, discussion forums, RSS feeds, Web pages and shared documents, facilitating collaboration and fostering collegiality.

You won't have to leave your great organizer behind you at the office. A handheld device (PDA) or smartphone that can be synched to your computer, will give you access outside of the office to your calendar, contacts, tasks, and e-mail. These devices can be a big boost to productivity. They combine the personal productivity tools with a phone and maybe a lot of other things like a camera, MP3 player, and even GPS and a



walkie-talkie. They enable you to record time spent outside the office working on client matters. They also enable you to turn otherwise "down time" into productive time. Instead of reading old magazines while sitting in the doctor's office, you could be catching up on some backlogged e-mails or e-newsletters.

#### Software:

- IBM Lotus Notes and Domino 7.0.2 from \$101.00 (version 8 soon to be released) (http://www-306.ibm.com/software/lotus/)
- Microsoft Outlook 2007 from \$109.95 (www.microsoft.com/outlook/)
- Novell GroupWise® 7 from \$130.00 (www.novell.com/products/groupwise/)

A comprehensive listing of Case Management Software can be found at the conclusion of this paper.

#### Handheld Devices (PDAs):

- Palm Handhelds (www.palm.com/us/products/handhelds/)
- Palm® Tungsten™ E2 from \$199.00
- Palm® T|X Handheld with built-in Wi-Fi and Bluetooth® technology from \$299.00

#### **Smartphones:**

- BlackBerry® by RIM (www.blackberry.com)
- BlackBerry® 7520™ smartphone from \$469.99 or \$319.99 on new phone plans
- BlackBerry® Pearl™smartphone from \$399.99 or \$199.99 on new phone plans
- BlackBerry® 7100i™smartphone from \$349.99 or \$199.99 on new phone plans
- Palm® Treo™ (www.palm.com/us/products/smartphones/)
- Palm® Treo™ 750 smartphone from \$649.00 (\$399.00 on new phone plans)
- Palm® Treo™ 700 WX smartphone from \$649.00 (\$399.00 on new phone plans)
- Palm® Treo<sup>™</sup> 680 smartphone from \$399.00 (\$199.00 on new phone plans)

If you love the features but not the price, go ahead and do the math. If your billable rate is \$120 an hour and the technology saves you just 30 minutes per day, you could bill 30 more minutes per day: billing another \$60 per day; another \$300 per week. That's about \$1,300 more per month! That could amount to \$15,600 more per year, per lawyer!



# **Tips for Managing Information:**

#### Telephone/voicemail

- 1. Change your recorded message regularly. A current message allows the caller to set realistic expectations for when you will return calls.
- Connect a beeper to your voicemail. This saves you the chore of constantly checking your voicemail for messages. If there's a message, your voicemail system will alert you.
- 3. Schedule regular times to return phone calls. When clients get used to knowing you call back at regular times, they will stop making multiple calls about the same questions or issues.
- 4. Always carry a cell phone. Even if you don't give the number to clients, your office assistant should always be able to reach you, and vice versa.
- 5. Use an internet-enabled cell phone. Being able to retrieve your emails and make a quick response while out of the office can mean the difference between timely response and disappointing a client.
- 6. Get affordable sophisticated voicemail. Your secretary should have to say, "Call back and I won't pick up the telephone" during business hours when your client wants to leave a detailed message. If your telephone vendor tells you it will cost thousands of dollars to do this, think again. Contact your phone service provider (e.g. Verizon, AT&T etc) and you will find that they offer low-cost alternatives for just a few dollars a month. And there are additional choices as well.

#### **Faxes**

- **p** Receive faxes electronically rather than in paper form. That way you don't have to worry that a fax may be sitting on your chair, sight unseen, if you are out of the office and your secretary is out sick. It also gives you the chance to read it at a more convenient time and place.
- **þ** File by subject as well as by correspondent.
- **b** Create a task for follow-up.
- **b** Send faxes from your PC. A robust solution like Zetafax (<a href="www.equisys.com">www.equisys.com</a>) is surprisingly affordable enterprise-wide solution.
- **b** Another electronic fax service for individuals is efax (<u>www.efax.com</u>).

