



The PDF/Paperless Office

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The PDF/Paperless Office

Would you like to make it easier to find files, cut down on the storage cabinets around the office, and be on the leading edge (rather than the trailing edge) for once? Then don't miss this introductory session in which our speakers explain what "going paperless" means and shows you what you need to get started! Learn how to reduce the amount of paper in your practice, which electronic file format is best, what equipment and software you need, and how to use them with your everyday software.

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<http://www.flickr.com/photos/munirhamdan/>

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Introduction

Paper, paper and more paper! Lawyers often seem to be drowning in a sea of paper. Storing all of this paper is not the only issue. How do you keep all of it properly filed? How do you locate it later when you need it? How do you easily provide a copy to a client or other party? For those just starting in practice, these may seem like minor issues; however, for those that have been in practice for some time that are dealing with overflowing file cabinets and bankers boxes of closed files, this is a very real issue. The answer is not as simple as scanning everything and converting the paper into electronic files. You need to have the proper equipment, software and processes in place before you get started so that you are as efficient and effective as possible. Otherwise, you can waste huge amounts of time and resources and not markedly improve the problem.

We will discuss basic concepts including what “going paperless” means and what that entails. Creating efficient workflows to standardized process and procedures in your office. The best file format for your digital files. The basic hardware and software tools you need begin as well as more advanced tools that can make life even easier.

The Paperless office:

Paper was great for our grand fathers and even our fathers, but we live in a digital world. The days of mechanical typewriters and carbon paper are long past. Our clients and other professionals exchange information by electronic means such as email, text messages and digital files. The reality is that electronic documents are now a part of a lawyer’s everyday life. If they are not part of yours, you need to ask yourself why they are not. So what is the paperless office?

According to Wikipedia:

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*A **paperless office** is a work environment in which the use of paper is eliminated or greatly reduced. This is done by converting documents and other papers into digital form. Proponents claim that "going paperless" can save money, boost productivity, save space, make documentation and information sharing easier, keep personal information more secure, and [help the environment](#). The concept can also be extended to communications outside the office.*

Many pundits believe that "going paperless" means the total elimination of all paper from your practice. This is a laudable goal but unrealistic. The total elimination of paper is many years in the future, if at all. The late Ross Kodner coined the term The PaperLESS™ Office. The goal of the PaperLess Office was not to totally eliminate paper but to reduce the amount of paper necessary and reduce how often paper was handled. This is a realistic goal for most lawyers and firms.

Things to consider before going Paperless:

There is more to becoming paperless than simply buying a scanner and some software, although these are important pieces to the process and we will discuss their importance a little later. Before you scan your first piece of paper you need to determine a number of things to establish a process and procedures that can be easily followed by everyone.

Storage:

Where are you going to store the digital files? Will they reside on a network, on a single computer or out in "the cloud?" The good thing about current technology is that hard drives are inexpensive and keep getting bigger. Take a 1TB (Terabyte) internal hard drive currently available for under \$75.00. Let us say for discussion purposes that you generate 2GB (Gigabytes) of files each year. A terabyte is the rough equivalent of 1,000 Gigabytes. For under \$75, you can store about 500 years' worth of information on that drive.

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Organize:

How are you going to organize them i.e. by client, by type of document or some other method? In your current paper filing system: do you put your files in filing cabinets in alphabetical order by client? Or do you perhaps organize by year and then by client? How are you currently organizing your files on your computer? The same way or do you use a category of case i.e. Family Law, Real Estate, Trusts, etc. or by type of document i.e. Pleading, Correspondence, Contract, etc.? There is no right or wrong answer so long as you and your staff are consistent

Naming:

How do you currently name your electronic files? Is there any consistency to the file naming structure or does everyone in your office use whatever name they want? There are a number of different ways that you can find for file naming ideas. Many of the popular ones start by using a date as the file name so that the files will sort by date without relying on the Date Created or Date Modified columns. Others prefer to begin the file name with the type of document so that files sort by type (these folks usually use fewer folders to sort document types). For several examples of file naming and storage structures, see:

- <http://bit.ly/15Z0FSX>
- <http://bit.ly/15YZiU4>
- <http://bit.ly/15Z0tTy>
- <http://bit.ly/15Z1afD>

Where to Start:

Are you going to start scanning everything from a set date moving forward or are you more concerned about the closed files (referred to as “retrospective conversion”)? Here is a hint: The band Boston captured the correct decision in their song “Don’t Look Back”).

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Closed files don't generate revenue and rarely do you need the information contained in them. This means that this is the last place you want to start going paperless, although it is where most lawyers tend to start. While there can be long term benefits from reducing storage costs for old paper, there is no immediate benefit to you or your practice. Instead, retrospective conversion results in an immediate negative impact as it siphons resources away from your primary goal of making your practice more efficient by focusing on the things generating new revenue for your practice. So when you are starting out with digital workflow you should work on new cases first.

New cases are the easiest to start with, and the information they present is the most valuable. Once you have all of your new and open files scanned, only then should you consider undertaking retrospective conversion.

Sorting internal and external documents

Document from outside the office are not the only electronics files that you will deal with: how will you differentiate between files created on your computer in electronic formats such as Word, WordPerfect, Excel and others from those that you receive or even those that you send out in electronic format?

One way espoused by a number of paperless office advocates is to treat anything not in PDF format as drafts. If a letter or other document does not also exist as a PDF file, then it hasn't been sent and non-PDF files are merely drafts of the document (See this post on Lawyerist.com <http://lawyerist.com/organize-paperless-client-files/>). This has the benefit of allowing you to quickly see if an internally generated document has been sent. You can store both the native (i.e. Word, WP or Excel) with the PDF versions which has the benefit of quickly allowing you to see if a PDF exists as it should be listed immediately adjacent to

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the native files of the same name. Some people don't care for this as it can be confusing at times as the files only differ by the document type in the file name. Others, such as David L. Masters, author of *The Lawyer's Guide to Adobe Acrobat* printed by the ABA Law Practice Division, prefers to use a dual folder structure: one folder for the native files and one folder for the PDF files. (David describes this in his article from the December 2003 GP|Solo Magazine at <http://bit.ly/146nKFx>). An example would be similar to the following example:

- ☐ Jenkins Al v Bell Credit Union
 - ☐ CorresPDF [all correspondence in PDF]
 - ☐ CorresWPD [all outgoing correspondence in native WordPerfect format]
 - ☐ Plead PDF [all pleadings in PDF]
 - ☐ PleadWPD [all pleadings in native WordPerfect format]

Using dual folders has the benefit of keeping native and PDF separate but organized. There are a number of concepts for organizing your folders and files.

See also:

[The Document Naming System in Our Paperless Office](#), Donna Neff and Natlaie Sanna, ABA Law Practice Today September 2009 <http://bit.ly/146oNp4>

[The Basics of Client Files and Paperless Systems: Opening, Closing, Documentation, and Ticklers](#), Minnesota Lawyers Mutual Insurance Company (2008) <http://bit.ly/146tkYw>

Super Structure: The Paper-Based System Holding Up Your Paperless Office, Small Firm Innovation Blog <http://bit.ly/146utze>

Finding your documents

Any filing system is worthless unless you can find your documents once they have been filed. This is true of both paper and paperless systems. If you have an efficient paper filing system, you should consider duplicating that for your paperless filing system as well. If you are not using a document management system (DMS) such as Worldox, TimeMatters, NetDocs, or one of the other

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numerous DMS products, then your organizational structure becomes even more important. But even with the best structured system, it may not be enough. If you remember a phrase or subject but can't remember the client or file, then it will be difficult finding the document. This is where desktop search engines can be of assistance.

