

Business & Careers

Getting the edge in document assembly



Luigi Benetton
Hi-Tech

Senior partners don't simply hand the firm's reins to associates when they retire. Passing their knowledge, insights and expertise to the next generation of leaders is a process best systematically practised over years.

This is the second of a two-part series on document assembly systems. The first instalment appeared in the May 6, 2016 issue and listed advantages of using these tools. Here, we'll discuss several other advantages as well as several tips lawyers can use to introduce them to their practices.

When a document template asks questions seasoned lawyers ask by instinct, junior lawyers acquired those instincts faster.

"Senior partners can transfer work down to more junior staff who can benefit from expertise — legal rules, calculations, legal knowledge — that's codified in the document assembly system," says Doug Simpson, CEO of automated document drafting developer Legal Systematics, Inc.

Lawyers Donna Neff and Michael Carabash put the document automation tools they developed in companies separate from their practices. Carabash, who specializes in serving dentists at DMC Law, doesn't intend to license his systems.

Neither did estates lawyer Neff, but "I had mentioned this to lawyers who are specialists in estates and trusts, and (half a

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Doug Simpson
Legal Systematics Inc.

dozen Ontario lawyers) became subscribers," she says.

Asim Iqbal maintains EasyBOA, a book of authorities

assembly tool, in Blue Cloud, the company he founded in May 2015 with two equally technology-minded friends.

They spent about five months developing a proof of concept before he talked his own firm, Thornton Grout Finnigan LLP, into using EasyBOA in early November.

Carabash, Iqbal and Neff aren't the first tech-savvy lawyers to scratch an itch and turn the scratch into, well, a flow of scratch.

"In the mid-80s, I wrote one of first document assembly systems in the computer language BASIC," Simpson recalls.

The system handled wills, real estate transactions, "things we were doing in our practice," for which he couldn't find pre-made tools.

Soon after, he started to sell the resulting system, ExperText, to other law firms.

Shopping for and implementing a document automation system becomes easier once lawyers know what questions to ask and how to handle the systems they choose.

Simpson created a spreadsheet for calculation of return on investment that takes into account factors such as how many times a year a firm prepares a given type of document, how much they bill for the work involved and the cost of automation which frequently goes well beyond software expenses.

"In the long run, the (bulk of the) investment is the time and effort it takes to implement templates, test them, ensure they're working properly, train staff on how to use them and that sort of thing," Simpson explains.

His spreadsheet contains one row per document. Simpson recommends shooting for **docuSimpson, Page 26**

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Simpson: Automate simple documents first

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ment automation if expected return on investment exceeds 20 per cent.

Neff would like a three-month trial period. While she suspects few companies offer that for document assembly systems, “You want time to figure out if it’s going to work for you,” she says.

Commercial system developers put plenty of work into every aspect of their products, including user friendliness. Developing one’s own in-house tools is possible, of course, but they won’t likely match the interfaces of commercially available options.

“Many Pathogoras users don’t know what fields are,” says Roy Lasris, president of Innovative Software Products of Virginia. “I didn’t write Pathogoras for the sophisticated user. I wrote it for those who are new to document assembly.

Carabash provides a ten-page guide for people who use his system. It helps people both understand the system and avoid errors.

“We haven’t done formal staff training on HotDocs. That’s maybe something I

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should have done,” Neff says, then explains why she didn’t get around to it. “We have one staff member who does all

the changes. She loves this stuff.”

Neff still recommends training. “Otherwise you don’t know half the features that are available, or how you might use them.”

Neff spent tens of thousands of dollars over several years developing her own system because nothing on the market would handle her firm’s specific needs.

“We worked with a consultant in the U.S. for one of our very complex templates that produces wills and powers of attorney,” says Neff.

Her system guides users through a series of screens festooned with questions,

text fields, drop lists, radio buttons and other data entry tools. “When you’re done, you hit ‘Finish;’ it assembles the data and spits out a Word document. The ‘his’ and the ‘hers’ and the plural and the singular are all correct.”

Simpson recommends lawyers check out off-the-shelf products before embarking on a journey like Neff’s “since it can take hundreds of hours of development time to put together a good working automated solution. You get the benefit of hundreds of hours of development that’s already been done, plus feedback and continued improvement that happens when a community of users suggests changes.”

Return on investment is less likely to occur if lawyers automate the most complex documents first. Simpson advises automating relatively simple documents that the firm frequently prepares, increasing the chances of early success and cost savings.

Neff’s system is based on HotDocs, a solution that obliges owners to have a developer package to make any changes to way the system works.

Regular licenses don’t offer that flexibility “and that’s a mistake,” Neff opines. “There should be something in between that lets you do some basic editing.”

Simpson recommends lawyers fix any errors they find in their systems as quickly as they can. “You might lose the trust of people who use the system,” he says. “They might start using workarounds that defeat the purpose of automating documents.”

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