

# Herding Cats: Managing Electronic Data in a Law Firm



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**ABA Legal Technology Resource Center**

# Today's Topics

- Managing electronic information
  - Documents
  - Cases
  - Email
  - Calendars
  - Tasks
  - Contacts



# Exploring Concepts

- Document Management
  - Creation, version, search, collaboration
- Records Management
  - Compliance, storage, search, destruction
- Knowledge Management
  - Capture, re-use, retain

# Alphabet Soup

- ROI – Return on Investment
- TCO – Total Cost of Ownership
- TCC – Total Cost of Compliance



# Return on Investment

- 80% of employees waste 30 minutes per day retrieving information
- 60% spend an hour or more duplicating the work of others
- Leverage IT vendors
- Validate vendor claims

# Total Cost of Ownership

- Hardware requirements
- Data conversion and transfer
- Professional services, internal staff time
- Implementation, deployment, customization
- Maintenance and support
- Training
- Upgrades

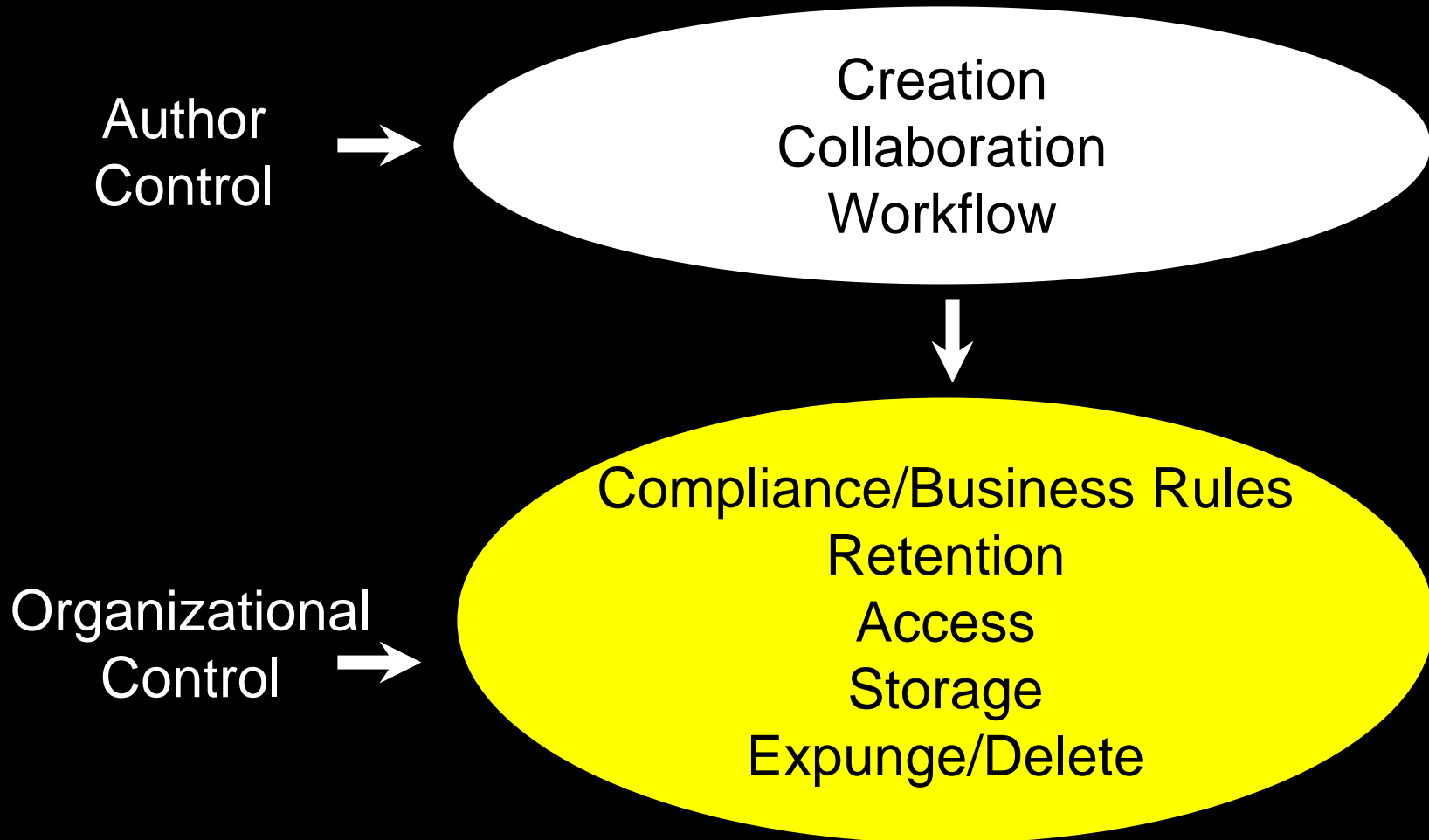
# Total Cost of Compliance

- Not always applicable in law firms, but a good model to look at:
- Proactive compliance = predictable
- Reactive compliance = unpredictable

