Association of Corporate Counsel

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4:30pm-6:00pm

402 - How to Find the Right Technology Tools to Use in Your Small Law Department

James Holmberg
General Counsel
Greystone Housing Foundation, Inc.

David Munn
General Counsel
Pramata Corporation

Steve Polozie
General Counsel
Brickman Group

Session 402

Faculty Biographies

James Holmberg

James J. Holmberg, III, AIA is the general counsel and architect for Greystone Housing Foundation, Inc. in San Diego, California. A nonprofit organization that he founded with several other professionals in the low income housing industry to develop low income projects for seniors and young adults. In addition, he is vice president of GreyStone, Inc., a manufacturing company in Columbus, Nebraska.

Prior to Greystone Housing Foundation, Mr. Holmberg was with Father Joe's Villages in San Diego, California. His responsibilities included providing legal counsel to the organization and its sister organizations. In addition to the legal services, Mr. Holmberg provides design and management services for the construction and maintenance of the organizations' facilities. Prior to joining Father Joe's Villages, Mr. Holmberg was in private architectural and legal practice. He also served as business manager for the Diocese of San Diego and as an Architect for the US Army Corps of Engineers.

He was a founding board member of Fresh Start Surgical Gifts, Inc. He has provided pro bono legal work through the Regional Task Force on the Homeless and Homeless subcommittee of the San Diego Bar Association. He also volunteers with the USCGA teaching safe boating and sailing fundamental classes to the public.

Mr. Holmberg received his BArch from the University of Notre Dame and is a graduate of the Creighton University School of Law.

David Munn

David Munn is general counsel for Pramata Corporation, a provider of contracts intelligence systems and services that help companies create, organize, find, and manage contracts and contractual information.

Prior to joining Pramata, he spent seven years with FICO, a Minneapolis-based data analytics and decision management company best known as the developer of FICO(R) credit scores, where his practice focused on software licensing and services contracts, as well as intellectual property, Internet, privacy, and advertising law. He also led several process reengineering initiatives and technology implementations relating to contracting and other processes. Previously he served as the first general counsel at Pella Corporation. He began his legal career in the Minneapolis office of Faegre & Benson. Prior to law school he worked as a mechanical engineer for Monsanto and 3M.

Mr. Munn has been an ACC member for more than 20 years and has a longstanding interest in using technology to improve the practice of law. He has written articles and participated as a panelist in several seminars dealing with technology and the practice of law, including previous ACC Annual Meetings. He is the author of "Creating a Matter

Management System Using Outlook(R) Public Folders," ACCA Docket, July/August 2002. He is on the board of ACC's Minnesota chapter, as well as serving as its treasurer. He is also active in the Law Department Management Committee, serving as chair of the webcast subcommittee.

He received a BS from Iowa State University and his JD from Yale Law School.

Steve Polozie

Steve Polozie serves as general counsel, vice president, and secretary for The Brickman Group Ltd. LLC, a nation-wide provider of commercial landscape design, construction, and maintenance, as well as snow management services. In that capacity, Mr. Polozie oversees Brickman's legal/risk management department, which handles a wide variety of legal and insurance-related matters impacting each of Brickman's executive, administrative, and operational functions.

Prior to joining Brickman, he specialized in financial transactions and securities law at Jones Day in Washington, DC.

Mr. Polozie serves on the local board of governors of a national conservation organization. He recently completed a volunteer project building and installing underwater structures made of recycled materials to restore depleted fish habitat.

He earned his BS from McGill University and JD from the Northwestern University School of Law, where he was a note editor for The Journal of Criminal Law and Criminology.

How to Find the Right Technology Tools to Use in Your Small Law Department

ACC Annual Meeting 2010 - Session 402

A Portfolio Approach to Technology Investment

By David Munn, General Counsel, Pramata Corporation

Starting assumptions

- Your department is small (solo attorney to perhaps a handful of attorneys and administrative or legal assistants)
- You have a laptop
- You have Microsoft Word, Excel, PowerPoint, and probably Outlook
- You probably have a smartphone (most likely BlackBerry) that your IT people gave you that you use mostly for email
- You don't get much attention from your IT department, unless you have a problem
- You don't have a big budget
- You have way too much to do and not enough time
- You sometimes wonder if technology is more trouble than it's worth
- You'd like to be able to take a vacation once in a while
- You think there must be a better way than what you're currently doing

Welcome to the small law club. That probably describes most of us.

So is it hopeless? Are you destined to stay on that treadmill of too much work and too little time and resources? Or is there some magic technology out there that will somehow instantly transform your law practice and your life?

Well, the bad news is that there is no magic technology solution that is going to solve all your problems. There is no technology "silver bullet" – no single technology that will address all of your needs. But the good news is that by choosing the right combination of technologies you can improve the way you practice law, and maybe even make your life a little better.

Portfolio approach to technology

Which leads to the idea of thinking of technology as you would think of an investment portfolio.[1] Just as you want a mix of investments to achieve different goals in your investment life and your personal life, you need to have a mix of technologies to achieve different goals in your professional and personal life. The trick is to strike the right balance between what you invest (time and money) and what you get back from your investment.

Approaching technology this way also allows you realize you don't have to jump in with both feet. Similar to how you might want to dollar-cost-average your investments, you shouldn't feel you have to find technology to solve all of your problems immediately.

Diversification can go too far. Just as you probably don't want to have to manage 20 different investment accounts, you want to find the smallest number of technology applications that will provide the biggest return for your technology investment. There's only so much change any department can handle at any one time anyway. It's probably best to plan to make no more than one major technology change per year, but commit to making that one change extremely successful.

Also understand that technology is going to continue to evolve. What looks good now may not look so good two years from now. But that shouldn't dissuade you from taking action to address your critical needs now. What we can probably predict with certainty, is that for the foreseeable future we are going to be using multiple applications and multiple devices to meet our needs, so by taking an incremental approach to technology you're creating a "ladder" of different technologies that will have different life expectancies and shouldn't require wholesale and disruptive change now or in the future. That's not to say a comprehensive overhaul of your technology is out of the question. It's just that for most small law departments it's probably not realistic.

Risk and Reward

As with your investments, you will probably want to have a mix of low-risk, dependable investments and some others that may require more work but have the potential to provide a higher return.

- Low Risk (Bonds) – Microsoft products (Word, Excel, PowerPoint, Outlook)
- Low Risk (401(k) offerings) – Other technology offered by your employer (Microsoft SharePoint, online conferencing)
- Moderate Risk (Target-Date Funds) – One-size-fits-all legal department technology (Getting Legal Done, Serengeti Tracker)
- Higher Risk (Individual Stocks) – Applications designed for specific needs (e-discovery, IP management, document management, document assembly, contract management)

If your practice requires the creation of a high volume of reasonably standard documents your investment in document assembly, or even a self-service system for your clients, could have a very high return, but they also carry a higher risk.

What are the risks in technology?

- Transaction costs involved in adopting new technology or switching from existing technology
- Time invested
- Poor fit with needs
- Poor fit with culture (don't expect your CEO to go into a system to pull her own reports)
- Internal resistance to change (don't underestimate the difficulty of change management)

- Systems don't talk to each other (require multiple data entry)
- Vendor risk
    - Stability - Will they stay in business?
    - Will they provide good support and training?
    - Will they keep up with changes in technology? (Is there an app for that is not just a catchy—or annoying—phrase. Like it or not, mobile devices and applications are becoming increasingly necessary.)
- If not successful can make things worse and be a drain on people's time

What are the rewards possible from technology?

