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WEBCAST — FEBRUARY 6, 2007

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THE TECHNOLOGY ROUNDUP

Gerry Morris, J.D.

Office Automation Revisited

According to the State Bar's statistical surveys, more than half of us practice solo or in small firms. When I've spoken to groups of lawyers at CLE functions about law office technology, most of the informal conversations I've had about the topic have been with solos or small office practitioners who are trying to find ways to handle their work more efficiently in order to better serve the client without increasing overhead. The equation is simple. If a small office practitioner can utilize technology to avoid hiring extra staff to handle an increasing workload, the one time expenditure for the new equipment, software, etc., is a better move in the long run than the monthly reoccurring costs of an additional employee. Or, if a task can be automated in such a way as to allow, for instance, efficient creation of documents by non lawyer staff with appropriate input and review by a supervision attorney, the lawyer's time can be spent on other tasks for which his or her attention is necessary.

I have written several articles in the past about office automation, "paperless offices" and case management software. Judging from the number of emails and questions I get on these related topics I think a short reprise of the high points is in order.

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THE COACH'S CORNER

Debra Bruce, J.D.

A New Year by Design, or by Default?

A bright and talented lawyer lamented: "Where did all the money go?" He was a charismatic guy and had attracted a few good cases. Because he was a skilled lawyer, he enjoyed some success. However, when profits began to dwindle, at first he didn't notice. Then he didn't know how to adjust his strategy, because he didn't really have one.



In the business world, companies can't get financing if they don't have a business plan. That's because bankers know that owners who run their businesses by the seat of the pants are more likely to fail. A business plan doesn't guarantee success, but in the process of creating one, we establish goals. We consider ways to achieve those goals and how to address the obstacles to achieving them. We set a clear intention about how we want to spend our resources of time, money and talent. That clarity of intention helps us make better decisions when opportunities or obstacles arise. Sometimes during planning we have thought through the consequences of various options in advance. Other times we can ask ourselves, "Is this opportunity more likely to move me toward or away from my goal?"

I saw that the lamenting lawyer made quite a few impulsive and unwise decisions. He didn't have a plan or goals to measure the decisions against. For example, he spent a significant amount of money on computer technology that he never learned to use. He lacked interest in it. If he had set even general goals for how he wanted to use his time, talents and money, a review of them could have informed his decision before he wasted his money. He could have been reminded of the things he really wanted to spend his time on, instead of learning about computer technology.

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The Practice Manager
is a newsletter published by the
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of the State Bar of Texas.
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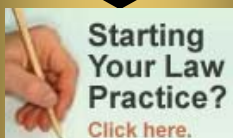
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First, I want to define my terms. As I use the terms “office automation,” “paperless office” and “case management systems” I talking about different components of an overall system that I think can be utilized to revolutionize your practice. “Office Automation” refers to utilizing software to automate routine tasks such as routine document creation. A “paperless office” refers to converting all hard copy documents to some sort of scanned image, saving electronic copies of internally created documents and using the scanned and stored images as the primary documents in the office. “Case Management Software” refers to integrated software systems that basically keep up with all the information about your practice such as calendar settings, contacts, file notes, scanned documents, time entries and other information and organizes it in some manner by associating it with your individual case files. Most case management software packages also have automated document creation capability. So, to automate your office, you need a good case management software package that has all the capabilities set forth above and the hardware to scan your documents into an electronic format such as Adobe’s pdf format.

I often tell groups to whom I am speaking about this subject that going “paperless” and automating my office to the extent I have has had as profound effect on the way I practice as my transition from the IBM Selectric to word processing or from legal research in a room full of expensive books to computer based library. In overview, here’s how my office works.

I utilize a case management software program called Amicus Attorney as the basic tool of my office management. The program basically maintains all information about a particular case in “files” graphically represented on my computer screen by a file folder. In this file folder, viable and editable by my staff and me, there is linked pertinent information (such as relevant contacts, critical calendar events, to do items, timekeeping information). Also linked are other bits of information either standardized with every file or added to a particular file.

For instance, I can easily make notes of phone calls and other events for the file that become linked to the viewable file

folder on my screen. There is also a general calendar and database of contacts that is viewable and editable by anyone on your system that has permission to do so. When someone makes notes of a telephone call or other event or makes a calendar entry, anyone on the system can view it. So, for instance, if my legal assistant has a conversation with court personnel about a setting, I can view her notes the next time I look at the file.