Searching digital information can be much easier and done from the desktop using the correct tools for the job. Desktop search engines will index every word in digital files that contain text as well as file names, search email and attachments. For users of Windows 7 or 8, the Windows Search tool represents a significant improvement over prior versions. In Windows 7 & 8, the Search Tool will not only search titles, but inside files as well as long as they are text searchable you may need to activate indexing . For Mac users, the Spotlight search tool will do the same.

☞ If you are running Windows 7 64 Bit, you may have encountered issues with searching within PDF files. See this post on DocumentSnap for a fix <http://bit.ly/146xBex>

However, the tools built-in to your Windows or Mac desktop are not your only options. Tools such as Copernic (www.copernic.com), X1 Search and for larger offices ISYS and dtsearch@DTSearch (www.dtsearch.com), provide more search options and capabilities. If you and your staff can find information faster and easier using electronic files, then you are more likely to follow your paperless workflow and adopt it permanently. While not a replacement for a DMS, combining your folder structure with a desktop search tool can be very effective for a small office.

☞ One of the keys to successfully moving to a paperless office is to use a system that works for you! There is no one system is perfect for everyone.

Workflow

Once you've made the decision to go paperless and have decided how you will organize your folders and files, you need to map out your proposed workflow. You will use the workflow along with your decisions on folder and file naming structure to create a written policy for your office. Remember that implementing a scanning and storage policy is not something that you just want to jump into without prior thought and planning. The goal of implementing a scanning solution should be to improve efficiency, simplify storage and retrieval and allow for a backup methodology. Before you can implement a functional scanning workflow in your office, you should ask yourself some basic questions:

- What documents do I want to convert to electronic files?
- Do I want to capture all of my closed files and old documents (“Retrospective conversion”)?
- Do I want to capture documents from a set date and those that come into the office after that date?
- Am I going to eliminate maintaining paper copies of outgoing documents in my files so both outgoing and incoming documents are all stored electronically?
- Am I going to scan all incoming documents or only certain incoming documents?
- If I'm only going to scan a portion of incoming documents, which documents will they be?
 - Mail
 - Letters
 - Pleadings
 - Etc.
- Discovery Requests – Scan and OCR rather than retyping to respond?
- Medical Records?
- Other Evidence?
- Will I shred all documents once they have been scanned?
- Will I keep documents with original signatures on file?

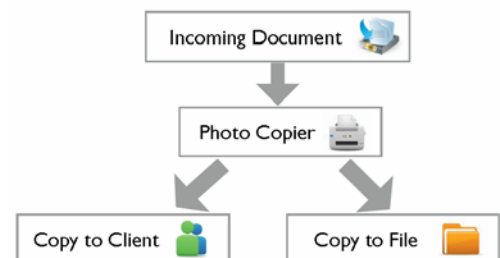
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- Do I have the software that I will need? If not, what do I need?
- Do I want to be able to search the electronic files or do I only want an image of the document?
- Do I want to be able to scan a document in and then modify it in my word processor?
- Do I want everyone to be able to access these documents and if so where should they be placed?
- Am I going to use my existing electronic folder structure or do I want to implement a document management system (“DMS”)?
- How much can I spend on this project?

You should use these questions as a way to establish an internal procedure that is realistic given your existing resources. Determining what documents will be scanned can impact decisions as to whether or not you need to add more hard drive storage space, use your existing software and hardware or purchase new and whether you can use your existing electronic folder structure or implement a DMS. If you want the documents to be searchable, you'll need the capability to perform Optical Character Recognition (OCR) on them.

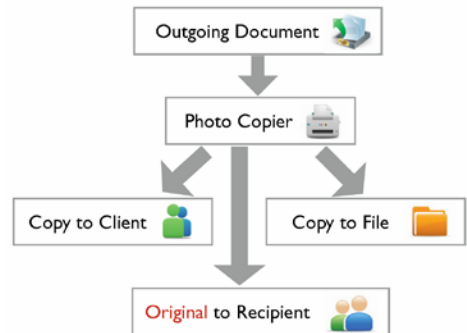
Using all of this information, you can create your roadmap to follow for your office. More importantly, and you and you and your staff need follow it, to the letter. If you are not using a DMS, any system will rise and fall on consistency. This will take discipline on the part of you and your staff, but is critical to a successful transition and continuation of going paperless.

Your existing workflow for incoming documents might look something like that shown in this image (Ernie Svenson www.PaperlessChase.com):

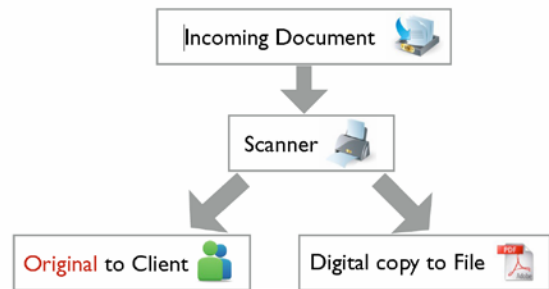


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And for outgoing documents, something similar to this image (Ernie Svenson www.PaperlessChase.com):

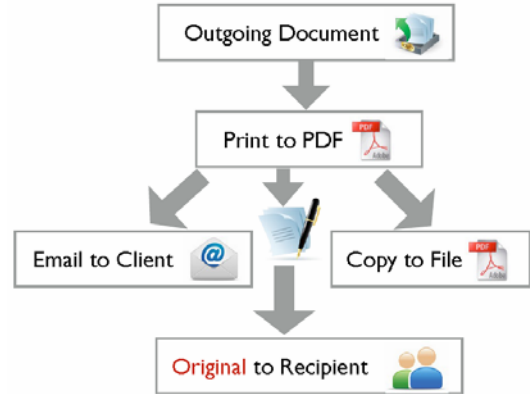


A simple incoming workflow for a paperless office might look something like this one (Ernie Svenson www.PaperlessChase.com):



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Your outgoing workflow could be similar to that shown in this image (Ernie Svenson www.PaperlessChase.com):

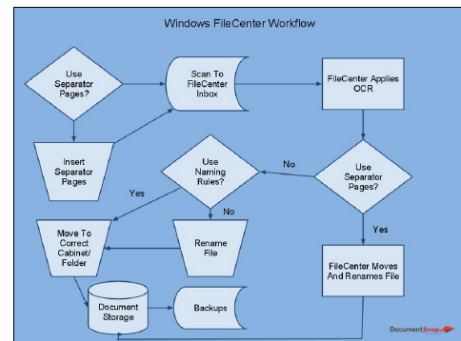


A file centric (and complex) workflow might be similar to the one shown here from DocumentSnap (www.documentsnap.com)

Using a diagram can help you visualize the process and make it easier to follow. It can also help point out steps that could be consolidated or discarded to make the process more efficient.

DocumentSnap Paperless Document Organizer

Windows FileCenter Workflow



What you need to get started

To begin your move to the paperless office, you only need a few basic tools to get started:

- Newer Computer with sufficient storage, CPU and memory
- Scanner
- PDF Software
- Backup tools

Computer

Computer prices continue to drop and no one should be using a system that is more than 3 years old. To insure that your hardware does not create a bottleneck for going paperless, it

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should have a mid-range CPU and at for 32 bit operating systems, 4 GB of RAM (32 bit operating systems cannot address more than 4GB of RAM). Computers with 64 bit operating systems should have at least 8GB of RAM. You also need to have sufficient hard drive storage for your immediate needs and the next several years. If you are going to begin scanning all of your incoming documents, you need to make sure that you have at least a 500GB of available storage space. If you are putting your documents and your software on a single computer, then ideally you should dedicate at least 500 GB for just document storage. One way of doing this is to use a larger hard drive such as a 1TB hard drive and create several disk partitions on it: one for your operating system and programs and then a second for your files. See this explanation on Wikipedia for more information <http://bit.ly/146FuRp> . For a desktop computer, a better option would be to install a second hard drive or to use an external drive.