- Better client service
    - Better communication with clients
    - Improve processes and efficiency
    - Faster service (or self-service)
    - Metrics and reporting
- Better management of outside counsel (communication, accountability, fiscal discipline)
- If done right, you get to sleep at night and maybe even take a vacation.

Analyze your current technology portfolio

Each one of us, and each of our departments, has different needs, but your technology portfolio first needs to cover the basics - what every department need to do:

- Communicate
- Create documents
- Manage documents and email
- Manage projects or matters (a piece of litigation, a number of related cases, a contract negotiation, a research project)
- Manage budgets
- Select, hire, and manage outside counsel
- Provide advice
- Provide training
- Have meetings

Then you may have more specialized technology to address the specific needs of your department or company, such as:

- Litigation management
- E-discovery
- Contract management
- Corporate and subsidiary management

What are the tools you're currently using to meet these needs? It may be technology provided by your IT department or it may be technology specifically purchased by the legal department. You may or may not be happy with that technology. It may be outdated or maybe people just aren't using it.

Here are some questions to ask about your current technology:

- Is it a company standard or do you have flexibility to replace it? Don’t waste your time trying to get your IT department to let you use WordPerfect even if you think it’s the greatest software ever invented for lawyers.
- Does it do what you need it to do? Does it address the needs of your department and your company?
- Does it work well (integrate) with other systems? A system doesn’t integrate well with other systems if information and processes don’t flow smoothly between applications and people have to input the same information into multiple systems.
- Are people using it? Companies have invested a huge amount of money in software that becomes “shelfware” because people simply don’t use it.
- If people would use it properly, would it address your needs?
- Do you need to provide more training so people can use it effectively? A major reason technology initiatives fail is that companies skimp on training or people simply don’t attend the training.
- Do the systems allow people access to the information they need? For example, if you use a matter management system for managing your contracts your sales people probably don’t have access to that system. If they need to be able to access their sales contracts you probably need to find a different system to manage your contracts.
- Is the vendor still in business and supporting the product? There’s been a lot of turnover and consolidation in the legal technology world.
- Is your IT department supporting the product? IT departments often don’t want to devote resources to supporting a tool that is used by only a small number of people.

This kind of analysis may lead you to conclude that you need to look for new or different technology, or you may conclude that you can get a better return by learning to make better use of the tools you already have. Every company provides some basic level of IT infrastructure, and generally that can at least meet your basic needs. But it can probably do much more than you realize. A general rule of thumb is that most people only use about 15% of the capabilities of any software. That’s especially true for Microsoft Office, one of the most basic software packages at most of our companies. Do you really understand what your company has? Are you taking full advantage of it? Even if it’s not perfect for your needs, is it good enough? What are the investment requirements of using what you have versus switching?

Change is always difficult, and if you can figure out how to leverage what you already have you’re almost always going to save time and money – and your IT people will love you. But the price you pay for using “generic” software is that you’re going to have to do more work to get it to do exactly what your department needs. If you can count on support from your IT department this may be a realistic option. If not you may be better off looking for a vendor or more specialized technology that can better meet your specific needs.

How do you get from where you are to where you want to be?

What do you want to accomplish with technology? What are your biggest pain points? Where do you have inefficient processes and where are people in your department wasting the most time? What keeps you up at night? Focus your efforts on solving the most critical problems first.

- Do you spend a lot of time creating reports for your management? (You may want to look at a matter management system)
- Do you struggle with approvals of invoices and keeping track of outside counsel spending? (Electronic billing system)
- Are you constantly answering the same questions from your clients? (Intranet or online training)
- Do you spend too much time looking for contracts? (Matter management, contract management or document management system)
- Do you spend too much time creating contracts? (Document assembly system)
- Do you have a heavy travel schedule? (Online conferencing, mobile broadband)

Can you accomplish multiple goals with one system? (Matter management system that can be used to manage contracts, handle electronic billing and create management reports.)

Chances are there's some technology that is meant to address one or more of your critical needs. Once you identify those needs your biggest problem may be sorting through the vast number of technology choices we have to address any given issue. So keep these points in mind:

- You only have so much time to devote to understanding, choosing, learning, and using technology. It's easy to get carried away with technology and the search for the "perfect" technology. Don't forget that you still need to get your work done. Even if money is not an issue your time always is.
- Each new technology has a cost in both hard dollars and time to implement, set up, learn, and maintain. Don't underestimate the time and effort that will be required for any significant technology change, and don't try to take on more change at one time than you can handle. A realistic assessment of both the dollars and the time is critical to success of any technology implementation.
- The smaller your department, the more flexibility you have. Just as a single person thinks of investments differently from someone who has a family, a law department of one may have more flexibility to experiment and take risks than a larger department.
- The more people in your department, or the more people who need to access information (e.g., contracts), the more important it is to have a good plan because it's going to be more difficult to satisfy everyone and get them on board with the changes that inevitably accompany technology change.
- Compliance is critical. Once you've made the decision to take a particular technology approach you need to make sure everyone is following the correct processes. If you don't have everyone on board your best-laid plans will fall apart. Lawyers are notorious for avoiding training and not following the rules, and department leadership is critical to ensuring the compliance that's necessary for the success of your technology initiatives.

- Just as with your investments, unless you know you'll have the time and the interest to do the research, make the choices, and follow through you might want to think about hiring a consultant for assistance. However, keep in mind that they often have their own biases.

More suggestions

- Project management. Project management skills are important to any technology implementation. You may want to consider getting some formal project management training for you or someone in your department.
- Costs. Costs to consider include up-front license costs, ongoing maintenance or subscription costs, consulting or implementation costs, costs of transitioning data from the old system to the new system, and training costs. Make sure you have an adequate budget for initial and ongoing training. Make sure you have enough licenses for everyone who needs to access information in the system. If your chosen system licenses on a per-user subscription basis you'll need to take into account the cost for a license for everyone who needs access to the information in the system. That could make certain systems that seem to have a reasonable fees cost prohibitive if people outside your immediate department need to have licenses.
- Information Management. The first priority for every department should be to make sure you can quickly and easily find what you need. Having a system for organizing, sharing, and finding information is critical to maintaining your sanity and perhaps allowing you to take a vacation from time to time. Even if you don't have a true matter management or document management system, everyone in your department needs to agree on how you are going to organize and store critical information, and they need to rigorously follow the program.
- Matter management systems can be great, but they require a disciplined approach if you are going to get the most out of them. Require five fields to open a matter, not 20, but make sure everyone actually uses the system and enters the five required fields. Matter management systems vary in their capabilities. Some are intended to replace Outlook or other email systems. Others integrate with or sit on top of Outlook. Some have e-billing capabilities and allow your outside counsel to submit budgets, invoices, and reports, and others are only for your internal staff.
- Contract management systems range from relatively simple database systems to complex systems with workflow capabilities that manage the full contract lifecycle, from request to creation to filing and archiving. For smaller departments with a relatively small number of contracts to manage, simpler is almost always going to be better. Keep in mind that many in most companies many people outside the law department need to be able to access contracts, so your matter management system may not be the best contract management system.
- An intranet is no longer optional
    - Widely available tools such as SharePoint allow even small departments to provide a portal into the legal department and its resources. Start by providing basic contact information for you and your staff and provide more information over time as you determine what will help you achieve your goals.

