

# Technology

## The 'Less-Paper' Office

*You Might Not Be Able to Get Rid of All Paper, But You Can Manage it More Efficiently*

BY DANIEL J. SIEGEL

**T**he "paperless office." Remember that concept? Like the idea that paper checks would disappear, the promise of a paperless office remains a pipe dream for virtually every business, including law firms. After all, the mail still comes, faxes continue to fly out of the machine and those e-mail printouts never seem to end, right? While an office without paper is probably not a reality for most lawyers, there are options that will reduce the amount of paper you use while increasing your and your firm's efficiency.

This article will offer suggestions for how you can put technology to work and begin your quest to have the "less-paper" office; it will then explain how to implement these methods. None of the following requires radical changes to your office's procedures, and most merely require hardware and software you probably have, or may not even realize you have; in fact, most of these suggestions can be easily implemented with a scanner, preferably one with a sheet feeder, and a CD burner. What you also need is the willingness to tweak the way you (and your staff) do things.

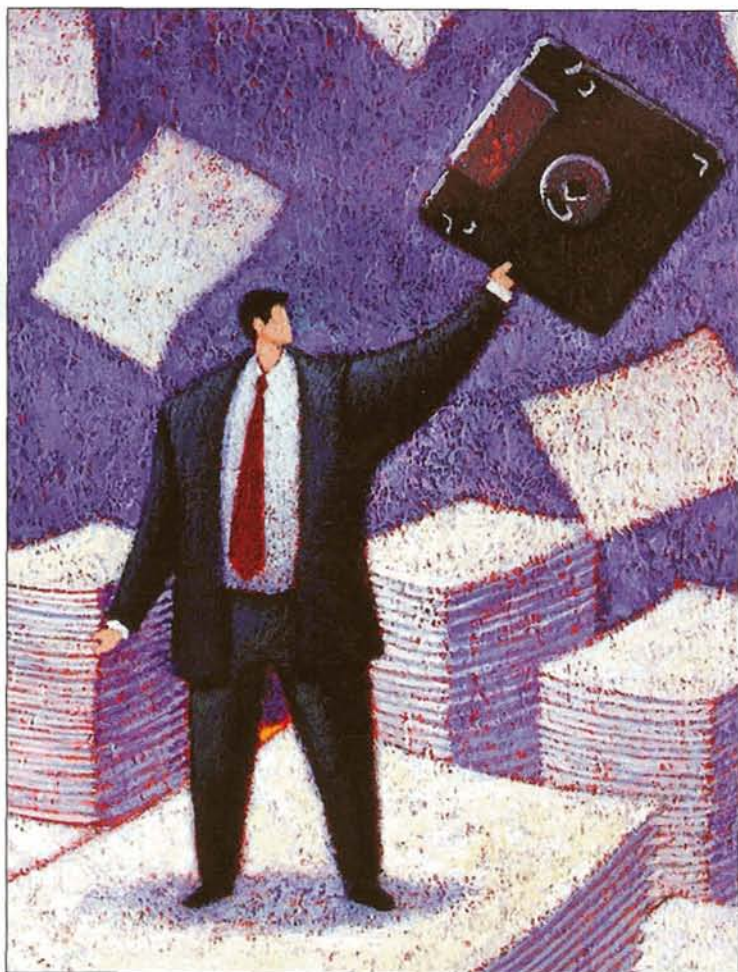
Consider a typical client file. In most cases, your office prepares an initial intake. It may be a detailed client interview, a case assignment sheet received from an insurance company or something a bit more complicated. Regardless, you should scan the intake and any other important documents to your computer or your server and name them so that you (or anyone else) can locate the documents easily. There are two reasons to do this. First, it is all too easy to misplace documents, and scanned copies serve as insurance. Second, when the client

calls, you no longer have to place the client on hold, get up from your desk, search for the file and then, once you find it, rummage through the morass of papers to locate the document you need. Instead, you simply locate the document on your computer, open up the file and you are ready to discuss the document in seconds. You are more efficient, and your client is impressed by your ability to discuss the document and the case at a moment's notice.