Scanner

It goes without saying that you will need one or more scanners in your office. The real question is what type of scanner and what features should it have? What is the estimated daily volume of paper you believe will be scanned? All scanners have a “duty cycle” that indicates the maximum number of scans they can realistically process. For instance, the Fujitsu ScanSnap is an excellent desktop scanner product with a duty cycle of about 750 pages/day. If you will have more pages than that on a consistent basis, you may need to use a more expensive scanner such as a digital document center than can scan thousands of pages per day. However, for most offices, one or more decent desktop scanners such as the Fujitsu ScanSnap iX500, Epson GTS-50, Canon imageFORMULA DR-C125 or similar scanner may be the best value. Scanning speed is also an issue.

The slower the machine, the more time it will take your staff to scan documents. The flip side of that is, the more pages per minute (ppm) a scanner is capable of processing, the more expensive the machine will typically be. Once you determine the average volume you will process per day, calculate the amount of time it will take to scan those using different

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PPM rates and determine what speed you feel to be the best value, given your volume and staff resources. Generally, desktop multifunction printers are too slow for true paperless productivity. Other features are also important.

Ideally, you need double-sided scanning, color scanning and the ability to scan different size pages. Depending on your software and other services you use, look to see if the scanner integrates with the software and/or services. If you use Clio as a Practice management system and also use its included cloud based document storage, the Fujitsu ScanSnap should be given serious consideration as Clio has a piece of software that allows you to scan directly to the cloud from a ScanSnap scanner.

Start with a sheetfed scanner. These are scanners that scan individual pages and can either handle one sheet or multiple pages at a time. or multiple sheets of time depending on its capabilities. These scanners include automatic document feeders (ADF) similar to those found on copiers. For desktop scanners, usually this capacity should be a least 50 pages. Examples of sheetfed scanners include::

Fujitsu ScanSnap and f1 series	 A black Fujitsu ScanSnap scanner with a document feeder on top and a control panel on the right side. A document is being scanned.
Canon imageFormula series	 A black Canon imageFormula scanner with a document feeder on top and a control panel on the right side.

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If you only have an occasional need to scan a book or something else that will not properly scan through a sheetfed scanner, purchase a good sheetfed scanner and then consider buying one of the inexpensive flatbed scanners available from a big box office supply or electronics store.

Portable scanners are great tools for road warriors to quickly scan paper documents while out of the office. Modern portable scanners use a USB connection and some offer duplex scanning. The trade-off for this portability is slower scan speeds and the no sheetfeeder or lower capacity sheetfeeders than a desktop scanner.

If you find that you are doing large volumes of scanning for personal injury or medical cases or something similar, then you may want to explore a large digital copy center such as those from Kyocera, Canon, Xerox or other company. Generally these are the replacements for the old photocopiers that you found in offices and can scan at 50 or more pages a minute with much larger capacity sheet feeders. See:

[Canon ImageRunner](#)

[Xerox WorkCentre](#)

[Konica Minolta BizHub](#)

PDF Software

You must have PDF software to go paperless. The de jure file format for electronic documents in most instances today is the PDF format. The ideal PDF software allows you to not only create PDF files but to work with them as well by running optical character recognition (OCR) on a scanner PDF to create searchable text layer. See Appendix A for **PDF**

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Tools for Lawyers: An Apple-to-Apples Comparison, a full length comparison article on the most common PDF software for lawyers. You can also find this article online at <http://bit.ly/12m4orS>.

Backup Tools

Moving to a paperless office means that you can now easily backup all of your files and you must do so. A solid backup plan includes rotating backups which the backup media moved off-site along with online backup of your critical files. With the drop in cost of online document storage and backup services, subject to bandwidth and provider limitations, you can back up all of you document and other critical files online for not a lot of money.

Providers include Crashplan www.crashplan.com, Carbonite www.carbonite.com, BackBlaze www.backblaze.com and many, many more.

Taking it to the next level

If you want to take your scanning in storage to the next level, then using a practice management system such as TimeMatters with its built-in DMS or a dedicated DMS such as Worldox or Netdocs. These allow you to attach your documents to specific matters so the documents are associated with your matters making them easier to find and organize.

These products include full text searching, the ability to profile the documents with information including the client, matter, type of document and other categories.

Additionally, they will also create your folder structure and automatically name your files. While not as full featured, many of the cloud based practice management products such as Clio and MyCase include the ability to associate files with matters. Clio allows you to scan directly to Clio's included document storage directly from a Fujitsu ScanSnap. You can also use one of the online document storage services including Dropbox, Box.com and Google Drive to store your files and associate them with a matter. However, there is no full text searching in these cloud based services.

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One benefit of using a cloud based service such as Dropbox, Box.com or Google Drive is that you can install the desktop app that will then synchronize your documents from your desktop to the cloud and onto any other computer that you install the app onto. This means that you can make a local backup of all of your files. To backup files stored in Clio's document storage service, you need to create a data escrow account with Amazon and then use client software to download all of the files to your desktop. See <http://bit.ly/14Wgpv3>, <http://bit.ly/14WguP8>, <http://bit.ly/14WgBuj>, and <http://bit.ly/14WhnaD> for more information.

☞ Services such as Dropbox, Box.com and Google Drive are not true backup services, rather they are file synchronization services. You still need a backup strategy and method to create a backup of these files.

Additional resources

The MacSparky Paperless Field Guide <http://macsparky.com/paperless/> - While focused on Macs, this is a terrific guide from David Sparks. Available from the Apple Book store or in PDF format, this book provides a wealth of information for going paperless, especially for the Mac centric office.

Paperless Chase www.paperlesschase.com - Lawyers Ernie Svenson (who writes the Ernie the Attorney blog) and Dane Ciolino provide information on all things paperless.

Acrobat for Legal Professionals <http://blogs.adobe.com/acrolaw/> - This blog is written by Rick Borstein of Adobe. The blog description says it best "The Acrolaw Blog is a resource for lawyers, law firms, paralegals, legal IT pros and anyone interested in the use of Acrobat in the legal community."

Lawyer PDF <http://lawyerpdf.blogspot.com/> - Information and advice on PDF for lawyers.

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ScanSnap Community <http://scansnapcommunity.com> – The official Fujitsu site for all things ScanSnap related including tips & tricks, marketplace and more.

DocumentSnap <http://www.documentsnap.com/> - Tips & Tricks as well as fee based resources for going paperless.

Scanning 101: Scanning for Small Offices http://compujurist.com/downloads_page/ Detailed paper discussing scanner types, PDF and OCR tools.

Paperless for Lawyers – A 12 Step Plan <http://bit.ly/14Wl7ZK> - Useful article from Adriana Linares.

Go Paperless! A Guide for Lawyers <http://slidesha.re/14WlBiy> Good set of slides on going paperless for lawyers Slideshare

Step By Step Guide To A Paperless Office <http://slidesha.re/14WlZgl> - Anotehr slide deck on going paperless from the 2009 ABA TECHSHOW.

Tips on Creating an Inexpensive Paperless Law Office <http://bit.ly/14Wmd7K> - Good post from Technology Tips for Lawyers Blog.

The Basics of Client Files and Paperless Systems: Opening, Closing, Documentation and Ticklers - <http://bit.ly/146tkYw> - Downloadable PDF from Minnesota Lawyers Mutual Insurance Company.