    - Policies and procedures – The whole concept of policy and procedure manuals is probably out of date. That's not the way people consume information today. Paper-based manuals get out of date quickly, few people are going to sit down and read a manual, and even if they do they probably won't remember much of what they read. Information can be presented more effectively on line. Think about putting the information people need into easy-to-digest FAQs. The ability to link means you can make the specific information people need available to them when they actually need it and are more likely to remember it.
    - Training
        - In-person training sessions are still the best, but you have limited resources and you can never get everyone to attend a live session. Recorded training sessions made available on your intranet leverage your resources and allow you to reach more people.
        - Use simple online survey tools (e.g., Survey Monkey) to create an interactive training program.
    - Standard form agreements. Do you need to review every NDA your company sends out? You can provide employees with standard forms and instructions on how to use them. More sophisticated document assembly or contract management systems can provide workflow and document creation capabilities.
- Travel. Sometimes travel is necessary but travel can be stressful, expensive, and time-consuming. We can often avoid travel through the use of online conferencing. Tools like GoToMeeting and WebEx go beyond conference calls and allow people around the world to share documents and collaborate in real time. These tools can also be used for training and many of them allow you to record the session and make it available on your intranet. Reasonably priced mobile broadband from Verizon, AT&T, or Sprint can give you access to the Internet from just about anywhere, plus a backup if your primary Internet connection goes down, which is critical if you are going to be relying on online applications.
- Back it up! Hard drives crash and laptops get stolen. These days there's no excuse for not having all your important files backed up. If your employer doesn't offer a backup solution you need to get your own. Options include external hard drives and online backup (Carbonite, Mozy) If you're using a cloud-computing solution (see discussion below) you are less vulnerable to hard drive failure or theft and your provider should provide backups of the data stored in their system.
- Get a second monitor. Almost all computers today allow you to hook up another monitor and, in effect, have two screens open at one time. This can give you a huge productivity increase for a relatively small investment.
- Adobe Acrobat. For most electronic systems Adobe's portable document format (PDF) is the standard for document images. You need to be able to create pdfs from electronic and scanned documents. At least one person in your department should have the full version of Adobe Acrobat professional. There are other ways to create pdfs, but Acrobat

Professional gives you a huge amount of flexibility that won't be available in most of the free or lower cost options.
- Google Voice. One phone number you can give to the people you choose that will ring on your cell phone, office phone, home phone, and any other phones you have. If you don't pick up it actually transcribes your voice messages and can send you an email or text message.
- Email is not collaboration technology! We try to use email for almost everything, but it is not always the best tool for the job. Experiment with real collaboration technology to improve productivity and information sharing. That could be a shared workspace (SharePoint, Google Sites), online word processing (Google Docs) or online meeting technologies (GoToMeeting, WebEx). Our company uses Google Apps (Google sites, Google Docs, and Gmail) to manage and coordinate our projects with employees in North America and India. Even larger companies have been moving from Microsoft technology to Gmail and Google Apps. Microsoft Office 2010 incorporates new collaboration options. Talk with your IT department about their plans for deploying Office 2010 and how you might be able to take advantage of its features.
- Check references. No matter how many vendor demos you see, what counts is whether people like using the system and working with the vendor. Always ask for references and follow up with them, but be aware that the vendors are only going to give you references from their most satisfied customers. Use resources like ACC's eGroups and Legal OnRamp to find others who are actually using the technology.

Software as a Service (SaaS)

A discussion of law department technology wouldn't be complete without some mention of Software as a Service (also known as SaaS or the "cloud"). It is increasingly becoming mainstream and displacing software that was traditionally installed on internal servers or personal computers.

- More and more systems are moving to a SaaS model because of:
  - Lower up-front cost
  - Less need for IT involvement
  - Vendor manages the infrastructure, software updates
- Possible risks of the SaaS model:
  - May be more difficult to integrate with other internal systems (although this is becoming less of an issue)
  - Security of online systems (this may be more of a perceived risk than a real risk when compared to installed software), but you do need to do your due diligence if you are thinking of putting confidential client information into an online system. See, for example, Vermont Bar Association Committee on Professional Responsibility, Opinion 2003-03; The State Bar of Arizona's Committee on the Rules of Professional Conduct, Opinion 05-04; The Massachusetts Bar Association Committee on Professional Ethics, Opinion 05-04 and The New Jersey Advisory Committee on Professional Ethics, Opinion 701.
- Possible risks of Installed Software:

  - You could get stuck with outdated software if you don't continue to pay maintenance fees
  - You need to rely on your IT people for support, updates, etc.
  - If your laptop is stolen (everything is backed up, isn't it), would you have to wait until your IT people get you a new laptop, configure it, and restore your data? If you are using online applications you could simply find a computer at a hotel business center and be back in business immediately.

Final Thoughts

- Some basic rules:
  - As few systems as possible
    - Try to make better use of what you already have
    - Try to select systems that will achieve multiple goals if possible
    - If you need to add another system, will it integrate with other tools, such as Outlook?
  - Start small, don't take on more change than you can handle.
  - Which comes first, the technology or the process? Sometimes you want technology to support your process and sometimes you want the technology to drive (hopefully improve) your process.
  - Keep it simple – systems that require too much effort (e.g., manual data input) won't be used.
  - Don't underestimate the challenges of getting everyone on board (change management)
  - Whatever technology approach you decide to take, don't skimp on training. Make sure to budget enough for initial and ongoing training to make sure you get the most out of your investment.
  - Be careful of relying on one person in your department who is the "tech guru." Your technology can't be dependent on one person who could leave at any time.
  - The best is the enemy of the good. Perfection is impossible, so strike a balance between analysis and planning and action.

Recommended Reading and Podcasts

- *The Lawyer's Guide to Microsoft Outlook 2007* by Ben M. Schorr
- *Kennedy Mighell Report* Podcasts (available on ITunes) and related web sites. http://tkmreport.com/index.php?title=Main_Page
- Technolawyer electronic newsletter http://technolawyer.com/
- ABA Law Practice Management Section http://www.abanet.org/lpm/home.shtml

Non-Traditional Productivity tools recommended by legal technology experts

- Although some of these are personal productivity tools you may also find them useful additions to your law department technology mix.
  - Evernote http://www.evernote.com/
  - Remember the Milk http://www.rememberthemilk.com/
  - Tungle Online Scheduler – avoid the hassle of finding mutually convenient meeting times, keep your calendar organized www.tungle.com
  - Google Apps http://www.google.com/apps/intl/en/business/index.html

[1] Thanks to Dennis Kennedy for the idea of thinking of technology as a portfolio. Top Ten Tips for Technology Committees http://denniskennedy.com/blog/

Best Software and Web Resources

James J. Holmberg,III

I. Technological Tools

From the Paper Age to the Web Age

The advancement of the Hardware.

A. The copy machine. The copy machine has come from the old mimeograph machine of our grade schools to a small multifunctional color copy/fax/scanner document processor, the Swiss army knife of the office.

B. Fax machine has improved from the thermal paper curling up in files and rolling over floors to be part of the office Swiss army knife.

C. Scanner which stated out as a slow single page process of turning pictures and documents into computer files for digital storage, into a process as easy as copying.