Let's jump ahead a bit. Suppose the case requires you to obtain voluminous records. They could be medical records, financial records or copies of contracts in dispute. Regardless, they encompass dozens, if not hundreds or possibly thousands, of pages. In a traditional setting, you would obtain hard copies of every document and would later

supply paper copies to opposing counsel. That is a lot of dead trees, especially for records that, for the most part, probably will be reviewed only once; after all, only a small percentage of the records produced in most cases have any relevance to the case itself. More and more, however, records are either produced—or they are available—electronically, that is, in tif or pdf format on CD or floppy disk.

Why receive records electronically? There are numerous reasons. Your computer generally comes with the basic software needed to review these files, so you are already set up to do this. In addition, when you need to review the file, if you only print and highlight the truly relevant



© Lael Henderson/Images.com/CORBIS

documents, it will be much easier to find these documents instead of having to fumble your way through reams of paper. Thus, I recommend doing an initial review of the documents on your computer and printing only the pages that may be necessary.

Suppose, however, the matter involves litigation. Pleadings, discovery, motions, pretrial documents, etc. For my nickel, every document should be scanned and OCRed (optical character recognition). This process not only renders the documents searchable, it generally also allows you to copy portions for use when preparing other documents. As a bonus, if you misplace a document (which of course will "never" happen), there is a copy readily available. In addition, when you file a motion, you can easily produce a CD rather than a case of paper, and at far less expense. Moreover, if your case is in federal court (or one of the more progressive state courts), you will have to file your papers electronically, so you are far more prepared to do so.

One of the most important reasons to scan litigation documents is the ability you should have to OCR each one simultaneously. With the right software and a little effort, you will be able to search virtually all of your documents in one pass, and finding that needle in the paperstack will be far easier. Although most software can OCR handwritten documents, the results vary based upon the legibility of the writing and sophistication of the software.

Consider this real-life example. In a recent case, plaintiff's counsel had suddenly named a new expert. Although he worked for the same company as another expert, we could not fathom why his testimony would have any more relevance than the previously named witness. I opened up my Adobe Acrobat index and searched for the witness' name. Lo and behold, his name appeared once in about 5,000 pages of documents. Where? In one document in which another witness had cited the newly named expert's treatise, which of course supported plaintiff's theory of recovery. Obviously, when he identified this witness, plaintiff's counsel had intended to use this treatise to bolster his case, without ever disclosing that "little" fact beforehand. Needless to say, we promptly filed a Motion in Limine to preclude testimony by this new witness.

Jumping ahead, your case has now concluded. At that point, any closing documents, settlement sheets, releases, etc. should have been scanned to your comput-

er. Then what? When you close the file, if you have saved copies of the pleadings, etc. on your computer, you can burn a CD, store it with the files on it and dispose of the documents. You will require far less physical storage space and, should the need arise, you can quickly retrieve the documents from your computer (or an archive) or directly from the CD you stored with the file.

Now that you have read what to do to reduce the paper in your office, the question remains how to do it. The answer is by using a scanner, a CD burner, a tif viewer and PDF software, which most offices already have. In smaller offices, with only one or two staff members, the idea of going "less-paper" may seem particularly daunting. For those offices, I recommend implementing these steps progressively. In most instances, once you begin the transition to electronic storage, it becomes second nature.

Regardless of how much of this process you adopt, you must also back up your computer daily.

#### SCANNERS

Scanners have become a necessity in most offices. A scanner analyzes a document or other image and processes it in a way that allows you to save it on your computer. If the document contains text, a scanner can perform an OCR, thus allowing you to search and, depending on your software, use the text in other applications. If the document contains an image (picture), the scanner can save it in a manner that allows you to alter or enhance the image, print it out or use it elsewhere.

In recent years, scanning technology has improved dramatically. Sheetfed scanners have become far more common and much more affordable, and they allow you to scan large documents at the push of a button. For around \$300, you can purchase a scanner with a fifty-page sheet feeder, which is sufficient for most small to mid-size firms. In addition, large copiers generally also serve as scanners. Either way, scanning is as easy as making a copy.