The Paperless Law Office: A Practical Guide to Digitally Powering Your Firm <http://amzn.to/14WnNXa> - ABA Book on moving to a paperless practice.

Beginning Acrobat for Lawyers - <http://bit.ly/14Wo5gM> Grat paper from Catherine Sanders Reach of the Chicago Bar Association on using Acrobat.

Appendix A

PDF Tools for Lawyers: An Apple-to-Apples Comparison

PDF Tools for Lawyers

An Apples-to-Apples Comparison

The ability to create and edit PDF documents is becoming increasingly significant for lawyers and law-firm employees. Learn about four top products here.



webXtras
WWW.WISBAR.ORG/WL

VIDEO Nerino Petro talks about the importance of PDF technology and explains how lawyers can use it in their practices.

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BY NERINO J. PETRO JR.

Electronic documents are now a part of a lawyer's everyday life. Although file formats such as Microsoft Word, WordPerfect, and Excel are ubiquitous and used daily by every lawyer and firm, easily sharing these documents with other people who might not have WordPerfect or a Mac is a huge issue in today's technological society. The goals of finding a solution to this interoperability issue and creating a standardized format to store accurate representations of electronic and paper files created a race to develop such a file format. By the end of the 1990s, one format had risen to the fore: the portable document format (PDF) created by Adobe Systems Inc.

"Invented by Adobe Systems and perfected over 20 years, Portable Document Format (PDF) is now an open standard for electronic document exchange maintained by the International Organization for Standardization (ISO). When you convert documents, forms, graphics, and web pages to PDF, they look just like they would if printed. But unlike printed documents, PDF files can contain clickable links and buttons, form fields, video, and audio – as well as logic to help automate routine business processes. When you share a PDF file, virtually anyone can read it using free Adobe Reader® software or the Adobe Reader mobile app." (www.adobe.com/products/acrobat/adbepdf.html)

The key fact in this statement from Adobe is that PDF is now an open standard. This means that lawyers and their employees are not limited to using only Adobe products to create,

edit, and view a PDF. The PDF also has the benefit of being an electronic duplicate of the document, whether it is created on a computer in a word-processing program or scanned from a paper document. Think of a PDF as an electronic photocopy that provides the ability to limit changes and can be digitally secured and authenticated.

PDF has moved from being the de facto standard for storing and sharing electronic documents in the legal world to the de jure standard based on its adoption for use by federal and state courts and governmental agencies. Because electronic filing is required for lawyers in the federal courts and many state courts, understanding the tools available to create PDF documents is a necessity.

Core Functionality for Lawyers

When it comes to tools to create, edit, and view PDF documents, not all products and services are created equal. Generating a basic PDF file can be done with many products, including Microsoft Office, WordPerfect Office, and a number of other free and low-cost PDF creation tools; however, these solutions do not include some capabilities that most lawyers need. Lawyers face unique challenges, from the filing requirements of courts and other governmental agencies to the need to maintain confidentiality of client information and prevent unauthorized changes to documents. At a minimum, a PDF solution for lawyers and law firms should include the following capabilities:

SUMMARY

Several products for working with PDFs are available, but as with many categories of technology, different companies' products are not identical and a product good for one firm is not necessarily the best for another.

The author describes the highlights and drawbacks of four PDF products – Acrobat, Nitro Pro 8, PDF Converter Enterprise 8, and pdfDOCS – that have many law firm-appropriate features. A detailed chart lists and compares the features of each product reviewed.

The author's choice? Nuance PDF Converter Enterprise 8, because its feature set strikes a good balance between functionality and price. Your preference will depend on your particular needs.

- Create PDF files from multiple sources, including within commonly used word-processing, spreadsheet, and presentation programs;
- Create searchable PDF files;
- Add comments;
- Add Bates numbers;
- Convert PDF documents to Word, Excel, or even WordPerfect formats;
- Incorporate a typewriter function to allow lawyers and their employees to type directly onto a PDF document that does not contain form fields;
- Redact not only the image portion of a PDF but also any text layer;
- Remove metadata;
- Impose security to limit changes such

- Create PDF/A files (the PDF version for archiving) and also check for compatibility for compliance with this standard.
- The ability to fully redact PDF documents, add Bates numbers, and work with digital IDs and certificates usually is lacking from free and low-cost PDF

Think of a PDF as an electronic photocopy that provides the ability to limit changes and can be digitally secured and authenticated.

are PDF tools for Windows-based PCs and are used in law firms and other types of businesses. Several of these products also have versions for the Mac platform, but the article does not address those tools.

These products have in common several features, including the ability to add Bates numbering, headers and footers, and page numbers to documents. They all provide redaction tools of varying sophistication, which can help lawyers remove confidential or privileged information from a PDF. They will all convert a PDF document into a Word, Excel, or other useable format such as rich text format (RTF), WordPerfect, or even PowerPoint. All these products can create PDFs that comply with at least one of the PDF/A standards and add tool bars or other functions within Microsoft Word, Excel, and PowerPoint programs. All of these programs also install as a printer so that you can generate a PDF from almost any program that you can print from.

A detailed side-by-side comparison of important features and capabilities appears in the accompanying chart. How each program implements these common functionalities plus any additional features are what differentiate the programs from each other and thus may make one tool more suitable for a particular practice or need than another.

For this article, testing was done with each product using a combination of sample documents provided by several of the companies as well as some of the author's actual seminar materials in MS Word and PowerPoint formats and actual Outlook messages.

as printing, adding comments, making changes, and completing form fields;

- Create stamps including images of your signature;
- Use (and, ideally, create) digital IDs and certificates for authentication and security purposes;
- Integrate with other products and services, such as document-management systems, cloud storage, Microsoft's SharePoint, and others; and

creation tools. Every lawyer or firm needs to have at least one copy of a PDF tool that includes all these capabilities. The four tools reviewed in this article contain these capabilities and are from commercial enterprises with a track record of producing tools that are both functional and widely available.

This article reviews Adobe Acrobat XI Professional, Nitro Pro 8, Nuance PDF Converter Enterprise 8, and pdfDOCS. All

Adobe Acrobat XI Pro

Adobe Acrobat, which created the PDF standard, is the granddaddy of PDF creation, editing, and viewing software. Of the four tools compared in this article, Acrobat Pro probably is the best recognized and most widely used within the legal community. There are two versions of Adobe Acrobat XI: Standard and Professional. To get the law-field-specific core functionalities, including Bates



numbering and redaction, you must have Adobe Acrobat XI Pro. Although many lawyers will not regularly need these features, all lawyers will need them on occasion, either for their designated purpose or to add information similar to Bates numbers. In any event, you should have Bates numbering and redaction capabilities on at least one computer in your office.

Some highlights of the new features in Acrobat XI include:

- The ability to edit text and images directly on a PDF without having to find the original document.
- The ability to insert, edit, or delete text and have it automatically reflow to adjust to these changes.
- Improved combine-files feature.
- Improved conversion of PDF files to Microsoft Word, Excel, and PowerPoint formats.
- New form-creation tools.
- Integration with EchoSign for electronic signatures.

The ability to directly edit PDF documents means that the days of searching for an original document, making changes to it, and then generating a new PDF may be over. Editing text on a PDF in Acrobat now works very much like working in a word processor with spacing and lines automatically adjusting for changes in the body of the text. Another significant improvement is that users creating a PDF from multiple files such as Word, Excel, Images, and so on now have the ability to manipulate not only the order of the documents but also individual pages within those documents themselves. This allows you to reorder both the documents and the pages in the documents before creating the PDF. This is possible because the thumbnail views of each file to be included in the new PDF are now “live,” allowing you to preview not only each document but the individual pages in each document as well.