OR

- Total Cost of Compliance vs Total Cost of Non-Compliance

# Information Life Cycle





# Managing Documents

## Document Management Software

- Part of case management or
- Stand-alone
  - Searchable
  - Indexed
  - Versions
  - Workflow
  - Security



# Managing Documents

## Document Management Software

- Expands to “records management”
- Also manages email
- Potentially very costly
- Frequently called “content” management

# Managing Documents



## Search Software

- Free/low cost desktop and network search
- Sophisticated network/enterprise search
- Super internal/external search

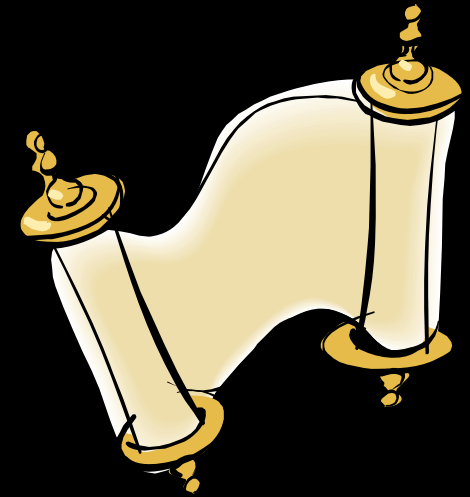
# Adobe Acrobat 7.0

- Versions: Standard and Professional
- New:
  - Organizer
  - Create PDF from multiple documents
  - Save Outlook email folders to PDF
  - Security features
    - Policies: Organization, User
  - Collaboration through review
- PDF is efiling standard

# Managing Cases

## Case Management software

- General vs. specialized
- Often builds in document management component
- Price has decreased
- Specific to the practice of law



# Managing Cases

## Case Management software

- Features often include calendars, tasks, reminders, reporting, timers, contacts, matter management, document assembly, email integration, time/billing/accounting integration...

# Managing Cases

Calendaring  
software

- Rules-based  
options
- Often integrated  
with case  
management  
software



# Managing Cases

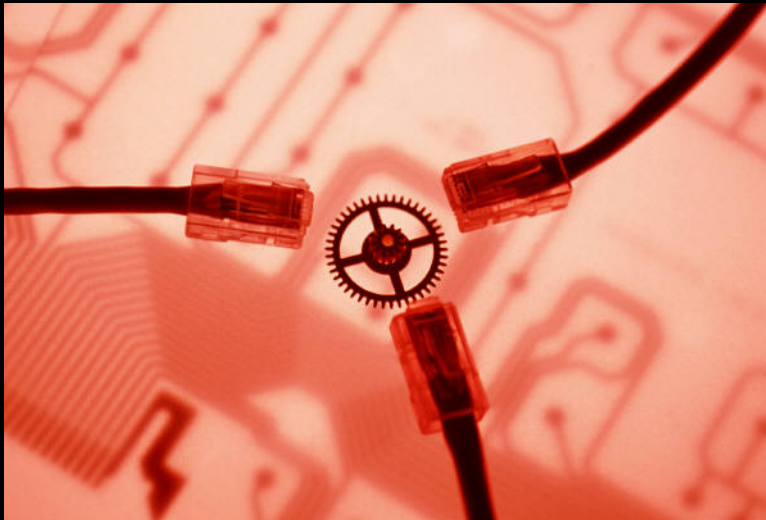
## Litigation software

- Case facts databases
- Timelines
- Transcripts
- Outlining





# Integration



- Choose all in one program
  - Case management
  - Time and billing
  - Accounting
- Or products that integrate
  - Must keep upgrades in sync

