Our Paperless World

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We turned our litigation firm into a completely digital firm and left all -- well, almost all -- paper behind. The law firm's files are searchable digital files, all mail (except for junk mail) is scanned and stored as searchable digital files, all documents to be produced are numbered electronically, all confidentiality logos on documents to be produced are stamped electronically, almost all documents are produced on CDs or DVDs, and photographs and videos are stored digitally. The firm's paperless world makes all information about a case simultaneously available to everyone in the firm and ensures easy and quicker review of case information, which in turn reduces costs and fees to the firm's clients.

The law firm's approach was to introduce only one element of technology at a time, which avoided trying to learn several new pieces of software at once and mastering none.

The first step occurred in 2001, when the law firm purchased and installed Time Matters 3.0. We subsequently upgraded several times, most recently to Time Matters 11.1. Time Matters is the backbone of the system, capturing in one place calendaring, witness, deadline, document, and case management information. By having this information in one place, conflicting calendar entries are avoided and teamwork is simplified. Paper calendars and individual Rolodexes are forbidden in avoid calendaring conflicts.

Essential to the paperless offices is diligence in entering data and scanning all incoming documents. The firm's legal secretary captures all contact information, calendaring data, and so on as it comes in. A result of this discipline is that it no one has to search for in their own or someone else's office asking for the address of a particular witness or the phone number of an expert. All of this data is captured and available to everyone on the network. Long gone is any risk that different parts of a case file are scattered throughout the firm or on someone's desk.

The next step was to set up Time Matters for remote access. The early versions of remote access program PCAnywhere were found to be too slow for any practical use. Law firm IT consultants then set up a virtual private network (VPN), which worked smoothly. The firm now uses a web portal system called Deverra Anywhere that is

supported and customized through our IT service provider. Deverra Anywhere provides access through a Remote Desktop Protocol or Virtual Network Connection. With RDP/VNC, law firm personnel can access the Time Matters database and retrieve scanned images and Word documents on the road. The connection is protected by multiple passwords. In addition, each laptop can be synchronized before it leaves the office, creating an updated database within the laptop for easy access on an airplane while not attached to the office server. Laptop access is protected by multiple passwords as well.

Once use of Time Matters was successful, scanning of all documents was added. The rule of thumb is simple: no more paper files, with the exception of original releases, judgments, contracts, production documents, deposition transcripts, large timelines that do not scan well, and particular documents that have particular importance as originals. A folder system within Time Matters replicates the old paper file system through the use of a feature within the program called "auto naming." There are individual folders within the "Smith v. Jones" case for correspondence, pleadings, discovery pleadings, discovery correspondence, memorandums, legal research, witnesses, news articles, and so on. Each document is linked to one of these folder descriptions.

When Time Matters is called up, a list of all documents in a case or all documents in a particular folder of a case, such as all pleadings or all correspondence, can be viewed. A "Eureka" moment occurred when we realized that no longer would anyone be asked to index pleadings or correspondence. It all gets done routinely as a matter of data entry when a document comes in. Another great moment was seeing that we could word search all Word documents within a particular folder. An added and not insignificant bonus is that multiple people in the firm may view a document, in their separate offices, on their individual computers, simultaneously -- without resort to the photocopier.

Tracing the life and death of an incoming mail or fax illustrates how things are done. The legal secretary creates a "new document" record in Time Matters, filling in fields of information about the document: its date, the case, the folder it corresponds to, and its description (e.g., letter from counsel for Smith re proposed protective order). Time Matters takes this field information and creates the appropriate path and filename for the document within our system. The secretary then scans in the document, creating an Adobe pdf file that is OCR'd at the same time. This file, which is essentially a photographic image of the paper -- text, handwritten notes, graphics, and all, which is also word searchable -- is then saved and linked to this "new document" record in Time Matters and placed within a digital file folder under the case name. The person who scanned it in then sends a notification (another feature of Time Matters) about the document to the Time Matters Personal Journal of each member of the firm who needs to see it. Paper is not distributed. The incoming mail or fax is then shredded, ending its paper life.