Other functionality includes 5 gigabytes of free PDF storage via Acrobat.com. Unfortunately, this is the only cloud integration that is provided. Unlike several of the other products, Adobe does directly connect to other cloud storage services, such as

Evernote and Dropbox. Acrobat XI Pro has added new PDF and Web form-creation tools that are “best in class” for the products reviewed here. Acrobat moved rapidly to integrate its recent purchase of the EchoSign online-document-signature service.

Carryover features from prior versions include Acrobat’s ability to archive Outlook emails, either individually or by folder and including attachments, into a searchable PDF; this remains one of the outstanding tools in Acrobat Pro. The attachments to archived Outlook emails remain in their native format and when clicked, they open in the file’s native program, such as Word or Excel. However, Acrobat Pro still lacks the ability to convert attachments to PDF when archiving emails.

Acrobat’s ability to compare two PDF documents to identify differences remains, as does the Action Wizard from Acrobat X. The Action Wizard allows you to automate repetitive tasks and standardize procedures for multistep processes throughout an organization. You can use the prebuilt actions or customize your own.

While Acrobat does not perform as well as the other products when converting a PDF file to Microsoft Word or Excel format, its conversion of a PDF file to Microsoft PowerPoint works very well. The user interface first introduced in Acrobat X eliminated the heavy reliance on menus and tool bars and introduced Task Panes. The new interface places the majority of tools into the three disappearing panes on the right-hand side of the Acrobat screen. Users’ reactions to this redesign have been similar to reactions to the introduction of the Microsoft Office Ribbon: some people like it, and others request the return of the old menu and tool bar structure. The Acrobat interface uses a paradigm entirely different from that of the more traditional menu and tool bar structure still used in Nuance PDF Converter Enterprise and pdfDOCS. It is also unlike the Microsoft Ribbon and the ribbon-like interface found in Nitro Pro.

After using the new interface daily in both Acrobat X and Acrobat XI, it at times still seems to require more steps than prior

versions to accomplish the same tasks.

The Acrobat interface is less cluttered than those found in Nuance PDF Converter Enterprise and pdfDOCS. Recognizing that the new interface may not be for everyone, Adobe has provided the capability to customize the tool bars by adding regularly used individual tools, thus allowing you to bypass the Task Panes.

Acrobat still has the most features when it comes to working with PDF files; it also has the largest base of supporting blogs and online videos and tutorials, including TV.Adobe.com. Of the products reviewed here, Acrobat XI Pro is the most expensive, at \$449 for a new license. Upgrade pricing is better at \$199 from Acrobat version 7 (Standard or Pro) or newer. But even with the (reduced) upgrade price, Acrobat XI Pro remains at the higher end of the price range.

Nitro Pro 8

Nitro Pro 8 (www.nitropdf.com), the latest release of the flagship product of San Francisco-based Nitro PDF Pty. Ltd., includes several features found in the other products reviewed here, such as redaction, Bates numbering, and metadata removal. Nitro PDF also produces the free Nitro Reader (www.nitroreader.com), an alternative to Adobe’s free Reader software. Unlike Adobe Reader, NitroReader includes the ability to create PDFs, type on flat PDF documents using a typewriter tool, and more. Nitro Pro is the full-featured big brother to the free product.

Nitro adopted a ribbon interface similar to that found in Microsoft Office. This presents an uncluttered aesthetic, and for people accustomed to the Microsoft office ribbon, using Nitro Pro will pose little in



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the way of a learning curve. A Nitro Pro add-on inside Microsoft Word, Excel, and PowerPoint allows you to generate PDFs from the ribbon and to control creation functionality, such as applying security, creating bookmarks, and more.

Nitro Pro allows you to edit text and images and to reflow text as with the more expensive Acrobat XI Pro. Nitro Pro complies with PDF standards, including one subset of PDF/A, allowing you to create documents that comply with the PDF/A-1b standard. It also includes a snapshot tool to select and copy content from a PDF to your clipboard. Nitro Pro allows you to create PDFs from your scanner and create searchable text layers. While you can create forms with Nitro Pro, it lacks the automatic field-recognition capabilities found in Acrobat XI Pro and Nuance PDF Converter Enterprise, but does permit auto alignment of fields and objects when creating forms.

When you use Nitro Pro to open a scanned PDF that has not previously been made searchable, Nitro Pro prompts you to run optical character recognition (OCR) on it. When converting a PDF to a Microsoft Excel spreadsheet, Nitro Pro was faster and more accurate than Acrobat XI Pro and pdfDOCS. (This may be a direct result of Nitro's integration of technology from the I.R.I.S. Group, a long-time provider of OCR and scanning technology (<http://bit.ly/12M7RPP>)). Nitro Pro also allows you to batch convert multiple PDF files to word or Excel.

Although there is much to like about Nitro Pro, the product has several shortcomings that may make one of the other tools more attractive as the primary PDF tool for a lawyer or firm.

Nitro Pro lacks the capability to combine multiple files into anything other than a single PDF document. Unlike Acrobat Pro, PDF Converter Enterprise, and pdfDOCS, there is no function for creating portfolios or creating binders to contain not only PDF documents but also Word, Excel, PowerPoint, and other files. While you can view individual files in a portfolio using the attachments panel, that does not offset the lack of ability to create a portfolio. There is also no way to manipulate files or the contents before combining them, like Acrobat Pro's live tiles. Nitro Pro does not include any Outlook capabilities other than allowing you to print an Outlook email as a PDF using the printer menu. There is no capability to insert a new page into an existing document, either from an existing file or from a scanner. Nitro Pro also lacks the ability to monitor specific folders to see if documents have been placed in them and then automatically convert the documents to PDF, which capability is beneficial in a multiuser environment.

Despite these shortcomings, the tools Nitro Pro does include are robust and easy to use. At \$119, Nitro Pro is the least expensive of the four tools reviewed and is a great choice for lawyers who are on a budget or prefer a slightly smaller set of features; it is also less complex with a good user interface and short learning curve.

Nuance PDF Converter Enterprise 8

Nuance PDF Converter Enterprise 8 is produced by the same company that makes PaperPort, OmniPage, and Dragon

Comparison of PDF Software for Lawyers

	ACROBAT	NITRO PRO 8	PDF CONVERTER ENTERPRISE 8	PDFDOCS
CREATING PDFS				
Word - Printer	Y	Y	Y	Y
Word - Tool Bar Add-on	Y	Y	Y	Y
Excel - Printer	Y	Y	Y	Y
Excel - Tool Bar Add-on	Y	Y	Y	Y
PowerPoint - Printer	Y	Y	Y	Y
PowerPoint - Tool Bar Add-on	Y	Y	Y	Y
WordPerfect - Printer	Y	Y	Y	Y
WordPerfect - Tool Bar Add-on	N	N	Y ¹	N
From Scanner	Y	Y	Y	N
Drag and Drop to Open Program	Y	Y	Y	Y
Drag and Drop to Desktop Icon	Y	Y	Y	Y
Watched Folder	Y	N	N	Y
Toolbar Add-on	Y	Y	Y	Y
Right Click Context Menu	Y	Y	Y	N
Combine Multiple Files in Single PDF	Y	Y	Y	Y
Binders/Portfolio	Y	N ²	Y	Y
PDF/A-1a	Y	N	Y	Y
PDF/A-1b	Y	Y	Y	Y
OUTLOOK RIBBON INTEGRATION				
Archive Outlook Message/Folder	Y	N	Y	N
Searchable Archive	Y	N	Y	N
Attachments in Native Format	Y	N	Y	N
Convert non-PDF Attachments to PDF	N	N	Y	N
Append to Existing PDF	Y	N	N	N
OPTICAL CHARACTER RECOGNITION (OCR)				
Native to Program	Y	Y	Y	Y ³
Make Searchable	Y	Y	Y	Y
Convert to Word	Y	Y	Y	Y
Convert to Excel	Y	Y	Y	Y
Convert to PowerPoint	Y	Y	Y	N
Convert to WordPerfect	N	N	Y	N
Convert to RTF	Y	Y	N	N
Convert to TXT	Y	Y	Y	Y
Convert to Image	Y	Y	Y	Y

Notes

¹Installs PDF Converter Assistant to Open PDF/XPS command in File Menu.