But the key to successful scanning is in the software. Most manufacturers supply all of the software you will need for free when you buy a scanner. For example, Hewlett Packard offers user-friendly software that makes scanning a snap. You open the software, click on the scan button, and the scanning begins. Once the scanning is over, the software asks you what format to save the images in, generally a pdf, and where to save it. Of course, if you

## Tech BRIEFS

### Download Bar Podcasts

The Bar Association is now offering podcasts of selected Bar Association events that can be downloaded from the Internet and played on your computer or MP3 player. Recordings of guest speakers from quarterly meetings are available and additional



programming will be announced soon.

Podcasts can be down-

loaded from [www.philadelphiabar.org](http://www.philadelphiabar.org) or [www.podcastalley.com](http://www.podcastalley.com).

### Personalize It!

Philadelphiabar.org, the Association's new state-of-the-art Web site, is allowing members to "plug-in" to their membership in an



exciting new way.

Members can "personalize" the site's homepage with a list of their Section and Committee affiliations, favorite Web addresses and a choice of news feeds. Click on "Member Log-in" on the upper-right corner of the homepage. The first time you log in, you will be asked to enter your User Name (Association member ID number) and Password (first initial and last name, all lowercase). If you do not know your member ID number, click on the words "Need Help?" on the Login Box to request that your number be e-mailed to you. Once you have successfully logged in for the first time, a page will appear that allows you to choose your own easy-to-remember User Name and Password for the future.

### Jenkins Adds Web Portal

Jenkins Law Library has launched a Journal Portal on its Web site ([www.jenkinslaw.org](http://www.jenkinslaw.org)). This portal directs you to more than 29,000 legal and nonlegal journals, newspapers and magazines on a broad range of topics. Whether you have a reference to a law



review or a general interest, medical or social science article or need to find journals on a specific topic, this portal provides the links to obtain

what you need. Don't waste your valuable time searching the entire Web. Instead, go to <http://journals.jenkinslaw.org>.

need to save your document as an image, such as a tif or jpeg, you can do that just as easily. The advantage of the pdf format (rather than a jpeg or other "image" format) is that, with proper software, you can search one or more documents for keywords.

### SOFTWARE

Scanning documents is just the first step. After your documents are scanned, you need the proper software to review them. Selecting the correct software for handling your documents is crucial to reducing paper and increasing efficiency. If you save your documents as pdfs, you can review them with the free Adobe Acrobat Reader (downloadable at [www.adobe.com/products/acrobat/readstep2.html](http://www.adobe.com/products/acrobat/readstep2.html)). Adobe Reader allows you to view your documents, but not much else. If you purchase Adobe Acrobat, or comparable software, however, you can accomplish much more. For example, Adobe Acrobat easily performs an OCR on a document, allowing you to search its text, export it to Microsoft Word or use it in other applications. Adobe Acrobat is relatively expensive (around \$300 to \$500 per user/license, depending on the version), and other companies offer less expensive alternatives, but without all of Adobe's bells and whistles.

My favorite feature in Adobe Acrobat is its ability to index documents (Adobe calls it a "catalog"). In the example above, the index encompassed more than 400 documents, ranging from pleadings to exhibits to legal research to correspondence. It took about three seconds for Adobe Acrobat to find the one instance in which the newly designated expert witness' name had appeared in any of the documents. Without the index, we might not have learned until trial about the witness' treatise.

While Adobe is the standard for pdfs, the world of images (tifs, bmps, jpegs, etc.) is far different and requires image software called a "viewer." A viewer is a program that displays the contents of an electronic (digital) file. A viewer may be a stand-alone program or a component within a larger program. Generally, stand-alone viewers are more versatile than those contained in other programs.