This is a very basic description of a few of the features of the program but, hopefully enough information to give you the idea of what I’m talking about. Basically, all the data about a given file is stored in a central place and accessible by others on the system. Calendar, contact and to do information can also be synced with my Treo Smartphone. What I have eliminated by utilizing this system is the need to handle my paper files. I no longer need to go retrieve a file to make a note or read what someone else has done on the matter. I don’t have the problem of tracking down a file that is on someone else’s desk (or lost on mine). All the information I need is at my fingertips on my desktop computer. Everything including the documents associated with the file, which brings me to my next topic.

I’ve previously written a couple of articles about my “paperless office.” One of the speakers at a CLE program on office technology recently pointed out to the attendees that what most of us were talking about would more accurately be described as a “paper less” office. My system doesn’t eliminate paper from my practice. It does, however, make it a lot easier and more efficient to manage the constant stream of incoming and outgoing documents.

We scan every incoming document and save electronic copies of every document we create. The scanned images and electronic copies are stored on our server either in Adobe’s pdf format or in Paperport’s native format in a folder unique to that client and a subfolder unique to the client matter.

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PLEASE NOTE THAT ALL TEXT IN “BLUE” FONTS ARE ACTIVE WEBLINKS. SIMPLY CLICK ON THE COLORED-TEXT TO BE TAKEN TO CORRESPONDING PAGE

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The document is linked to the appropriate client file in Amicus Attorney. To retrieve the document I go to the client file in Amicus Attorney, click on the "Documents" tab, go to the proper document category and click the link that I've descriptively named when we originally scanned or created the document. I can have any document in my practice on my computer screen in a few seconds. I also sync most of the documents to my laptop so I have the file documents with me when I'm out of the office.

If you are contemplating setting up an automated office, here are a few tips. The critical components of an automated office are (1) a reliably networked computer system; (2) case management software; (3) a fast, reliable sheetfeed scanner; and (4) a system in place that ensures that all documents will be properly scanned, filed and linked.

It doesn't take a super duper computer system to handle the tasks in a small to medium sized office. The best way to go about buying a system or determining if your current system is adequate is to check the hardware requirements listed among the specification of the case management software program you intend to purchase. If you already have the hardware, its compatibility with your existing system may be a consideration in selecting among the competing products.

There are several case management software packages available. The two I am the most familiar with are Amicus Attorney and Time Matters. As I said, I use Amicus Attorney in my office. We just recently installed Time Matters for use in the clinical program I co-teach at the University of Texas Law School. I suggest you take a look at both. Amicus Attorney has the advantage, in my opinion of being more user friendly because of a superior interface. The program displays your cases graphically as file folders on the screen. Performing functions is very intuitive. Time Matters, on the other hand, currently outpaces Amicus Attorney in terms of number of features. It also has the advantage of being part of the Lexis Nexis product line meaning that a great deal of resources are being put forth to develop it. Either will do the job well. It's a matter of personal preference and determining which program's features better suit your needs.

The most important piece of hardware in the system is the scanner. It must be relatively fast and reliable. Reliability is as important as speed. If a scanner is rated at 20 pages per minute but jams every 10 pages, you are better off with a slower scanner that doesn't jam.

In my office, I use the Fujitsu 620C sheetfeed scanner. It is rated at about 20 pages per minute for black and white scanning. Most of the scanning done in a law office will be black and white text. This scanner has proven to be extremely reliable. We literally go months without a misfeed or jam. These scanners are available refurbished for around \$900.

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Law Practice Management Tip

This week's tip is provided by Nickie Freedman of Legally Large (www.legallylarge.com). The tips are not meant as legal advice, nor binding on the State Bar of Texas.

Would you like to save time while typing out routine emails in Microsoft Outlook? For phrases or sentences that are used frequently, use a shortcut:

1. Open a new email.
2. Go to Tools/AutoCorrect Options.
3. Click on the AutoCorrect tab at the top.
4. In the "Replace" box, type your shortcut name (example, "tyf").
5. In the "With" box, type your phrase (example, "Thank you for allowing Legally Large to serve you!").
6. Click OK.
7. In the body of the email, type the shortcut name, then Enter (example, "tyf/enter").
8. The phrase will appear!

This tip can also be used in Word and WordPerfect. This is ideal for short sentences; anything longer than that will need a macro.

Upcoming Events

Law Practice Software Training - Managing Client Funds with Billing Matters is scheduled live in Houston January 27, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy0.asp?sProductType=EV&IID=6811>

Law Practice Software Training - Managing Your Estate Planning Documents with Prodoc is scheduled live in Houston on February 10, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6856>

Legal Support Staff - Workflow and Records/File Management Training is scheduled for live in Dallas on February 21, 2007. For more information or to register, call 800-201-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6854>

Legal Support Staff Training - Workflow and Records / File Management Training is scheduled live in Houston February 28, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6855>

Perfecting Your Elder Law Practice is scheduled live in Houston March 8, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy0.asp?sProductType=EV&IID=6507>

Legal Support Staff Training is scheduled live in San Antonio April 4, 2007. For more information or to register, call 800-204-2222, ext. 1300.