	ACROBAT	NITRO PRO 8	PDF CONVERTER ENTERPRISE 8	PDFDOCS
EDITING DOCUMENTS				
Editing Text	Y	Y	Y	N
Add New Text	Y	Y	Y	N
Replace Text	Y	Y	Y	N
Text Reflow	Y	Y	Y	N
Strikethrough	N	Y	Y	N
Underline	Y	Y	Y	N
Subscript Text	Y	N	Y	N
Superscript Text	Y	N	Y	N
Highlight	Y	Y	Y	Y
Comments/Notes	Y	Y	Y	Y
Callouts	Y	Y	Y	Y
Stamps	Y	Y	Y	Y
Bookmarks	Y	Y	Y	Y
Links	Y	Y	Y	Y
Native Compare Capability	Y	N	Y	N
Compare 2 PDF Documents	Y	N	Y	Y
Compare PDF Document to Word	N	N	Y	Y
Compare Any Doc Type to Any Doc	N	N	N	Y ⁴
WORKING WITH PAGES IN PDFS				
Auto-rotate	Y	Y	Y	Y
Rotate	Y	Y	Y	Y
Extract	Y	Y	Y	Y
Delete	Y	Y	Y	Y
Split	Y	Y	Y	Y
Insert	Y	Y	Y	N
Insert from File	Y	Y	Y	N
Insert from Scanner	Y	N	Y	N
Insert from Clipboard	Y	N	Y	N
Insert Header/Footer	Y	Y	Y	Y
Bates Numbering	Y	Y	Y	Y
WORKING WITH FORMS				
Add Form Fields	Y	Y	Y	Y
Form Wizard	Y	N	Y	N
Typewriter Tool	Y	Y	Y	Y

²Nitro Pro 8 will not create portfolios but can open individual PDFs inside a portfolio using the attachments panel. Documents will open using the associated program, that is, Word for a Word document, Excel for Excel worksheets.

	ACROBAT	NITRO PRO 8	PDF CONVERTER ENTERPRISE 8	PDFDOCS
APPLYING SECURITY TO PDFS				
Redaction	Y	Y	Y	Y
Metadata Removal	Y	Y	Y	Y ⁵
Digital Signature & Certificate	Y	Y	Y	Y
Create Self-signed Digital Certificate	Y	Y	Y	N
Restrict User Actions to Change, Print, Edit, etc.	Y	Y	Y	Y
Document Encryption	Y	Y	Y	Y
Password Protect Documents	Y	Y	Y	Y
CONNECTORS				
Worldox	Y	Y	Y	Y
Other Document-Management Software	Y	Y	Y	Y
Evernote	N	Y	Y	N
Dropbox	N	N	Y	N
Box.com	N	N	Y	N
Google Drive	N	N	Y	N
SharePoint	Y	Y	Y	Y
SHARE PDFS FROM WITHIN PROGRAM				
Email	Y	Y	Y	Y
Ease of Use (Rating scale: 1 (low) to 10 (high))	8	10	8	8
Feature Set	9	8	10	6
Value for Cost	8	9	10	7
Manual/Help/Online Resources	9	8	7	8
	34	35	35	31
Cost	\$449/\$199⁶	\$119.99	\$149.99/\$125	\$250⁷

³OCR module is now included as part of pdfDOCS base package.

⁴Requires optional CompareDocs.

⁵Metadata that can be removed is limited compared to the other products reviewed.

⁶CompareDocs adds \$400 per user to this price.

⁷Upgrade from Acrobat 7 Standard or Pro or newer for \$199. **WL**

NaturallySpeaking. PDF Converter Enterprise 8 is a full-featured PDF tool that is second only to Acrobat XI Pro in the number of features. Although Nuance also sells PDF Converter and PDF Converter Pro, these products do not contain the core law-field-specific functions, that is, Bates numbering and redaction. Thus, lawyers should purchase PDF Converter Enterprise if they decide to use a Nuance product.

PDF Converter Enterprise has several stand-out features, including Dragon Notes, which allows you to insert notes using the online Dragon speech-recognition engine. It also adds tool bars in Microsoft Office applications and Internet Explorer. It is the only product other than Acrobat XI Pro that archives Outlook messages and folders. As with Acrobat XI Pro, PDF Converter Enterprise allows you to retain Outlook message attachments in their native file format. Adding to this capability, Nuance PDF Converter Enterprise also allows you to convert attachments to Outlook messages into PDF files as well, something that Acrobat XI Pro does not do. PDF Converter Enterprise includes a wizard, based on legacy technology from Nuance's retired OmniForm program, that automatically recognizes form fields in a flat PDF. This means that if you download a court form that does not have embedded form fields, the wizard will do its best to automatically detect the fields.

PDF Converter Enterprise 8 shares a number of other capabilities with Acrobat XI Pro, including the ability to combine multiple files into a single PDF or into a portfolio (which allows you to package PDFs and native files such as Excel spreadsheets, Word documents, and PowerPoint files into a PDF container). Like Acrobat XI Pro, PDF Converter Enterprise allows you to assemble documents using live tiles, which means you can rearrange documents and pages before creating the combined PDF. Like Acrobat XI Pro and Nitro Pro, PDF Converter Enterprise works in conjunction with your scanner to create PDFs as well as placing tool bars in Microsoft Office and installing as a printer. In addition to converting PDF files

to various Microsoft Office formats, it is the only product reviewed here that can convert a PDF to a WordPerfect file. PDF Converter Enterprise includes cloud connectors for Evernote, Dropbox, Box.com, and Google Drive (using the Nuance Cloud Connector).

Like Acrobat XI Pro, PDF Converter Enterprise allows you to compare two PDFs and then goes one step further by allowing you to also compare a PDF to a Word document.

On the negative side, PDF Converter Enterprise had the most cluttered menu and tool bar structure of the four products, which, for a new user, can make finding features and settings a challenge. PDF Converter Enterprise also does not provide any capability to watch folders and automatically convert files placed into them to PDF, as does pdfDOCS. Although PDF Converter Enterprise 8 improves on Acrobat XI Pro's Outlook archiving features by providing for conversion of attachments to PDF, it does not include Acrobat Pro's ability to append a message or messages to an existing Outlook archive. This forces you to create a new PDF each time rather than appending one or more messages to an existing Outlook archive.

Nuance has a five-license minimum-purchase requirement to purchase PDF Converter Enterprise from its website. Even at the Nuance website price of \$149 per user, this is a financial disincentive for solo practitioners and small firms. However, Nuance has created an open license program, allowing vendors, such as CDW and others, to sell PDF Converter Enterprise in single-license quantities. A check of the CDW website shows a single-user license priced less than \$149, which makes this a very attractive product, even for a solo attorney.

pdfDOCS

Australia-based DocsCorp takes a slightly different approach to PDF tools, based on the belief that different people within an organization may have different needs and that while one staff member may need all possible PDF tools, coworkers might not.