D. The computer, originally designed and used to crunch numbers, as an oversized, building size calculator, to replace the slide rule, to being able to do almost everything a mind can do. For our purposes, the advent of word processing programs for main frames, ‘Wordstar’, ‘Word Perfect’ and other programs enabled staff to edit and save documents digitally.

The invention of the Personal Computer, PC for the DOS based machine and Apple and Mac for the Apple based operating system, compacted the power of the mainframe into the size of an ever shrinking suit case or portfolio.

The newest notebook or Ipad computers are dispensing with the keyboard and becoming the size of a pad of paper.

E. Telecommunication tools, the phone. The cell phone has gone from a luxury of the traveling salesman or executive to being an essential accessory for every pre-teen.

The cell phone capacity for communication has leapt from voice only in a briefcase size unit to the Iphone/Droid/Blackberry size minicomputer doing voice, text, email, and internet connectivity.

II. Free and Almost Free Websites

What's available on the World Wide Web? Everything

A. Legal Research.

Case law, Statutory and Regulatory law.

Statutory and Case Law

State Bar Association Websites. The various State bars provide links to legal research web sites as a benefit of paying dues.

Casemaker - Fastcase http://www.lawriter.net/Statecat.aspx?scd=NE

Find California Law http://www.leginfo.ca.gov/calaw.html

Federal, the Federal government, through the court system, and its various agencies have web sites that contain information useful to the in-house counsel, especially those that deal with the regulations of the IRS and other department.

http://www.supremecourt.gov/

http://www.federalregister.gov/

Law School Libraries. Several law schools opened up their law libraries for legal researchers not able to make in on campus. Cornell University and University of Georgetown were the leaders in this endeavor.

Cornell University: http://www.law.cornell.edu/

Court Sites

Local and Appellate jurisdictional courts have created websites to provide information to practitioners, including the local court rules, office hours and contact information. They also have self help areas for Small Claims, Restraining Order and Eviction processes

Local State Court

http://www.sdcourt.ca.gov/portal/page?_pageid=55,1&_dad=portal&_schema=PORTAL

Appellate/State Supreme Court

http://www.courtinfo.ca.gov/courts/supreme/

Federal, Federal Courts also provide website access, and electronic filings to assist the practitioners.

http://www.supremecourt.gov/

Forms.

The Courts have become enraptured with forms, making life easier for everyone in providing an easy checklist for filings. There are Court provided forms which are free and depending on your jurisdiction, the numbers and types of forms available for free go from those used by pro per parties in a self help

http://www.courtinfo.ca.gov/cgi-bin/forms.cgi

Legal News and Research:

There are the various sites that provide, business and legal news, non-statutory legal research and forms.

ACC http://www.acc.com/

The Law Shack http://www.thelawshack.com/LawsandCodes.html

Findlaw http://www.findlaw.com/

Martindale Hubble http://www.martindale.com/

Katsuey's Legal Gateway http://www.katsuey.com/

Google Legal Research – Google Scholar http://scholar.google.com/
http://www.google.com/Top/Society/Law/Legal_Information/

vLex http://vlex.com/

Government Sites:

Forms, Compliance and Information: Every business has relationships with the various state and federal agencies.

On the Federal level, there is the Internal Revenue Service and Department of Commerce in additional to the different regulatory agencies focused on specific industries.

At the least in each state the organization deals with the Secretary of State and its Taxing agencies (Income, excise and sales taxes).

Federal Agency Sites

IRS http://www.irs.gov/index.html

SEC http://www.sec.gov/

FTC http://www.ftc.gov/

State Sites

Tax http://ftb.ca.gov/index.shtml?disabled=true

Secretary of State http://www.sos.ca.gov/business/forms.htm#be

B. General Information/Calculators/News

Numerous web sites have been created to fill the need for that bit of information or calculator for a specific application, from financing to aeronautical engineering. Also with every news organization having their own web site, an easy access to most of the world's newspapers is found on the Drudge Report.

Martindale Calculators http://www.martindalecenter.com/Calculators.html

Wolfram Alpha http://www.wolframalpha.com/

Drudge Report http://www.drudgereport.com/

Wall Street Journal http://online.wsj.com/home-page?_wsjregion=na,us&_homepage=/home/us

C. Document Preparation and Review

The web offers a number of sites that allow for multiple people to review documents and edit them online, so that everyone is working on the same version of the document.

Google Docs
https://www.google.com/accounts/ServiceLogin?service=writely&passive=1209600&continue=http://docs.google.com/&followup=http://docs.google.com/&ltmpl=homepage

Open Office, has a free suite of programs compatible with Microsoft Office.
http://openofficedownload.us/openoffice/?d=Openofficedownload.Us&dn=Openofficedownload.Us&TargetSite=FDZ&source=CCN-CD347-OOO-yah-arr

Microlaw law firm technology management consultants, this company provides consulting services to mostly law firms to keep them abreast of the changes in technology.
http://microlaw.com/index.html

D. Document Processing Tools

There are a number of program add-ons that provide additional tools in creating legal documents, whether contracts or litigation.

Best Authority is an add-on for Word to create Tables of Authority.
http://www.levitjames.com/bestauthority/bestauthority.html

Numbering Assistant Programs for Word
http://www.payneconsulting.com/products/numbering/

Digital Dictation - Voice recognition Program
http://www.nuance.com/naturallyspeaking/
http://www.winscribe.com/

E. Security Risks

Metadata and other hidden electronic document risks.

Metadata is the hidden information contained in Computer generated documents, the edits, deletions, comments etc. that are permanently attached to the word processing, spreadsheet, or presentation file. The Microsoft products have the metadata files attached to them. Microsoft has come out recently with their fix to the problem.

1st defense is to not send out word or excel documents to outside the wagon circle. Send only secured pdfs.

2nd defense if it necessary to share the editable document outside of the office, then use a stripping program to clean the metadata. The new Microsoft Office programs have added the stripping feature.

http://www.workshare.com/go/metadata-software.aspx?_kk=metadata%20cleanup&_kt=8780a819-5850-4c56-a504-07c6f67cbfe7&gclid=CI7vv5i-qKMCFQQtawod_3lM4g

Email, Cloud document processing programs.

There are potential risks of not properly protecting confidential attorney-client protected work product by transmitting via email and use of web based programs to store and review documents. The risk is that if it physically not on site there is a potential for the data to be hacked into. In August there was a convention in Las Vegas of hackers trying to break into the Defense Department's computers.

The risks if using a web service for handling documents are:

1. Ethical - having a third party control the documents and information of the client.
2. What happens if internet connection is lost.
3. What happens if the service company goes out of business, or has their own crisis.

Information Management Tools for Small Law Departments
ACC Annual Meeting 2010 - Session 402

Additional Readings on Matter Management Systems

The following materials offer useful guidance on how to successfully select, customize, and implement a matter management system. Of course, neither my employer nor I necessarily agree with all the views expressed, nor do we specifically endorse any of the products or services offered (by the authors or their employers and affiliates). However, I do recommend that anyone who is considering a matter management system include these materials in their background reading. These materials are reprinted for your reference with permission.

- *Top 10 Things to Look For In a Small Law Department System.* Reprinted with the permission of Bridgeway Software, Inc.
- *Matter Management for Legal Departments, Essential Features to Maximize Your Return on Investment*. Reprinted with the permission of Legal Files Software, Inc.
- *LAWTRAC Matter Management Checklist "Must Haves".* Reprinted with the permission of LT Online Corporation.