Outgoing documents are handled in a similar manner. As new documents are created, they are saved as a new document linked to Time Matters. This enables law firm personnel to keep track of documents that are in draft mode. New versions and redrafts of

a document are linked together using Time Matters' New Version feature, which saves all prior versions and creates a new version for editing with the click of an on-screen button, if the author(s) prefer to save various drafts over time rather than rework the same one until perfected. Once finalized, outgoing letters or pleadings are scanned and saved as pdf documents so that the signatures on the letters or pleadings and attachments are captured.

Emails and Word documents are converted directly to pdf documents instead of scanning them. The images are cleaner and use up less disk space than scanning.

Once a pleading or letter goes out, our secretary re-links the Time Matters listing to the final signed and scanned (or electronically converted) pdf instead of the Word draft. When anyone in the office sees that the Time Matters listing for a document created in-house is linked to a pdf, he or she knows instantly that the document has been completed and distributed. The Word draft is left in the electronic file, unlinked to TM but available if some or all of it needs to be copied or edited for a subsequent document.

What happens to all the incoming paper? Except for original releases, judgments, contracts, discovery documents, and the like, once scanned, incoming documents are shredded and recycled. For the first year or two, the secretary or legal assistant would pile the incoming documents into a box, but without regard to case or whether they were correspondence, pleadings, or something else. We used to save this stack for about three months in case an original needed to be retrieved and checked. Because this need for re-checking an original so rarely occurred and our confidence in our paperless system grew, we ended the routine of keeping incoming originals for any length of time.

Each evening the network server automatically makes a tape backup of all data, including email, on the system. Each day's tape backup is taken out of the office so that a complete backup of all our data is safely preserved off-site every night.

Since switching to a paperless office, computer data storage capacity has increased over time, most recently moving to a larger-capacity server in November 2011. The current server has a 1.1 terabyte capacity, of which 667 gigabytes are occupied. The law firm also uses a set of mirrored external USB hard drives to hold closed files. The external hard drives have a capacity of 1.81 terabytes, 647 of which are occupied. Prior to this, we used a server that had an 811 gigabyte capacity (purchased in late 2006), and prior to that our old server had a capacity of 110 gigabytes.

Buying decisions have made all of this easy. The original investment was in two Ricoh IS3300 scanners that scanned black-and-white pages at a rate of 38 pages per minute, with color pages and photos taking a bit longer. The scanning seemed so fast that there was skepticism that the machines were actually doing anything. In 2010, the firm purchased a Konica Minolta bizhub C550 copier, which scans and copies in both black and white and in color, with black and pages scanned at 55 pages per minute and color pages at 45 pages per minute. This high speed scanning makes it possible to quickly run through a stack of hundreds of pages of production. Each person in the firm has a high speed printer to make review of hard copies of longer documents easy.

Before entering this digital world, the firm purchased custom printed labels that "Bates" numbered each document we received from a client for production. The firm now uses IntelliPDF Bates Pro 1.5 software to electronically number each scanned document, starting with a number such as Jones000001. Numbering hundreds of pages is essentially an instantaneous task. Similarly, the firm had purchased stickers to label exhibits, stamps to mark documents "confidential," and liquid white out or tape to redact information. Each task was time consuming and costly. Adobe Acrobat X Pro is now used to mark, stamp, and redact documents.

The firm also uses CaseMap, TimeMap, and NoteMap software. CaseMap encourages capturing of all facts in a case in one place and inspires group collaboration on analysis of those facts. TimeMap is used to create timelines of case deadlines, which are revised when new deadlines and events are scheduled. These timelines are sent to firm clients so they always have a simple, up to date view of upcoming deadlines and events in their case. TimeMap is also used to create courtroom exhibits of important facts and documents in a case. NoteMap creates outlines of issues, deposition and trial questions, and oral arguments. All three programs are easy to use and have yielded substantial savings in billable time, and therefore money, for our clients.

Finally, each person in the firm has three flat-screen monitors on their desk, which makes viewing, writing, and editing of documents easier. Windows 7 easily permits this and makes each day's work easier and more productive.

Yes, there is still paper on the desks within the firm. But there is no longer any risk of losing information or pieces of a file somewhere in the firm.