Legal Support Staff Training is scheduled live in Waco April 25, 2007. For more information or to register, call 800-204-2222, ext. 1300.

Planning to Conquer the Real World of Private Practice is a ½ day program conducted at all law schools for 3-L students and recently-licensed attorneys. This course is free to current law students. The price for licensed attorneys is \$55. For more information or to register, call 800-204-2222, ext. 1518. Dates:

February 10, 2007 - Waco (Baylor)
February 24, 2007 - Lubbock (Texas Tech)
March 3, 2007 - Houston (University of Houston)
March 24, 2007 - San Antonio (St. Mary's)

Law Practice Management Webcasts

Securing Your Computer Systems and Client Electronic Data is scheduled to take place live via webcast on February 6, 2007. For more information or to register, call 800-204-2222, ext. 1574 or visit <http://www.texasbarcle.com/CLE/AABuy1.asp?sProductType=EV&IID=6872>

More Webcasts coming soon!

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Tech Roundup continued from page 3

The newer models might be a better fit for your operation. The 620C is one of the older models of the Fujitsu line. One of the newer models might be a better fit for your operation.

For the Time Matters installation at the UT Law School we went with a Xerox Documate 632 on the advice of our consultant. This particular model of the Documate line scans up to 35 pages a minute. If the document is double sided that means 70 images per minute. Like the Fujitsu 620C it has both a sheetfeeder and will operate as a flat bed scanner. The Documate 632 sells on the street for around \$1300. There are slower models in the Documate line that sell for under \$1,000.

To make the system work, procedures must be implemented to insure that documents get scanned, filed and linked as soon as they arrive at your office. Unless this is done in a timely manner, the benefit of the system is greatly diminished. One of the biggest benefits to the paperless office is having all of documents associated with your cases available within seconds. If a document lays around in an inbox indefinitely and must be manually located when needed, the time savings of the system

disappear. So, along with the hardware and software needed to make the system work, there also must be a commitment to stay up to date with document entry.

With all the components in place an automated office can drastically improve the efficiency of a law office's work output.

E. G. "Gerry" Morris is a solo practitioner and has practiced law for over 27 years in Austin, Texas. He is certified as a Criminal Law Specialist by the Texas Board of Legal Specialization. His firm web site is at www.egmlaw.com. Email your comments and questions to Gerry at tech@egmlaw.com.

Or he could have asked himself whether that technology would really get him closer to his goals, and if so, what further steps he would need to take.

These goal-setting principles apply to other areas of our lives, as well. *If we don't operate by design, we get what comes to us by default.* We default to old bad habits when we lose sight of what doing things differently will bring us. We fail to notice opportunities because we don't have a goal in mind that they will serve. If you have ever bought a new car, you have probably had the experience of suddenly seeing cars everywhere just like yours, that you didn't notice before. Like those cars, opportunities are all around us that we don't notice until we set an intention that relates to them.

What kind of intentions do you have for this year? Write them down, and give some thought to what it will take to achieve them. Define what you want to achieve in your law practice, in your relationships, in your physical health, in fun and recreation, in personal growth and in every other area that is important to you. Even if you don't know *how* to achieve your goals, write down *what* you want. Once you commit to specific intentions, you may be surprised at how opportunities to fulfill them show up. If you don't have enough commitment to your goal to write it down, you aren't really setting an intention.

For some help in setting and achieving your goals, you can take a look at my article in the January 2005 issue of *The Practice Manager* archives entitled "Secrets to Actually Accomplishing Your Goals" or read the article on my website at <http://www.lawyer-coach.com/raisingthebar/index.php/2005/01/01/secrets-to-actually-accomplishing-your-goals/>. Another resource is www.BestYearYet.com. Click on "BYYO" at the very top of the page to get to a free online program for setting goals. For help in designing a business plan for your firm, the ABA Law Practice Management Section publishes a software package called "The Lawyer's Guide to Creating a Business Plan." You can order it at www.ababooks.org or purchase it at a discount through the Law Practice Management Program of the State Bar of Texas by calling 1-800-204-2222 x1300. Of course, you can always engage a lawyer-coach to help you get clear about what you want and to design a plan to achieve it.