#### **Snail Mail**

- **b** Touch it once and file, respond, delegate, or throw away.
- **b** Enter follow-up dates into your tasks.
- **b** Scan incoming mail and read the image after hours at your leisure.
- **b** Organize scanned mail in document management by client and subject.



#### E-mail

- **b** Make this your primary method of communication.
- **b** Create mail distribution lists and participate in listservs.
- **b** Use smart filtering, rules, and folders.
- **b** Respond after hours when possible.
- **b** Following a disaster, get your e-mail up and running first.
- **b** Create e-mail subfolders.
- **b** Create rules to automatically sort incoming e-mails.
- **b** Organize read messages into folders by topic.
- **b** Save client e-mails in your case management program or in client folders.
- **b** Flag messages for follow-up or enter into task for follow-up.
- **b** Double check the address before you hit "SEND" or turn-off the dangerous autocomplete feature. Note that auto-complete addressing is a real time saver, but has risks for those who can be careless with the mouse.
- **b** Turn off the new e-mail notification chime.
- **b** Turn off the pop-up preview of new e-mail messages.
- QuickFile 4Outlook— Lawyers Edition is an add-in to Microsoft Outlook that allows you to easily create a filing system for your e-mail that corresponds to the client's paper file and that moves e-mail out of your Inbox and Sent Items to the correct client/case folder. From \$97.50. (<a href="http://www.outlook4lawyers.com">http://www.outlook4lawyers.com</a>).

#### Mail lists and listservs

- **b** Listserves are an important member benefit.
- **b** They save participants lots of time by enhancing communications.
- **b** Distribute newsletters, minutes, agendas and other items of interest to the group.
- **b** Build and manage permission-based e-mail lists with easy and affordable Constant Contact, (<a href="www.constantcontact.com">www.constantcontact.com</a>). Use it to create and send eyecatching HTML e-mail newsletters easily and affordably.

#### Magazines and Newsletters

- **b** Review subject by title and pull-quotes.
- **b** Read first and last sentence of paragraphs.
- **b** Scan or put copy of individual articles into subject file.
- **b** Route e-newsletters automatically using Rules to a folder for reading later. Consider utilizing text-to-speech software to automatically convert items in the folder to a sound file, and load these onto CD or an MP3 player to listen to in your car.

#### **Recover Lost Data Files**

- **b** Use software tools to recover your data. Don't lose precious time re-doing anything because of software error.
- **b** GetDataBack at (www.runtine.org/gbd.htm).
- **b** Recover My Files at (www.recoverymyfiles.com).



#### Staff Questions and Concerns

- **b** Schedule regular meeting times with staff to answer questions and review upcoming priorities.
- **b** Encourage e-mail and voicemail so that you can respond as time permits.
- **b** A lesson from the *One Minute Manager*. No questions or problems accepted without suggested answers or solutions. Don't think for your staff teach them to think for themselves.
- **b** Codify all procedures.

#### **Managing Projects**

- **b** Use macro software to automate creation of checklists and associated task reminders. Use Case Management linked tasks/precedents.
- **b** Link Outlook contacts to tasks.
- **b** Software programs that can be helpful include: ActiveWords at (<a href="www.activewords.com">www.activewords.com</a>) and AIM Keys at (<a href="www.aimsoft.com">www.aimsoft.com</a>). Another helpful program can enable you to do more effective proofreading without staff at (<a href="www.readplease.com">www.readplease.com</a>).

#### **Managing Client Relations**

- **Þ** Zetalink (<u>www.equisys.com</u>) allows instant, real time access to customer relations management and finance applications from Internet-enabled PDAs and mobile phones. Works with Outlook, Goldmine, and ACT.
- **b** Outlook contacts have the ability to include extensive personal information, a picture, automatically mark birthdays and anniversaries on your calendar, and to be flagged for the next follow-up call or meeting.