With this paradigm in mind, users can purchase from DocsCorp only the features they need, thereby minimizing the cost. If you only need to create PDFs and add comments, annotations, or stamps to them, create searchable PDFs, or convert a PDF to Microsoft Word, Excel, or another format, then the base pdfDOCS product may be all you need. If you need to be able to compare two documents, adding compareDocs will provide this functionality.

Unlike the other products reviewed here, which work from a document-centric perspective, pdfDOCS allows you to work from a matter- or file-centric perspective. Using organizers and projects, you can have multiple projects open at the same time, and each project allows you to organize all documents regarding a specific matter or file in a single location. Projects can then be saved either locally or on the network and can be shared with other people in the firm.

pdfDOCS uses a traditional menu and tool bar structure for its interface. The pdfDOCS desktop is akin to a work-in-progress area, where you can organize and work with documents before creating final versions. pdfDOCS installs an add-on in Microsoft Office, which, by default, allows you to send documents directly to pdfDOCS and the current organizer within the desktop. pdfDOCS allows you to change this default so that when you send a document to pdfDOCS, you are prompted to enter the project where you want the document to be placed. This alleviates the concern about having to determine, before sending a document to the program, which project is open in pdfDOCS.

The pdfDOCS desktop consists of three working areas. The Navigation Pane is on the left of the screen, the Document List is on the top left, and below the Document List is the Editor. Any two of these three areas can be turned off to gain more workspace. Selecting one or more documents in the Document List and then right clicking opens the Document Menu, providing access to much of the program's functionality. pdfDOCS takes the concept of combining PDF and non-PDF documents

to a new level with its Binders. Binders can combine PDF files to a folder that contains mixed PDFs and native documents similar to Acrobat's portfolios. pdfDOCS automatically creates a table of contents for the files placed in the binder, including indexes, bookmarks, and links across documents.

pdfDOCS allows you to create one or more watched folders, which the program automatically monitors. When a document is placed in any watched folder, pdfDOCS automatically processes that folder, converting the file or files to PDF and placing them into the current Organizer. pdfDOCS is the only one of the products reviewed here that monitors outgoing Outlook email for attachments and prompts you to automatically convert the attachments to a PDF before sending. Strong integration with document-management software is also a plus for this product. For lawyers and firms considering WORLDOX, the pdfDOCS Productivity Suite is available at a significant cost savings.

pdfDOCS lags behind the other products in this article in several important aspects. While pdfDOCS has the capability to automatically watch Outlook emails for native attachments, there is no capability to archive Outlook emails other than by dragging and dropping an Outlook email to pdfDOCS or printing the email using the pdfDOCS printer. Outlook attachments must also be processed separately, and there is no way to leave the attachment linked to the Outlook email when converted to PDF. pdfDOCS metadata removal tools also contain fewer features than do the metadata removal tools of the other three products. Although pdfDOCS can secure a PDF from changes, edits, and comments, to use a digital certificate or digital ID, you must obtain it from another product or provider, unlike the other products, which allow you to create your own digital certificate and ID or use one provided by a third party. The ability to scan directly to pdfDOCS is also missing. pdfDOCS relies on the software that came with your scanner or multifunction copier.

While this is a negative, it is partially alleviated if you configure your scanner or multifunction copier to scan directly to a pdfDOCS watched folder. When a document is scanned to the watched folder, pdfDOCS automatically converts it to PDF. Another negative is that to view a final PDF using pdfDOCS, you must have Acrobat Reader installed on your computer. While pdfDOCS' features work without Acrobat Reader, the first time you go to view or open a PDF from an Organizer, you receive an error message and will have to install it.

pdfDOCS can be obtained either on an annual subscription basis or as a one-time license purchase. The annual per-user license cost of pdfDOCS with the OCR module and compareDocs is \$250.

If you are looking for tight integration with a document-management system such as WORLDOX and the ability to tailor the software for the specific needs of the user, pdfDOCS may be your best choice in a multi-user environment.

Summary

If you have a Fujitsu ScanSnap S1500 or iX500 (both of which come with Adobe Acrobat X Standard), it makes sense to upgrade to Acrobat XI Pro (for \$199). Acrobat has the most free training and support resources of any of the products in this article.

If you need full functionality including the ability to interact with a scanner

other than a Fujitsu ScanSnap, it makes sense to purchase Nuance PDF Converter Enterprise, so long as you can buy only the copies you need. While PDF Converter Enterprise provides almost as many features as Acrobat XI Pro at a lower cost, it suffers from having the fewest free training and support resources of any of the reviewed products.

If you're looking for a product with most of the functionality of Acrobat XI Pro that you can afford to place on multiple computers in your office, then Nitro Pro 8 is a terrific selection at a reasonable price. You can easily and quickly get up and running with Nitro Pro 8, which sports the cleanest, most user-friendly of the interfaces and has terrific documentation. Nitro sends you a series of emails when you sign up to help you get started, along with a newsletter, but still lacks the depth of tools available for Acrobat.

For firms that have multiple users that use a document-management system such as WORLDOX, or have a large multifunction copier as the primary scanning tool, pdfDOCS has much to offer, from its watched folders and its ability to create a specific table of contents with links and bookmarks for binders, to its model of allowing purchase of as few features as you need. If you want to organize your files from a matter-centric perspective or be able to work on multiple projects simultaneously, you should seriously consider purchasing pdfDOCS.



Patricia N. Engel, Esq.
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SCHOOL LAW

Representing Families Throughout Wisconsin for More Than 20 Years

- ◆ Special Education Issues
- ◆ Disciplinary Matters/Expulsions
- ◆ Juvenile Law



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Wisconsin Lawyers Mutual Where you need us. When you need us.

When faced with a tough practice issue, policyholder Mike Marquette knew to call his liability insurer.

“Running things by the professionals there let me stay ahead of a potential claim and anticipate the ramifications. I’ve been in combat as an Army paratrooper so I’m keenly aware of how important it is to know who’s backing you up. Wisconsin Lawyers Mutual passes that test. They were helpful and Johnny-on-the-spot when I needed them.”



Mike Marquette, Marquette Law-Attorneys S.C., Green Bay

Wisconsin Lawyers Mutual
INSURANCE COMPANY



Professional liability coverage for solo and small firm practices in Wisconsin since 1986.

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Ratings

The accompanying chart is a detailed comparison of the four products’ features. Each product was evaluated in four categories using a 10-point scale, with 1 lowest and 10 highest. The categories are ease of use; feature set; value for cost; and manual, help, and online resources.

To my surprise, my top choice is Nuance PDF Converter Enterprise 8. While having the same score overall as Nitro Pro, PDF Converter Enterprise’s shortcomings are concentrated in the somewhat less significant area of less impressive help and online resources. From a feature perspective, PDF Converter Enterprise 8 has a richer feature set that strikes a good balance between advanced functionality and price.

NitroPDF scored very high for its ease of use and price, although its inability to create portfolios and lack of Outlook tools kept it from taking top honors. For users who want key features such as redaction, Bates numbering, and ease of use, with a clean interface and short learning curve, Nitro Pro is a solid product with a nice interface at a great price.

Acrobat XI Pro has a great feature set and comes from the company with the most experience with PDF products. Acrobat has the most extensive training resources and online support community. However, its lack of cloud connectivity, PDF to Office format-conversion results, watched folders that only work with post-script documents, and relatively high price keep this otherwise excellent program from taking top honors.

pdfDOCS fits best into a multiuser firm that relies on network scanners and needs the ability to organize documents by project. Its strong multidocument editing capabilities, watched folders, and PDF/A compliance do not offset its other feature limitations, including the high cost to get document-comparison capabilities. According to pdfDOCS, a new version with updated features is due out by the end of 2013, so keep watch for an improved version that could make this product suitable for more offices. **WL**

The PDF/Paperless Office

Appendix B

PDF Paperless Perspective

PDF Paperless Perspective: Perspective from a Small Office

Marc W. Matheny

Attorney at Law

Indianapolis, Indiana

Daily Scanning

In a perfect world every document that comes in the door is scanned and electronically stored either on a hard drive or in the cloud as soon as it comes in the office. Reality is quite a bit different from the perfect world.