Authors across generations have extolled the power of committing to an intention. Henry David Thoreau wrote about it in *Walden* over 150 years ago. Dr. Wayne Dyer wrote a 2004 bestseller called *The Power of Intention*. One of my favorite quotes about committing to intention was written by W. H. Murray in 1951 in *The Scottish Himalayan Expedition*. Murray wrote:

"Until one is committed there is hesitancy, the chance to draw back, always ineffectiveness. Concerning all acts of initiative (and creation) there is one elementary truth, the ignorance of which kills countless ideas and splendid plans:

That the moment one definitely commits oneself then Providence moves too. All sort of things occur to help one that would never otherwise have occurred. A whole stream of events issues from the decision, raising in one's favor all manner of unforeseen incidents and meetings and material assistance which no man could have dreamed would have come his way. I have learned a deep respect for one of Goethe's couplets:
"Whatever you can do, or dream you can, begin it. Boldness has genius, power and magic in it."

Now...will *your* year be one of design or default?

Debra Bruce (www.lawyer-coach.com) practiced law for 18 years, before becoming a professionally trained Executive Coach for lawyers. She is Vice Chair of the Law Practice Management Committee of the State Bar of Texas, and board member and past leader of Houston Coaches Network, the Houston Chapter of the International Coach Federation. She welcomes your questions and comments at debra@lawyer-coach.com.

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Law Practice Management Update

As 2007 begins, we at Law Practice Management look back at 2006 and all of the accomplishments we enjoyed and challenges that we faced. That being said, we are busy planning for a successful 2007 and hope to improve on the success of '06 and meet and exceed all challenges that the New Year may have in store.

First, we are unveiling a fresh, new look for our newsletter, **The Practice Manager**. We felt the previous model had served its purpose but was becoming a tad dreary and boring, so we decided to liven it up just a bit! You'll still find the same useful, practical information, just in a more attractive format. Actually, we are considering adding new features and are always open to our reader's suggestions. If you should have an idea for a nifty new column / feature that you feel would greatly benefit other readers, shoot us an email at lomp@texasbar.com, because we do value our members' input and often that is what helps shape our programs, products and services.

In addition to this, LPM is busy lining up its spring slate of educational CLE programs. We are particularly focusing on our course, **Planning to Conquer the Real World of Private Practice**, which is a joint program with the Law Practice Management Committee. This course is conducted by members of the LPM program and committee that focuses on real-life issues and challenges related to entering private practice. We try to schedule this at each law school in Texas at least once a year, and usually are one or two law schools short of meeting this goal. We are hoping that we'll finally achieve that this year as we are just a few schools short at the moment. If you are a current law student or a recent grad, check with your career services department to see if and when we are scheduled to visit your law school. Questions and registrations may be addressed to Denny Sheppard, the State Bar's Law Student Division Liaison, at 800-204-2222, ext. 1518.

Also, be sure to check our website regularly as we are continually adding course listings to the calendar and online courses to our online classroom – www.TexasBarLPM.com.

Books of the Month

Marketing Success Stories: Conversations with Leading Lawyers

Retail - \$74.95

Sale Price - \$52.45

Put the advice and tips from these successful marketers to work in your own practice! In *Marketing Success Stories: Conversations with Leading Lawyers*, Second Edition, Hollis Weishar and Joyce Smiley have profiled a wide range of lawyers, each of whom has something valuable to share, presented in a direct, candid, and personal way. No story is more than a few pages long, so you can quickly read a few at a time and find tips that make the most sense for your own practice. Most importantly, you'll find time-tested approaches that have produced results and are worth incorporating into your own long-term marketing strategy. In addition to dozens of first-hand accounts of success stories from practitioners, you'll find advice from in-house counsel who give candid feedback on how strategic marketing influences their decision to hire a specific firm.

Collecting Your Fee: Getting Paid From Intake to Invoice

Retail - \$79.95

Sale Price - \$55.95

Increase client satisfaction, increase collections. In *Collecting Your Fee*, author Ed Poll outlines the basics you need and the systems to set in place to ultimately increase your bottom line and keep your clients happy while doing it. His insightful and practice-proven strategies will help you:

- Improve your relationships with present clients and set the proper expectations with new ones to ensure timely payment of bills
- Understand why you need to discuss the issue of fees at the first meeting to set the tone for getting paid
- Implement an effective collection policy and procedure at the initial client meeting
- Prepare a fee agreement letter that should include your firm's hourly rate and the client's agreement to pay
- Increase contact with your client, keeping them informed with frequent status reports, to guarantee payment at the end
- And much more!