#### Wireless Internet and Wireless Network (WiFi)

- **Þ** Tap into high speed connections at hotels, airports, client offices, Starbucks and other locations.
- **b** 3Com, Cisco, Lucent, and Radiolan are providers.
- **b** You'll find that 802.11(b/g) is the standard.

#### **Surf the Web Offline**

- **b** In Internet Explorer, go to your desired website, select Favorites, select Add to Favorites, select Make Available Offline, select Customize, follow the prompts in the wizard to decide how much of the website to keep, down to three levels.
- **b** Select OK to synchronize the website for offline viewing.
- **b** The more levels you select, the more disk space you use and the longer it takes to copy.
- **p** Remember to unselect Make Available Offline to free up disk space later when you no longer need the material offline.



# To Turn off the Envelope Icon that sits in the System tray when new email received:

- **b** While in Microsoft Outlook, go to Tools, select Options.
- **b** On the Options Preference Tab, select Advanced E-mail Options at E-mail Options.
- **b** Uncheck the option "Show an envelope icon in the System tray."

#### To Turn off Audible Chime when new email received:

- **b** While in Microsoft Outlook, go to Tools, select Options.
- **b** On the Options Preference Tab, select Advanced E-mail Options at E-mail Options.
- **b** Uncheck the option "When new items arrive play a sound."

#### To Turn off the Auto-complete e-mail address feature:

- **b** Turning this feature off will help protect you from inadvertently sending email to the wrong person or to the wrong email address.
- **b** While in Microsoft Outlook, go to Tools, select Options.
- **b** On the Options Preference Tab, select Advanced E-mail Options at E-mail Options.
- **b** Uncheck the option "Suggest names when completing To, CC, and Bcc."

# E-mail Management or Teaching an Elephant to Dance

#### Managing Your Client's Expectations about E-mail:

Do you have a problem with clients who send you an email, and then call you in 10 or 15 minutes to find out if you received it? You must not have gotten it, since you haven't already replied, right?

Draft a written e-mail policy to clarify for clients the use of e-mail in your attorney-client relationship. The written policy is meant to control the client's expectations and to set forth how you deal with e-mail. In today's fast-moving world of almost instant communication, clients are expecting immediate answers to e-mails. Despite client's expectations, such e-mails may require thought and, possibly, research. If your client



understands that you may take several days to respond to an important e-mail, the client will not become impatient waiting for you to respond.

Set up a profile (email address) that you use *only* for client correspondence. Then, use Outlook's Rules Wizard (under Tools on the Menu Bar in Outlook InBox) to create a rule to respond to email received by that address with an appropriate message, such as:

The Law office of Annette Attorney has received your email message. We always attempt to respond to email correspondence from clients within 24 hours. If this is an emergency message, please call my assistant Sam Secretary at 555-1111. Thank you for choosing the Law office of Annette Attorney.

#### **Organizing Your Client's' E-mail:**

You'll find it helpful to use folders to organize your client e-mails to be read. Have a CLIENT folder and have individual subfolders for each client. Set up e-mail folders and subfolders for each of your clients and client matters in your Outlook inbox that mirror the folders and subfolders in the client's computer files. Then set rules to have your clients' e-mails go automatically into their respective folder. Using rules can help you automatically organize your e-mail into folders and subfolders. You can create rules based on the incoming email address, the sender, or the contents of the message. You will be able to monitor unread client messages because there will be a bolded number representing the unread messages next to each Inbox folder. Additionally, you can create an e-mail message notification service for messages from clients whom you designate as being of **Special Importance**. A window will pop up with the sender's name and the message's subject line. Once the client crisis is over, you can delete the Rule to be notified.

#### How to Set E-mail Rules:

In Microsoft Office Outlook 2003, you can easily create rules for email messages by right-clicking on the message in your Inbox, and selecting "Create Rule" from the popup window and follow the directions. Alternatively, Go to Inbox. Select Rules Wizards from the Tools menu.

#### **To Send E-mails Automatically into Folders:**

Select Apply this rule when the message arrives from [Clara Client] and Move it to the [Clara Client] folder.



