



Foos: Forget the next big thing; focus on your existing technology

February 11, 2015

By Robert R. Foos Jr.

I'm one of those guys that heads to the American Bar Association Tech Show looking for the next great piece of legal technology, because let's face it — new technology is fascinating. We haven't seen it or tried it out, or been shot down trying to convince the management committee to put an extra \$50,000 in this year's budget. Someday I hope to convince the druids in our office that using our litigation management software will not open a portal to hell, but that's a subject for another article.



Foos

What we often forget is that the focus of legal-based technology is to increase the productivity of attorneys, paralegals and administrative staff. We're focused on the next big thing when we should be identifying how to customize our existing technology to save time and increase productivity. Here are some tips on how to work smarter, not harder:

1. Identify your goals

What are you trying to accomplish? Are you spending too much time and effort pushing paper? Are you losing billable time because you don't have an effective way to bill when you're out of the office? Are you recreating the same pleading over and over? It is important to identify issues that make you less productive.

If you are responsible for developing a best practices protocol for the other attorneys in your firm, this process will necessarily include interviewing attorneys in other practice areas. You must determine how they do things, what they perceive as impediments to productivity, and don't forget to ask them about their wish lists. Getting some attorneys to admit they could be more productive is a bit like convincing Monty Python's Black Knight that he's been defeated ("All right, we'll call it a draw"), so be persistent.

2. Evaluate your practice

The really tedious (and most important) step is to take the time to evaluate your practice. How many times is a single piece of paper touched in your office? How do you record tasks and get them to your calendar? How do you diary follow ups, record phone calls, keep non-billable time? Do you have a document repository? Do you have templates for correspondence and pleadings?

We're all busy and slowing down long enough to take mental stock (or better yet, actual notes) of what you're doing in your practice can be a pain in the Tom Brady, but the results might surprise you. Consider that capturing just an extra 0.1 hour per day could mean \$6,000 or more to your bottom line over the course of a fiscal year. Multiply that by the number of attorneys in your office and you can easily justify the purchase of new software.

Consider the extra time an investment in your practice. If you streamline just one process as a result of this exercise you'll be money ahead. If you can convince everyone in the office to try it, call me and let me know how you did it.

3. Find the holes in your technology

This is the fun part, the part where you get to look for new technology to fill gaps in what you already have. Everyone has email, most of us have some sort of practice management program, fewer have document management, and fewer still have e-discovery or trial presentation software. Your catalogue of technology will vary by practice area, volume and the number of practicing attorneys.

I shudder to think how many hours of billable time I lost reading, responding to and saving emails prior to purchasing our practice management software. Now an Outlook plug-in opens a billing screen, calendar entry, and journal record each time I send or respond to an email. Once the journal record is created, it is automatically marked and moved to the deleted file. The journal entry and billing entry are linked for quick reference should the client ever inquire about the time spent reviewing or responding to an item.

You should also consider implementing document assembly, which allows you to create templates that pull information directly from your litigation management software into your pleadings and discovery requests. You'll likely need to hire a professional to help with these more technical items, but imagine how much time can be saved if your interrogatories and requests for production are a click away.

My practice group has also created document assembly templates for various reports required by our institutional insurance clients. We meet our reporting requirements in a timely fashion, we only input the information one time, and the information remains readily available should we receive an unscheduled phone call from the client. An added benefit is that clients without stringent reporting requirements are always pleased when they receive a concise, regimented report on the status of their case.

Limiting the number of times any single piece of paper is touched in the office can also be worthwhile. A piece of mail can be scanned at the same time it is opened and then emailed to everyone who needs to see it. The paper goes to the paper file and electronic copy goes to the electronic file. You can easily forward any important document to your client via email and you never have to touch the actual paper copy. You also have an electronic trail showing the date the document was received.

These examples are only a few of the ways you can streamline your practice, capture more time and become more productive. I'd love to hear about other examples of how attorneys are working smarter instead of harder, so feel free to drop me a line if you are so inclined. •

Robert R. Foos Jr. is a partner at Lewis Wagner LLP where he concentrates his practice in transportation litigation. His practice often involves being called to accident scenes where the use of technology to collect and transmit witness statements, accident scene photos and document scans is required. His email is rfoos@lewiswagner.com. The opinions expressed are those of the author.