There are many other materials available on the same subject matter – by these and other authors. While relevant to this discussion, they are simply too numerous and/or lengthy to fit within the scope of these materials. Check the internet. New insights appear every day. Good luck.

Steve Polozie, Presenter

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Top 10 Things to Look For In a Small Law Department System

Small law departments will be the first to tell you that few power tools exist that have been designed specifically for them. If you think of your legal work like sculpting a statue, your choice of tools is limited to extremes: a chisel or a jackhammer, with little in between. So the process of evaluating the systems that are out there for the best fit is really important even if it's not your definition of entertainment. To help simplify the process, and add a little fun, check out this list of top factors to consider while you're shopping for the ideal small law department system.

1. **Easy** - complex legal software is so passé. Try to find out up front whether the system you're considering requires a big initial investment of time and dollars to configure, install, get trained on and maintain. No knock against the big, customizable matter management systems per se; they're great for 200 lawyer law departments. But if the software providers you've short listed in your search are insisting they have to camp out in your department for two or three days in order to trim their systems to your needs, then perhaps you want to keep looking for an easier system that comes ready to go out of the box. Additional day-to-day ease of use considerations that matter include: (1) easy to enter information - upload documents, import contacts and calendar events, (2) simple to assign work to people and keep track, (3) search capability that is straightforward but strong, and (4) useful gadgets such as electronic sticky notes, bookmarks, and reminders that help you pick up where you left off whenever you are interrupted.

2. **Affordable** – in these tough economic times and dwindling budgets, what really matters is a fair price. When you're looking at a system and 80% of the features are designed for medium and large law departments, it's hard to swallow the price tag when you're only going to use about 20% of the product. You want to look for a price that is within your budget and that won't shock the accounting group when they see it. What's the right price? Probably something that's more like the cost of monthly cell-phone service. Pricing *options* are important, too. Look for a system that provides monthly subscription pricing at a per/user per/month amount but that also gives discounts if you pay in advance for a 12-month commitment. Systems in the monthly price range of $50 to $150 per person are starting to emerge if you do the legwork to find them.

3. **Hosted/online/SaaS[1]/cloud computing** – no matter which of these synonyms you use, it's important to look for a system with no downloads, no IT support needed, with updates and enhancements on-the-fly, so you're always using the latest and greatest without having to stop and get help to install the upgrade. As busy as your schedule is, you want to look for those systems that are ready to go, day 1 and every other day after that. Cloud-based systems run within standard web browsers, so whether your team favors Firefox, Safari or Internet Explorer;

[1] SaaS: software-as-a-service

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PC's, Mac's or iPads, the same system can work for everyone. It goes without saying that you want a secure online system (see discussion below), but cloud-based systems spare you the indignity of begging your IT group for the time and resources needed to install your system in-house. Even better, you can evaluate and choose an online system without having to make sure it will run on the internal hardware and operating systems your IT group has standardized on. That said, you will want to be sure the vendor providing your cloud-based system can give you a technology white paper detailing the specifications of their hosting facility: are data backups routinely performed? Is there redundant power and data network connections? How is physical access controlled? It won't be a real interesting read for you, but your IT group will appreciate reviewing it if they need to sign-off on your choice.

4. **Flexible** - software that adapts to your workflow, working the way you work, is vital. A key flexibility factor that distinguishes most small law departments from large ones is how they think about "process." Large law departments *need* processes to avoid the chaos of doing things 100 different ways. But not so much for small law, where the closest thing to a formal process is flexible "checklists." When considering a small law system, look for the ability to build checklists of tasks or to-do's, whether for incorporating in a new state, arranging a commercial lease for the new office, or managing the quarterly board meetings. Such a system will give you the flexibility to easily re-order, re-assign or re-use the checklist as those everyday changes come along. Shy away from large law department software that can't be deployed until you adopt processes first, just so they can be configured and enforced in the system.

5. **Email integration** – the system you select should integrate well with your primary means of receiving work… email. Who doesn't receive assignments and projects and shopping lists from their spouse via email? We all do. So it's worth giving serious consideration to those solutions that let you simply forward emails with attachments directly into your system as a way to automatically create to-dos and store documents. It shouldn't matter whether it's Outlook, Lotus Notes or other email service providers, either. In addition, email integration can be a handy way to use your system to archive the contracts, licenses, policy handbooks, and other documents that come attached to your emails.

6. **Secure** – you want to select a small law department system with strong, but multi-faceted security. First, you want secure access. This means subscribing to an online system that will not allow new users to be added to your department's account without first requiring explicit approval from you or your designated administrator. Secondly, you want secure communication – a solution that uses strong encryption to protect all your data traffic to and from the system; 128-bit encryption at a minimum, but it's not impossible to find even stronger 256-bit encryption in today's small law department systems. Thirdly, you also want a product that offers the option to keep your department's work product secure and private. Ideally, a small law department management system will work equally well for those groups that prefer an "honor system" giving everyone access to all documents, folders, and actions as well as those

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departments that want to restrict access to certain contracts, matters, or ticklers on a need to know basis. Finally, you should ask about secure deletion or removal of documents from the system you're considering. With all the pluses of a hosted/online/saas/cloud computing system, you want to be sure and ask the provider how thoroughly and completely the documents you've deleted from your account are wiped away from the system storage. A warning flag should go up in your mind if you're told that only the links to your documents are deleted – orphaning them – but the documents themselves persist.

7. **Collaborative** – your system should allow for collaboration between your legal department and other business units. Collaboration can come in many forms: shared access to information, shared assignments, and shared work product. If you rely on people throughout your company for responsibilities like contract administration and managing external partner relationships, then you will want to choose a collaborative system. Find out if the system you're looking at permits you to restrict a user's access solely to the matters, folders, documents and tasks they are involved in. In addition, make sure your system allows you to delegate actions and pre-program reminders for users who are outside your law department. The payoff for collaboration support is huge – getting to enlist a larger team outside your law department but using the system to keep everyone on the same page.

8. **Blackberry and iPhone support** – productivity doesn't stay at the office, it travels with you everywhere you go. Have you ever been invited to an impromptu lunch with your CEO when you didn't have that list of top five things you'd been saving up to discuss? Or your flight has just been delayed 90 minutes and you wish you could check on your to-do list or make some reminder phone calls rather than just delete junk email from your inbox? Choosing small law software that includes accessibility via your smart-phone might be the missing piece to help you stay as productive on the road as you are at your desk.

9. **24/7/anywhere** – the new normal for small law departments is that work requests can come at weird hours and from strange places. Flight layovers, remote offices, telecommuting all demand accessibility 24/7/anywhere and the software you choose should know that. Find out if the system you're considering supports simple Internet access, whether using a laptop web-browser or a smart-phone. Even better is if the system has been streamlined to perform well over wireless or cellular connections that sometimes run a little slower than full broadband speeds. If you're checking out a cloud-based system, also ask about the policy for scheduling the deployment of fixes and new features; Monday morning at 9am eastern is a lot different than midnight Saturday night.

10. **Productivity** – you know that managing small law departments is more than contract or matter management, it's a continuous effort to stay out of overwhelm. The system you choose should keep you and your direct reports on the same page, helping you keep things from falling through the cracks. Do yourself and your admin a favor, and make sure your shopping list

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includes productivity requirements, like built-in task management and delegation controls. It's helpful to look for basic tickler capability to remind you 90 days before contract renewals to change the terms and conditions you've been complaining about. But you may want to consider a system with more advanced features that enable delegation of assignments, and viewing workload status on a per-person, per-project, per-department, or per-timeframe basis.