#### To Set up Message Notification & send message directly to folder:

Select Where my name is in the To or CC box and From [Client Campbell] or [Ivan Investigator] or [Opposing Counsel] and Sent to [my name] or [Litigation Department], Notify me using [chime] and move it to the [Client Campbell] folder.

#### **How to Organize Your Saved Client's E-mails:**

You should capture and save all e-mail messages sent and received, as well as attachments. It is important that these messages be retained electronically or in paper form just as you would correspondence, pleadings, or other client documents.

If you use a case management program like Amicus Attorney, PracticeMaster, ProLaw, Time Matters, or others, you will be able to store e-mail and attachments in the appropriate case or contact file when received or sent. Mail does not remain in the Outlook Inbox.

If you do not use a case management program, client e-mails can be saved to a text file that can be viewed and searched in word processor program. Here is how to save e-mails.

- 1<sup>st</sup> Create a folder on your computer for each client if you haven't already.
- 2<sup>nd</sup> If a client has multiple case matters, use subfolders for each matter.
- For each matter, create a subfolder for correspondence, pleadings, and other documents as needed. Windows Explorer does not have a limit to the number of folders, or subfolders, or layers of subfolders you can have.
- 4<sup>th</sup> Set up e-mail folders and subfolders for each of your clients and client matters in your Outlook inbox.
- In your Inbox, open the e-mail you want to save. Select the "File, Save As" option. Change the message type at the bottom of the dialog box from the default (which may be plain text, HTML, or rich text) to Outlook Message Format (.msg). Navigate at the top of the dialog box to the exact folder in Windows where you want to save the message. You will be saving an exact duplicate of the message, along with any attachments or graphics.
- If you wish to retain a copy in your Inbox as well, drag the message from the Inbox into the appropriate client e-mail folder in Outlook. It is not necessary to do so, as you now have a separate copy elsewhere on your network. However, if you think you may want to use it later to forward to another sender, you should retain a copy in an Inbox folder.
- 7<sup>th</sup> You can find and open, read and print the ".msg" message and any attachments later, using Windows Explorer, the new Windows Desktop Search, or free desktop search software such as X1 or Copernic.
- 8<sup>th</sup> If the "File, Save As" option is not available, select the messages you want to save, right click, choose "Print," and check the "Print to File" checkbox before clicking OK. Because you are "printing" to a file (a text file on your computer)



- and not physically printing the messages, this is equivalent to the "Save As" approach.
- 9<sup>th</sup> Save e-mails frequently enough to protect your client's information from loss.

#### How to Batch Save Your Client's E-mail

- 1<sup>st</sup> Navigate to the e-mail folder containing the messages you want to save, choose Select All or select the individual messages you want to place in a text file.
- 2<sup>nd</sup> With the messages highlighted, choose "File, Save As" and navigate to the folder on your computer where you want to save the messages.
- Give the file a name, such as "Campbell e-mail messages." "Campbell e-mail messages" will be saved as a text file that can be opened in Notepad, WordPad, or your word processor program.
- 4<sup>th</sup> If you save multiple messages in one batch, they will be automatically consolidated into one text document. The document can be searched if necessary, stored with client Campbell's other electronic documents, and printed for the client Campbell's paper file, if desired.
- 5<sup>th</sup> The original e-mail messages can then be deleted from Outlook, so you don't take up valuable space and slow down your computer's processing speed.
- If you want to save the attachments or graphics along with the original e-mail, when you select the "File, Save As" option, change the message type at the bottom of the dialog box from the default (which may be plain text, HTML, or rich text) to Outlook Message Format (.msg).
- 7<sup>th</sup> Save e-mails frequently enough to protect your client's information from loss.

