

Securing Electronic Documents

Keeping your electronic documents secure may require some extra steps, but the result is well worth it. It is highly recommended that all documents to be shared with others by e-mail be sent in a PDF format. PDF documents can be saved with various security settings making the document as secure as you desire. You can allow or prohibit printing, document changes, content copying, page extraction, commenting, filling form fields, or signing using security settings. PDF documents can also be encrypted with password protection.

Flattening fields and comments in PDF documents transforms interactive forms and comments so they are not editable. Flattening permanently locks the content in form fields so you can be assured the information may no longer be changed. Why would you want to flatten a document? To ensure that comments are printed, to prevent someone from changing the text inside a PDF form, and to lock your stamp on the document (including signature stamps). You can simply print the document to the Adobe PDF print driver to flatten it; however, this process takes several steps and eliminates bookmarks and other information. If you are using Acrobat XI Pro, this becomes a simple process. Adobe has included a Flatten Fields and Comments button as an action in the Action Wizard. Using this feature flattens the open PDF document and then asks you to save the resulting document with a new name. (If you are using Acrobat X Pro, you can create your own action. Go to <http://tinyurl.com/o57ztol> for instructions.)

Digital or Electronic Signature?

A digital signature takes the concept of

traditional paper-based signing and turns it into an electronic “fingerprint.” This “fingerprint,” or coded message, is unique to both the document and the signer and binds both of them together. Digital signatures ensure the authenticity of the signer. Any changes made to the document after it has been signed invalidate the signature, thereby protecting against signature forgery and information tampering. As such, digital signatures help organizations sustain signer authenticity, accountability, data integrity and the non-repudiation of signed electronic documents and forms.

An electronic signature can be as basic as a typed name or a digitized image of a handwritten signature. Consequently, e-signatures are very problematic with regards to maintaining integrity and security, as nothing prevents one individual from typing another individual’s name. Due to this reality, an electronic signature that does not incorporate additional measures of security (the way digital signatures do, as described above) is considered an insecure way of signing documentation.

Important milestones in the acceptance of digital signature solutions into business practices took place in 1999 and 2000, when the European Union passed the “EU Directive for Electronic Signatures” and President Clinton signed into law the Electronic Signatures in Global and National Commerce Act (“ESIGN”). Furthermore, legal precedents are being established that confirm the validity of electronic documents and contracts.

DISCLAIMER

IN BRIEF includes claim prevention information that helps you to minimize the likelihood of being sued for legal malpractice. The material presented does not establish, report, or create the standard of care for attorneys. The articles do not represent a complete analysis of the topics presented, and readers should conduct their own appropriate research.

Creating a Digital Signature

You can create a digital signature in Microsoft Word. However, a message box appears stating that evidentiary laws may vary by jurisdiction and that Microsoft cannot warrant a digital signature's legal enforceability. Microsoft lists several third-party digital signature service providers that complement the Microsoft Office products suite and may offer other levels of digital signature assurance.

You can also find software programs specifically to sign PDF documents. One of the most recommended is DocuSign, a free program available for iPhone, Android, and iPad. Others include SignMyPad (iPhone, Android, iPad) \$0.99 - \$19.99, SignEasy (iPhone, iPad) Free, SignNow (iPhone, iPad) free, Quick Signature (iPhone, iPad) \$1.99. You can also use EcoSign, which is available free from Adobe.

DEE CROCKER
PLF PRACTICE MANAGEMENT ADVISOR