11. **Way cool** – OK, so technically we went a little beyond a top 10. But we said the process of shopping for a small law department system should be fun. After all the hard selection work is over and legal teams are using their new system day in and day out, they simply want software that's enjoyable to use. So leave a space on your product evaluation checklist to comment on the cool features that catch your eye. It may be a system's visual look and colors, or the ability to use a cell phone link with your system to dictate new task items to your team, or the quirky YouTube training videos your vendor continually creates to help you enjoy your system. Whatever it is, the more you can make your system fun and cool, the more likely you are to want to use it daily and reap the full benefit of all your labor. Good luck!

Matter Management for Legal Departments Essential Features to Maximize Your Return on Investment

Author: Matt Ryan, Senior Consultant

Introduction

Legal departments seek to take advantage of the latest technology in order to better manage the growing diversity of elements which comprise their matters: e-mail, documents, calendars, ticklers, contacts, litigation, contracts, vendor management, e-billing for outside counsel fees, etc. Matter management software, when properly selected and implemented, can help legal departments increase effectiveness and reduce costs by taking all these separate "pieces" and integrating them into a single, matter-centric collaboration tool.

Commercially available corporate matter management systems have existed since the 1980s. Since then, the number of software providers offering a commercial off-the-shelf (COTS) legal matter management solution has increased substantially. Today, law departments looking for an in-house legal matter management solution could easily develop a list of dozens of packages to consider by searching for "matter management software" using their favorite Internet search engine.

While some packages are easy to eliminate because they were designed specifically for a law firm, or a law firm that deals only in personal injury, bankruptcy or immigration, a long list still remains from which to choose the correct system for your legal department. To complicate matters further, the maturity of the products makes a feature-by-feature comparison of two or more programs a time-consuming task that reveals no clear "winner" in the contest.

While very few law department matter management COTS software providers will admit it, the simple fact is that all these systems perform about 80 percent of the same functions. Differences in user interfaces and the number of mouse clicks it takes to perform a given task are clearly important aspects to consider when selecting a system since these two items alone can determine the fate of a matter management implementation. However, these items alone should not formulate your decision to purchase one product over another. A portion of your evaluation time should be spent on the 20 percent of the "not-so-obvious" functionality that can provide an enormous return on investment in both time and internal information technology resource savings.

This paper will attempt to highlight several of these important features that, more often than not, are overlooked during the software evaluation process. Some of these items are features, both simple and advanced, while some are probably more appropriately categorized as technical traits of a software system. Whether functional or technical, these features are by no means an inclusive list of everything that should be considered when selecting a matter management system. Instead, items listed in this document that are appropriate for your legal department should be combined with your own unique matter management requirements to help you purchase the solution that will provide the largest return on investment for your department over the long run.

The features discussed are arranged into sections by categories. The end of each section includes a checklist of the items discussed that can be used as part of a software evaluation form. A complete checklist is included at the end of this paper for convenience.

System Scalability and Reliability

While being a software vendor's largest customer may have benefits when things are going well, the tradeoff in headaches from a performance and reliability standpoint are hardly worth it. The extra money a legal department might save by going with a system originally built for the small-to-medium law firm market can be wiped out the first time the system goes down or the entire system runs poorly after the 25th concurrent user logs in. The second time it happens, it simply costs the legal department money in lost productivity.

One of the biggest "unseen" differences in matter management products is the efficiency of the applications programming. Inefficient programs will require a much larger database server, workstations, and network throughput or bandwidth in order for the application to operate with reasonable response times. All these inefficiencies translate into additional costs that a legal department must incur in order to utilize the application and can evolve into much larger issues as the system is rolled out to more and more users.

While it is difficult to tell how efficient a program is during a software demonstration, there are several things to look for and ask about when evaluating a program. One of the most obvious is to ask each vendor for the recommended server and workstation configurations that would realistically support the number of users being considered. Large workstation and server requirements should raise a flag. Applications that require a separate dedicated server should raise another flag as this could signal a non-standard implementation of standard programming techniques that could cause future support headaches and compatibility problems.

Another not-so-obvious question that should be asked is the development history of the application being considered. Many legal matter management applications began as a desktop application that ran against a desktop database. The lack of scalability and inefficiencies of these applications forced some of these vendors to offer a version of their application that will run against a true SQL relational database system such as Microsoft SQL Server. While a vendor may tell you that these "new" systems were a completely new development effort, chances are code was "borrowed" from their old desktop applications, carrying forward some of the inherent problems of their old systems.

In short, legal departments need to consider applications that were designed specifically for a SQL relational database management system from vendors with proven installations much larger than the number of users that will be deployed. In order to ensure the matter management system will be able to grow with the department, a good rule of thumb is to insist that the vendor provide a reference for an established customer with a least four to five times the total number of users needed at the legal department. If this reference can confirm an acceptable performance of the application with no considerable down time or system crashes, the application should perform equally well or even better in an installation only 20 to 25 percent as large and minimize the information technology costs associated with poorly designed systems.

The following checklist includes important questions to ask all vendors pertaining to the scalability and reliability of the system being considered.

Scalability and Reliability Checklist

Feature	Vendor A	Vendor B	Vendor C
Recommended database server for an installation with _____ users.			
Recommended workstation specifications including CPU, RAM and disk requirements.			
Was the product ORIGINALLY developed to run on a SQL relational database management system?			
Size of the vendor's largest installation.			
Is the vendor willing to provide this installation as a reference? If so, please provide a contact name and phone number.			

Note: Additional references of similar legal departments should also be requested from each vendor.

E-mail and Calendar Integration

Microsoft Outlook/Exchange continues to increase its market share in the legal marketplace. In legal departments that have chosen this platform for e-mail, calendaring, and even contact management, Outlook is most likely the primary application the legal department's staff utilizes to perform their duties and communicate with clients. The good news for these legal departments is that most COTS matter management applications include some level of integration with Outlook and/or Exchange so users do not have to abandon Outlook in order to use a new system. If your legal department uses IBM's Lotus Notes or Novell GroupWise, be sure that the matter management systems you consider integrate these e-mail systems.

While most matter management vendors offer integration with Outlook, how this integration is programmatically accomplished, and the level of integration varies greatly from vendor to vendor. For instance, most vendors offer integration between the matter management system's calendar and the Outlook calendar. However, fewer vendors offer true, two-way integration between calendaring systems that enables users to continue to use their Outlook calendar as their primary calendar. While functional items such as this should become apparent during a vendor's software demonstration, other items surrounding the integration may not be discovered until after a product selection has been made and a contract executed.

The Exchange e-mail server is an organization's information technology hub. If there is any doubt to this statement, try and remember the loss in productivity the last time e-mail was not available, and internal and external communication was interrupted. For this reason, legal departments should avoid products that require direct integration with the Exchange server. In many instances, integration with the Exchange server creates an additional workload and storage requirement on this vital resource that can cost the organization significant money in upgrades. More importantly, however, is that integration directly with the Exchange server often means bypassing or disabling important security settings in Exchange that would expose the entire organization to viruses or hackers. The potential costs to a legal department for lost communications and work product, in addition to the time lost because the e-mail server is down would be difficult to quantify. As such, this type of integration should be avoided and legal departments should never allow third-party applications to integrate directly with their Exchange server.