#### Saving Your Client's E-mail with Adobe Acrobat:

Your office may use Adobe Acrobat 7.0 or 8.0 Professional for saving client e-mail. Here is how to do it:

- 1<sup>st</sup> In Outlook, select the Inbox folder with the e-mail message you want to save.
- 2<sup>nd</sup> Click the button, "Convert Selected Folder to Adobe PDF."
- 3<sup>rd</sup> In the "Save In" box, specify a folder on your computer (e.g., client/matter) in which to save the PDF file, type a file name, and click "Save."
- 4<sup>th</sup> To convert a folder of e-mail messages to a PDF file and append the file to an existing PDF file:
  - Ø In Outlook, select the relevant Inbox folder.
  - Ø Choose "Adobe PDF>Convert and Append to Existing Adobe PDF>Selected Folder."
  - Ø Select the PDF file to which you want to append the new PDF file.
  - Ø Click "Open."



#### **Saving Your Closed Client Files:**

Once a matter is concluded, the client's computer folder and subfolders, including e-mail messages if saved electronically, can be burned to a CD or other media and saved. You can then delete the original computer file to free up space on your computer hard drive. You can save the CD containing the copied computer file with the paper file or in some other storage receptacle.

# **Summary**

E-mail doesn't need to be a curse. You can manage your e-mail and other information so that you aren't overwhelmed. If you were feeling like you were trying to eat an elephant with a demitasse spoon, now you know: you have to take small bites. Technology can help you to manage the information overload. Be clear in setting up your policies for handling e-mail and other electronic information. Communicate your policies to your clients and staff. Remember, the answer isn't to shut off the flow of electronic information but to effectively manage it, keeping it organized and readily accessible when you need it.



# **CASE MANAGEMENT SOFTWARE**

	Telephone	Website or Publisher
21 <sup>ST</sup> Century Lawyers	1-800-492-5279	www.21stcenturylawyer.com
Abacus Law *	1-800-726-3339	www.abacuslaw.com
Acumin *	1-800-349-7371	www.dexco.com/eacumin.html
Advantage SuperTrack	1-800-543-3185	www.advantagelaw.com
AltaPoint Law Office Management	1-888-258-2552	www.altapointlaw.com
Amicus Attorney Pro	1-800-472-2289	www.amicusattorney.com/
Attorney Office System	1-716-685-4230	www.cetechnology.com
BaseCamp (an ASP hosted project management and time tracking solution)		www.basecamphq.com/
Case & Point (law dept/corp use)	1-800-597-4361	www.caseandpoint.com
CaseTrack for Windows (law dept/corp use)	1-800-822-9096	www.case-track.com
ClarVergence	1-888-823-2880	www.tcdi.com
Client Profiles *	1-866-720-5005	www.clientprofiles.com
CMS Open *	1-850-224-2200	www.cmsopen.com
CompleteLAW *	1-612-812-2593	www.completelaw.com
Dexco	1-800-349-7371	www.dexco.com/edexdls.html
Equisitions - My-equinox *	1-800-661-3306	www.myequisitions.com
EsqWare Case Management System	1-800-568-7996	www.esqware.com
JFS Litigator's Notebook	1-908-289-8560	www.jfsnet.com
Law Pro	1-800-3LAWPRO	www.lawproinc.com
Law Stream (Macintosh and PC) *	1-250-782-3322	www.powerinn.com
LawBase	1-800-569-3377	www.lawbase.com
LawQuest (law dept/corp use)	1-888-272-4699	www.bridge-way.com
Legal Edge	1-610-975-5888 x214	www.legaledge.com
Legal Files	1-800-500-0537 x247	www.legalfiles.com
Managing Partner (debt collection practice oriented)	1-800-624-5999	www.managingpartners.com
MasterList	1-888-384-5052	www.themasterlist.com
Matter Manager	1-800-387-2625	www.expertext.com
My Third Wave (Consumer Bankruptcy – ASP)		www.mythirdwave.com
Needles (PI practice oriented)	1-410-363-1976	www.needpins.com
Orion (ins. Def. Practice oriented) *	1-404-635-1161	www.orionlaw.com

www.adclegal.com
www.personalinjurycopilot.com
www.reallegal.com
www.stilegal.com
www.prevail.net
www.prolaw.com
www.rainmakerlegal.com
www.sagasys.com
www.lawofficesynergy.com
www.timematters.com
www.denovosys.com
www.trialworks.com