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Managing all those files



Luigi Benetton
Hi-Tech

For all the modern technology law firms use to manage their documents, skills and productive habits contribute just as much to effective information governance as the document management systems (DMS) they choose.

Acquiring a DMS and its operation costs a law firm up front and over time. Setup complexity varies with the DMS chosen. Certain tools are tailored to the generic needs of law firms while others, like Microsoft SharePoint, require an overlay for lawyers to understand and accept it.

Technical work on a DMS doesn't end with setup. "It's not a set it and forget it thing," Jeffrey Brandt says. "They have to be managed and monitored."

Brandt, a Philadelphia-based legal technology, process and knowledge management consultant, adds two types of training to this mix. "You need the tactical skill set to use the tool," he says, reckoning staff can learn how to use a DMS in several hours. But "many firms fail to teach why they want staff to use the tool," Brandt adds. "What is the payback to the firm? What is the strategic value?"

Since all documents relevant to client matters must be managed, a law-firm DMS must handle e-mail. "Traditional systems are designed to store finished versions of documents, not e-mail," says Chuck Rothman of a common shortcoming that DMS vendors are correcting.

Rothman, the director of e-discovery services for Wortzman Professional Corporation, figures the term itself—"document" management—subtly precludes e-mail ("the biggest problem in information management") in favour of documents created using tools like Microsoft Office ("those are relatively easy to find"). He'd like to change the term to "information" management.

The work involved in running an effective DMS emboldens certain software developers to dispute the need for a DMS, claiming modern search tools can displace them and eliminate the work involved in managing them. This idea doesn't sit well with Rothman. "Nobody throws all their papers and files in a big pile in a room," he says.

To cover e-mail, Rothman advises law firm staff adopt certain habits: create clear subject lines; limit each e-mail to one topic only; and "Don't CC the world." Instead, post documents to an internal "social media" site and e-mail people a link to view and comment on the document in the site instead.

A DMS must fit a firm's workflow, which means it must work with the firm's other tools. "Your firm might use dozens of tools beyond a word processor," Brandt says of a firm's "full editing environment." No lawyer wants to learn that a desired DMS feature "breaks a dozen of my practice support tools."

Firms that collaborate electronically with their clients or other outside parties prefer to create extranets ("deal rooms") to do so instead of enabling access to a subset of the DMS. It isn't uncommon for a DMS to support an

extranet, but Rothman advises against doing so. "External parties might not organize records in the same way that people within the law firm do," he explains.

Some people share documents using "consumer-grade" services like Dropbox or iCloud, and Rothman hopes they encrypt those documents when they do. Since actual behaviour doesn't always reflect good practice, many lawyers publicly frown upon Dropbox-type setups.

Privately, Brandt has his doubts. He doesn't deny the appeal of his own Dropbox account, with its convenience and ease of use. "A DMS is harder to use, [but] it does 150 things compared to the five Dropbox does," he says.

Thanks to software as a service (SaaS), aka, the cloud, DMSs are becoming more affordable. Rather than acquire the hardware, software and skills required to set up, monitor and maintain an in-house DMS, firms can subscribe to cloud-based services instead. In 2015, Microsoft will join this already competitive market with Matter Center, an Office 365 front-end for its SharePoint product.

Atlanta-based Handshake Software, a provider of SharePoint products and services, joined a number of law firms to test Matter Centre. Doug Horton, Handshake's Edmonton-born CEO, is bullish on cloud services due to the value they deliver at a manageable total cost of ownership.

He's seen similar cost reductions thanks to Microsoft Office 365. No longer must IT staff, for instance, apply updates to 2,000 instances of Microsoft Word when staff uses the online version that Microsoft has already patched.

Arguments for cloud-based DMS go beyond cost advantages. Cloud readily fills the demand for mobile apps, especially since configuring in-house systems for access on mobile apps often requires IT skills that many law firms don't have. Information security skills found within law firms also lag behind those found in cloud service companies.

Canadian lawyers often prefer to use services that locate servers in Canada to serve Canadian customers. Even when they do, "cloud has to overcome security concerns and psychological and jurisdictional hurdles," Horton concurs, though he figures economic arguments will win the day for cloud-based services.

While today's DMS vendors are catching up with the need to store e-mail, they also face the challenges of handling other messaging protocols, like texting and social media. "Such systems are already prevalent," Horton says. "Client communications that take place over those different modes are more difficult to categorize and put into the context of a client-centric or matter-centric view."

"Firms are pushing away from e-mail as a collaboration tool because e-mail is not a good collaboration tool," Brandt adds.

Horton also notes customer demand for more robust search features that scan "both on-premise and cloud-based systems" and an expertise locator "that allows them to find out what people's areas of expertise are."

Brandt expects users to demand better user interfaces, thanks in part to companies like Apple raising the UI bar, and better integration with other tools that allow firms to "embed document management services in whatever tool" lawyers use. He also expects law firm clients to demand functionality from the DMS their lawyers use. "Documents belong to the clients, not the firms," he explains.



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