Instead, e-mail, calendar, contact and task integrations with the matter management system should all take place within the Outlook desktop. This minimizes the security risk for the entire organization, while still achieving the integration needed by the end users. As an added benefit, this type of integration is often easier to install and maintain, in addition to the peace of mind it will provide.

Another item to consider is how the matter management system stores case/matter related e-mails and e-mail attachments. Since some solutions simply create a "link" to the message stored in Outlook or Exchange, the message can never be deleted (purposefully or accidentally) from within Outlook or this link will be broken. Additionally, legal departments can find themselves having capacity and performance problems on the Exchange server since e-mails are never removed from the system. Ideally, your matter management system should store e-mail and all associated attachments in its own data store in their native formats.

The following checklist includes important questions to ask all vendors pertaining to their software integrations with Microsoft Outlook.

E-mail and Calendar Integration Checklist

Feature	Vendor A	Vendor B	Vendor C
Does vendor's application require integration directly with the Exchange server?			
Does the vendor offer true, two-way integration between calendaring systems (Can appointments be created and updated from either application)?			
Does the vendor offer true, two-way integration between task/reminder systems (Can tasks and reminders be created and updated from either application)?			
Does the vendor offer true, two-way integration between contact systems (Can contacts be created and updated from either application)?			
If an e-mail is "saved" to a case/matter, does it have to remain on the Outlook/Exchange server?			

Note: While IBM's Lotus Notes and Novell GroupWise are not as prevalent in the marketplace as they once were, some vendors also offer integration with these e-mail systems. Even though the security and virus threat is not as great, legal departments using Lotus Notes or GroupWise should insist on a desktop integration with these products, as well.

Document Management

Many organizations and their legal departments have already invested in a dedicated document management system (DMS) to manage, organize and protect the legal department’s work product and documents. For departments that have not yet invested in this technology, many COTS matter management systems include a document management feature. Additionally, legal departments considering a DMS implementation should also consider a matter management system that offers this functionality, since matter management can provide a number of useful tools for little or no difference in cost.

If a document management component offered by a matter management vendor is going to be considered, several important items must be considered during the evaluation process. First and foremost is how the matter management system stores and manages documents. Legal departments should make sure the matter management system actually “manages” the storage of the document and does not simply maintain a link to the related document.

Applications that simply maintain a link to a document that has already been saved in a user-specified location do not provide the legal department with enough control over these documents. If one user saves documents to a network drive and another user saves documents to their local drive, a matter management system that maintains links to documents does provide a method to access these documents, independent of where they are stored. However, the availability of documents will most certainly become an issue because if the user who stores documents locally does not turn on his/her computer on for the day, or if he/she utilizes a laptop computer and happens to be out of the office, these documents will be unavailable for every user of the system.

In order to solve this problem, a document management system should take the responsibility of saving the physical file away from the end user. Documents should be stored in a central location on a network drive or as actual records inside the relational database management system. An easy-to-use interface should allow users to “profile” the document by relating it to a case/matter and categorizing the document according to legal department policies. The matter management system should also programmatically manage all document saves and accesses independent of the document type (Word, Word Perfect, PDF, etc.).

For organizations that have an existing investment in a document management system, many matter management vendors offer integrations with these programs. This makes it possible to access case/matter related documents stored in the third-party DMS application directly from the matter management system’s user interface. If this approach is selected, legal departments must be sure that the selected matter management vendor has an official partnership agreement with their DMS vendor so your integration will continue to work with new releases of the DMS solution. Additionally, an official partnership relationship also means that your matter management vendor has built their integration using approved methods and tools provided by the DMS vendor, and document security is not compromised.

A legal department’s specific document management requirements will expand beyond the items covered in this section. The following checklist includes important questions to ask all vendors pertaining to their software's document management capabilities. Selecting a vendor who meets these basic requirements will provide a greater return on your matter management investment.

Document Management Checklist

Feature	Vendor A	Vendor B	Vendor C
Does vendor's application include a complete document management component OR integrate with the existing DMS application?			
If integration with the existing DMS is desired, is the vendor an official partner with the DMS vendor?			
If the matter management system will be utilized as a DMS, does the application manage the storage of documents?			
If the matter management system will be utilized as a DMS, can the application store any document/file type along with a document profile (metadata)?			

Advanced Features

Many matter management systems have become very feature rich and it's these added features, the 20 percent discussed earlier in this paper, which truly sets one vendor's product apart from the others. Since it would require an unrealistic amount of time in order to fully understand every single feature offered in every COTS product you are evaluating, this section highlights some of the more important "advanced" features that have a high return on investment, but are not included in all products.

While a simple and direct user interface will be apparent during software demonstrations, having a program that is easy to navigate does not always insure the implementation will be a success. A legal department which deals with many types of issues has a wide range of needs that must be met from a single matter management software program. As an example, a legal department's contract matters will have different business and information requirements than its employment or litigation matters. Therefore, it is vital to purchase a system that provides enough flexibility to manage all matter types. This is especially important as legal departments seek ways to track an increasing variety of compliance and regulatory issues.

A matter management system should be viewed through the eyes of all users. This includes users from every group in the department that will be utilizing the application. To minimize the risk that a particular group or team will not utilize the application, the matter management system should be flexible enough to allow for customization of the interface and all case/matter types for each group. This will mean that users will view unique information screens, depending on the matter type (i.e., contracts, leases, M&A, IP, trademark, securities etc.). This will simplify the system for all users, reduce the training time required, and increase the user adoption rate of the matter management application.

When an application does not provide a means to capture all the data needed for employees to do their jobs, employees get creative. They turn to Word documents, spreadsheets or pen and paper, and grow frustrated with the application since it does not do what the users need. This significantly impacts productivity, limits the usage of this data, and often means that the data is not being backed up on a regular basis, further exposing the legal department to losses. The selected matter management system should be flexible enough to allow for the creation of customized screens that can be used to capture all data and information required by the user or client. Ideally, the vendor will offer a tool so this task can be accomplished by non-technical staff, so the task of customizing and maintaining the system does not fall 100 percent on information technology personnel.

Some corporate legal software systems include modules for tracking outside counsel fees. During your package evaluation process, look for a matter management program which can easily tailor the invoice review process to match your law department's workflow requirements for entering e-invoices and invoice approval.

Another feature that is often overlooked during the initial evaluation and selection process is how well the application can deal with the "exceptions" to the normal business processes. These can be as simple as re-assigning workload when an employee resigns from the organization to handling last-minute requests for information or a report.

If the selected matter management system does not include functionality to quickly re-assign workload from one user to another, or it takes an employee an entire day or more to manually update the application, the true cost of the matter management system just increased. Likewise, if the matter management system does not have an easy way to export information in the desired format to create a report a particular individual requested, the amount of time it will take to produce this report using some other means could be significant.

While it is impossible to predict every possible exception that may arise, a matter management system should be advanced enough to handle a majority of these items. The following checklist includes important features to consider during your matter management selection process.

Advanced Features Checklist

Feature	Vendor A	Vendor B	Vendor C
Can the vendor's application be "customized" to meet the needs of each group or matter type?			
Does the vendor's application allow for "customized" windows or screens?			
Can all "customization" be performed by non-technical staff with minimal training?			
Does the vendor's application include the ability to easily re-assign workload between users?			
Does the vendor's application include the ability to easily export data into other applications?			