# Managing Email

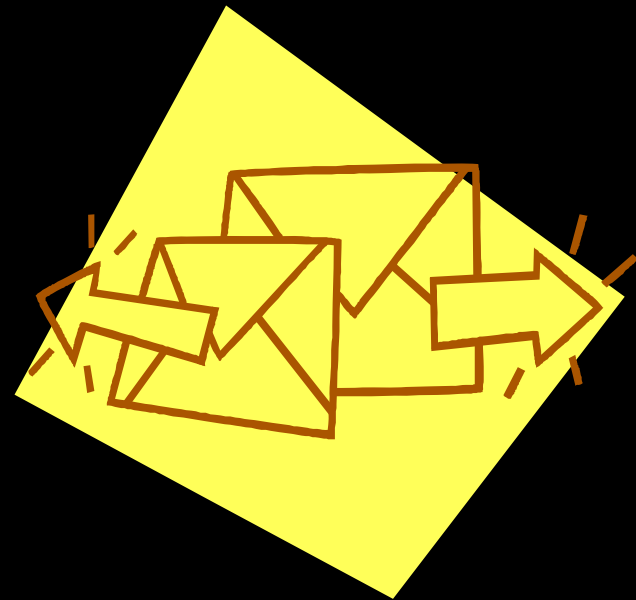
## Email as a record

- Manage through
  - Native program
  - Case management
  - Document management
- Convert to another format?

# Managing Email

## Using Email software

- Rules
- Folders
- Flags
- Anti-spam
- Phishing



# Records Management

## File Formats for storage

- PDF/A
- TIFF
- TXT
- XML



# Records Management

## Preservation: Conversion & Migration

- Data loss
- Structure loss
- Relationship loss

# Records Management

## Preservation: Goals

- Accessibility
- Longevity
- Accuracy
- Completeness
- Flexibility



# Retention Policies for Law Firms

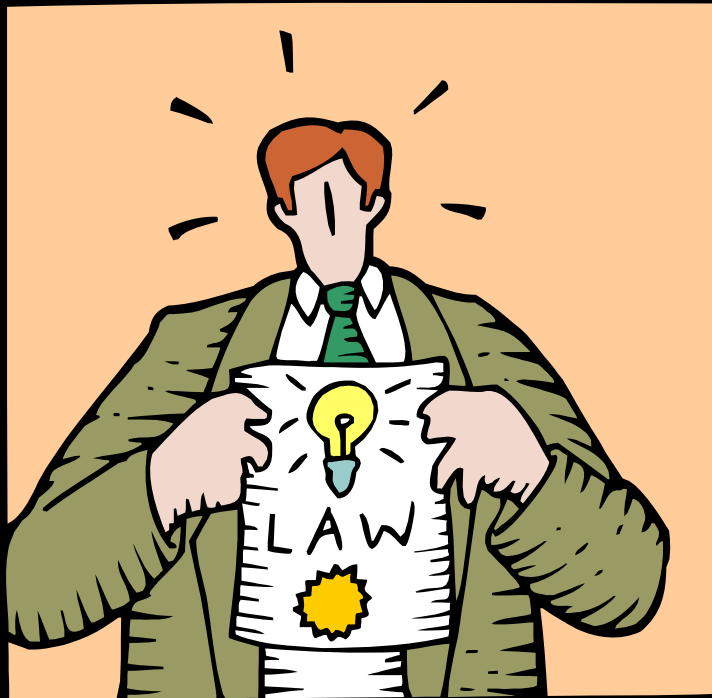
- Not worried about SOX? How about:
  - HIPAA
  - OSHA
  - Tax records
  - Statutes of limitations
  - Client documents

# Retention Policies for Law Firms

- Creating a document retention policy:
  - Follow federal/state regulations
  - Follow internal bylaws or industry standards
  - Assume the possibility of a lawsuit



# Record Retention Fundamentals



- Determine categories of records
- Define retention schedules
- Consider all forms of electronic data – voicemail?
- How will records be destroyed?
- How do you suspend the policy?
- Who enforces the policy?
- Describe organization of records

# Record Retention Policy

- Make the policy available
- Enforce it
- Get a signature
- Train on it
- Anticipate non-compliance with the policy
- Perform self-audits

# What About Knowledge Management?

- Delicate balance between too much and too little information
- Knowledge of :
  - The firm
  - The law
  - Clients
  - Marketing
  - Matters
  - Financials



# Some Knowledge Management Tools

- Portals/Intranets
- Customer Relationship Management software
- Document management software
- Financial scorecards/dashboard tools
- Case management software
- Enterprise search tools/data mining
- Document assembly software

# Training

- Part of the purchasing process
- Must be ongoing
- Try incremental approach
- Power users
  - Train the trainer



# Conclusion

- 90% of all information created is electronic
- All information should be managed
- Software can help, but not solve management issues
- Training is essential to ROI

# Questions?

Thanks!

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