Windows PCs come with Microsoft's viewer, which is extremely basic. If you plan to view images frequently, then the Microsoft viewer, which requires a user to open and close every image manually, is inefficient and will become a source of increasing frustration. There are many other viewers that allow users to scroll from

image to image without having to open and close each document. Users tend to have their own preferences, and most viewers are relatively inexpensive and generally offer free trials. Among the more popular viewers are IrfanView ([www.irfanview.com](http://www.irfanview.com)), which is free for non-commercial use, and ACDSee ([www.acdsystems.com](http://www.acdsystems.com)), which is extremely easy to use and sells for about \$50.

### FILE NAMING

No matter how you implement your less-paper office, one factor critical to its success is creating a file-naming protocol. Where possible, your office should use a protocol that makes locating files easy and allows any person to determine the contents of a given file. Document management software (DMS) automatically performs this function, although many offices do not have DMS. For those offices, files should still be organized in an easy-to-use style, generally by client name (after all, who remembers every matter number?). There are then, generally, subdirectories for correspondence, pleadings, discovery, medical records, etc.

After you establish a file organizational structure, you should define a file-naming protocol. For example, save all letters as "Ltr to XXXX re YYYY, Date." I recommend that dates be in YEAR-MONTH-DATE format (2005-10-28) because it makes sorting similarly named files far easier. Thus, if you have four letters to Attorney Smith about settlement, they will sort in date order when you are searching.

### CD BURNING

If you intend to save and produce documents electronically, you will need the ability to create ("burn") CDs. Fortunately, almost all computers manufactured in the past few years come with a CD burner and the software needed to burn the disks. Generally, the software that ships with a CD burner will be sufficient for most people's needs. CDs are also an excellent and inexpensive way to store documents without saving the hard copies.

### E-MAIL AND FAXES

More and more, lawyers and clients communicate by e-mail. The volume of e-mail in some offices is overwhelming, and if the communication involves a client or case, you almost certainly have to save a copy—not only of the e-mail, but also of your reply, and the reply to the reply, and the reply to the reply to the reply, etc. At times, the volume of e-mail seems infinite. There

is no reason, however, to print out every e-mail you receive. The ubiquitous Microsoft Outlook, and virtually every other e-mail program, allows you to easily store e-mail on your computer. So, unless the e-mail is that important, don't print; instead, hit the save button.

As for faxes, old habits die hard. Many offices continue to rely on the machine, but there are better alternatives. For smaller firms, an online service such as efax ([www.efax.com](http://www.efax.com)) may be the answer. Efax assigns you a fax number and sends your faxes to as many as five different e-mail addresses, all for one annual fee, which is generally less than the cost of a fax line for a year. For larger firms, programs such as Right Fax ([www.captaris.com/rightfax](http://www.captaris.com/rightfax)) may be the answer, albeit at a significantly greater cost. Using efax or RightFax, you can view an incoming fax on your computer in a host of formats, including pdf and tif. If the fax is unimportant, you can delete the e-mail (without ever wasting the paper to print it). If it is important, however, you can save it to a client's file and, if necessary, print a hard copy. Most electronic fax programs also allow you to send faxes, but for most users the real convenience is the ability to receive and review faxes on their PCs.

### BACKUP SOFTWARE

This article has focused on ways to reduce paper by storing more data on your computer. If you intend to do so—and even if you do not—you must back up your data in case of a system crash. Although it is harder to lose an electronic file than a paper one, accidents happen, and you must back up your data daily (and religiously) to avoid arriving at the office only to learn that all of your data—in essence, all of your work—has been reduced to a large, useless heap of metal. Regardless of how large or small your office, performing daily backups is a necessity.

It is unlikely that most law offices—or most businesses—will ever have a truly paperless office. Instead, many can and should have an office with less paper. If implemented correctly, a proper backup solution provides insurance against a hard drive crash and, more importantly, gives you the peace of mind to know that, when and if you go paperless, everything you need is just a moment away—on CD. ■

*Daniel J. Siegel ([dan@danieljsiegel.com](mailto:dan@danieljsiegel.com)), a member of the Editorial Board of The Philadelphia Lawyer, is a sole practitioner in the Philadelphia area and the president of Integrated Technology Services, LLC.*