Software Evaluation Checklist

The following checklist can be utilized during the software evaluation process to ensure the items discussed in this paper are not overlooked. A legal department's own unique requirements should be added to this list in order to provide a complete evaluation process.

Scalability and Reliability Checklist

Feature	Vendor A	Vendor B	Vendor C
Recommended database server for an installation with _____ users.			
Recommended workstation specifications including CPU, RAM and disk requirements.			
Was the product ORIGINALLY developed to run on a SQL relational database management system?			
Size of the vendor's largest installation.			
Is the vendor willing to provide this installation as a reference? If so, please provide a contact name and phone number.			

E-mail and Calendar Integration Checklist

Feature	Vendor A	Vendor B	Vendor C
Does vendor's application require integration directly with the Exchange server?			
Does the vendor offer true, two-way integration between calendaring systems (Can appointments be created and updated from either application)?			
Does the vendor offer true, two-way integration between task/reminder systems (Can tasks and reminders be created and updated from either application)?			
Does the vendor offer true, two-way integration between contact systems (Can contacts be created and updated from either application)?			
If an e-mail is "saved" to a case/matter, does it have to remain on the Outlook/Exchange server?			

Document Management Checklist

Feature	Vendor A	Vendor B	Vendor C
Does vendor's application include a complete document management component OR integrate with the existing DMS application?			
If integration with the existing DMS is desired, is the vendor an official partner with the DMS vendor?			
If the matter management system will be utilized as a DMS, does the application manage the storage of documents?			
If the matter management system will be utilized as a DMS, can the application store any document/file type along with a document profile (metadata)?			

Advanced Features Checklist

Feature	Vendor A	Vendor B	Vendor C
Can the vendor's application be "customized" to meet the needs of each group or matter type?			
Does the vendor's application allow for "customized" windows or screens?			
Can all "customization" be performed by non-technical staff with minimal training?			
Does the vendor's application include the ability to easily re-assign workload between users?			
Does the vendor's application include the ability to easily export data into other applications?			

* * *

LAWTRAC Matter Management Checklist "Must Haves"
LT Online Corporation

Feature	LAWTRAC Online	Product B	Product C
General			
Is the product available 24/7 from any web browser without installing any software on the client PC?	Yes		
Is the product available to run on either the customer's server (Intranet version) or on LT Online's server (ASP version)?	Yes		
Is the ASP server monitored 24/7?	Yes		
Does the product enable users to change corporate reporting structure in mid year for financial reporting?	Yes		
Can Security of the application be set by user? By role? By type of matter? By workgroup?	Yes		
Does the product contain a notification subsystem that automatically alerts users when they are involved in a task?	Yes		
Does the product contain an audit trail that automatically tracks changes in the database?	Yes		
Does the product integrate with the MS Outlook Calendar?	Yes		
Does the product provide integration and notification with corporate e-mail systems?	Yes		
Reports			
Does the product provide exception reports based on user-defined business rules?	Yes		
Does the product include a fully-integrated Report Generator enabling users to build their own reports?	Yes		
Does the product include a standard report library? If so, how many reports are included?	Yes; Over 250		
Does the product include an intuitive map for easy point-and-click location of outside counsel?	Yes		
Does the product contain high-level research tools for casual users?	Yes		
Does the product contain different functionality depending on the position of the person who logs in?	Yes		

Feature	LAWTRAC Online	Product B	Product C
Does the product enable data to be imported and exported to MS Excel?	Yes		
Matter Management			
Does the product contain a Matter Management module?	Yes		
Can multiple matter types (i.e., litigation, claims, contracts, regulatory) be maintained, each with separate matter screens	Yes		
Are the matter screens user-definable by type of matter?	Yes		
Does the product can user-definable workflow checklists by type of matter?	Yes		
Does the matter management module contain user-definable checklists by type of matter?	Yes		
Does the product include an intuitive map for easy point-and-click location of matters by type or matters involving a particular business unit?	Yes		
Does the product contain an insurance module that enables deductibles to be tracked?	Yes		
Does the product interface with third party claims processing systems?	Yes		
Does the product provide for entity tracking?	Yes		
Is each attorney assigned a unique user ID and password so that they can control who can see and access their matters?	Yes		
Can the matter management module track corporate records?	Yes		
Expense Management			
Does the product contain an Expense Management module?	Yes		
Does the Expense Management module track outside counsel invoices, budgets and variances?	Yes		
Does the Expense Management module contain a business unit chargeback feature?	Yes		
Does the Expense Management module support charging one invoice to multiple subsidiaries?	Yes		
Does the Expense Management module enable business unit chargeback default codes to be set once at the matter level and also to be overridden at the invoice level?	Yes		
Are the financial screens user-definable by type of matter?	Yes		

Feature	LAWTRAC Online	Product B	Product C
Can fiscal years other than January to December be tracked?	Yes		
Does the product provide integration with corporate accounts payable systems?	Yes		
Electronic Document Management			
Does the product contain a fully integrated Document Management module?	Yes. Users are able to link documents to matters and open the document from within the matter.		
Does the module provide full content searching of multiple words or phrases across all documents?	Yes		
Does the module provide searching of documents by characteristics of the matter to which the document is attached? (Type, issue, product, business unit and author).	Yes		
Can security be set at the document level?	Yes		
Does the product contain document security for outside counsel?	Yes		
File Room Management			
Does the product contain a File Management module?	Yes		
Can any type of Avery labels be printed for file folders?	Yes		
Does the File Management module contain a "checkout" tracking feature?	Yes		
Does the File Management module contain a barcode checkout feature?	Yes		
E-Billing & Outside Counsel Collaboration			
Does the product contain electronic billing, LEDES-compliant capability that is integrated with the matter management system?	Yes		
Does the product require any third party software for submission of outside counsel invoices?	No		
Can outside counsel use the product without having to pay any license fees?	Yes		
Does the product contain an integrated module for outside counsel invoice submission for those firms that are not LEDES compliant?	Yes		

Feature	LAWTRAC Online	Product B	Product C
Can outside counsel update matter information directly without having to use external e-mail, thereby maintaining attorney-client privilege?	Yes		
Does the product contain an integrated module for outside counsel budget submission?	Yes		
Does the product contain an integrated module for outside counsel status updates?	Yes		
Does the product contain an integrated module for uploading of documents from outside counsel?	Yes		
Does the product contain an integrated module for enabling outside counsel to update law department calendars?	Yes		
Insurance Processing			
Does the product contain an insurance module that is integrated with the matter management system?	Yes		
Does the insurance module have the ability to track multiple insurance carriers?	Yes		
Can the Insurance module track deductibles on a per matter basis?	Yes		
Can the Insurance module roll up expenses against an aggregate deductible?	Yes		
Does the Insurance module generate a loss run report indicating the current status of deductibles across all active policies?	Yes		
Intellectual Property			
Does the product contain a module for tracking intellectual property matters?	Yes		
Does the product enable each intellectual property matter to contain a separate record for each country in which the property is registered?	Yes		

- Premier Support/Customer Care
- On-going dialogue with customers to foster the exchange of ideas and to design future product enhancements

Extras from ACC

We are providing you with an index of all our InfoPAKs, Leading Practices Profiles, QuickCounsels and Top Tens, by substantive areas. We have also indexed for you those resources that are applicable to Canada and Europe.

Click on the link to index above or visit http://www.acc.com/annualmeetingextras.

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