Typically in our office documents are filed and / or electronically stored within a few hours of reaching the office. I can say with some certainty that all faxes and emails are electronically stored within a few minutes of being opened and read. Some incoming paper correspondence may or may not be scanned at all, and I am as guilty as the next in finding a stack of unsorted or unscanned, unfiled documents on my desk at 5:00 p.m. Most correspondence I receive from other attorneys is now in the form of email, which is saved and filed, along with any response, in the client subfolder. Outlook .tif files can be saved as .pdf files to save space and to make an orderly file folder, however I usually keep Outlook files in .tif format and do not convert to .pdf file format.

Ultimately in my practice, the decision to scan a document usually depends on whether it is a litigation file.

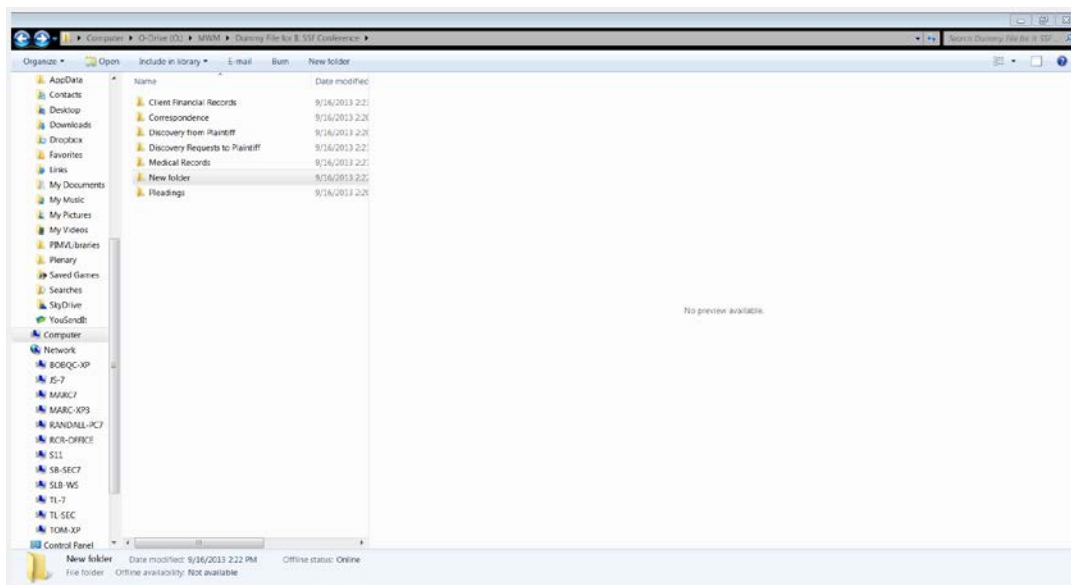
To Serve or Not to Serve?

For most of my first two decades of practice I worked in a small office with nothing more than two stand-alone computers, a thermal fax machine and a desktop copy machine. When I moved my law practice into an association of nine lawyers, one of the prime reasons was the fact that they were going to be installing a Windows Server, which was fairly extraordinary for such a small office at the time.

Illinois Solo & Small Firm Conference
Friday, October 4, 2013
Marc W. Matheny, Esq.

Since that time, we have been server based, and I will give my perspective of a paperless office from that point of view. In 2013 our office of nine lawyers uses Microsoft Exchange Server 2011, which not only gives us the ability to store and use multiple storage / information drives, but also allows remote access from any location. If you do not have a server, you can use the same file / storage and documentation tips by using a second hard-drive or an external hard-drive to accomplish much the same document back-up and file storage.

First of all, no files on any machine at the law office, be it a secretarial workstation or an attorney desktop or laptop computer. In other words, a local computer should not be a depository for active client files. No matter how much back-up you have available, you do not want to be in a position where client files may be compromised. Therefore, all of my client files reside on the server, in individual directories. For example, say the file directories are located on the O:/ drive on the server. Marc Matheny's directory is O:/MWM. In my individual directory are all of my client files. I label each file by client name, last name or company name first. In each client directory are individual directories for pleadings, correspondence, discovery, client information and so forth. If I have a personal injury file, for example, the medical records for the client would be in O:/MWM/Smith.Joe.PI.2013/Medical.



The client directory is usually listed by year, however many of my client files for companies that I represent may be listed as follows: O:/MWM/ClientnBigCompany v. OtherBigCompany. Usually those

individual files are so large and typically take several months or years to litigate – that the year of the file may be omitted from the subdirectory.

All correspondence, including all letters mailed out or emailed, is saved by DATE. For example, a letter or a series of letters for September 15, 2013, would be filed electronically as: 2013-9-15.

This is the way I do it and have instructed my office (and virtual) staff to label documents. Each and every lawyer in my office has a different file system – one lawyer categorizes his files sequentially, and another files his solely by date of occurrence; in a small or large firm of lawyers that would be wholly impractical and I would definitely not recommend the practice as a unified firm must have a simple and wholly seamless filing system for the entire firm.

Whatever you decide, use the method of filing that is most convenient and efficient for you and your office. There is no right or wrong, as long as it works.

Hardware:

I am a great fan of the entire line of Fujitsu ScanSnap desktop scanners. They are wonderfully simple and easy to operate. However, if you have large document that is perhaps 50-100 pages long, such a client's medical records or a pleading for Federal Court, with multiple Exhibit attachments, a ScanSnap is probably a little slow for that purpose. I had not had a case in Federal Court for several years, but one case will certainly change your habits for scanning and saving documents, as .pdf is the only format for filing and exchanging digital discovery in Federal Court. For letters and small pleadings the ScanSnap is great, but I have two other scanners in the office which are both better geared to large document scanning. For years we have had a central HP Scanner in the staff office, which can scan at a much faster rate than the ScanSnap.

Because my volume of scanning has gone up dramatically in recent months, due to an increase in both personal injury and estate administration files which are "paper intensive," I have recently purchased a Kyocera copier/scanner/fax which can scan double sided copies and scan in the neighborhood of 65 pages per minute. Although I chose not to have the new multi-purpose scanner as

a color printer, the scanner feature does scan in color, and can still save the files and print to another color printer on the network. I rarely need to print in color, other than for trial presentation.

Software:

I use Adobe Acrobat every single day. I have not upgraded from Adobe Acrobat X as of this time, although the newest version is Adobe Acrobat XI. Until I started scanning and using it regularly, I never knew how much the full version of Adobe Acrobat is both useful and necessary. I have tried other .pdf creation programs like Cute.pdf (as mentioned in my Frugal Firm Session), but I always return to Adobe Acrobat.

A day in the Life of a PaperLESS™ Lawyer

Giving all credit to the late Ross Kodner, who coined the term PaperLESS™, we as lawyers cannot eliminate paper totally from our offices and our lives. Based upon the brief tenets and habits I have previously set forth, we can give you a brief outline of a typical day:

- Read and review emails. For each client email received, put each email in an individual client sub-folder for the case. If responding to an email, go the “Sent Items” folder, retrieve any sent items and also place sent email in each client’s respective folder. *Note: it is always easy to forget about “sent items.” Make sure each email in the “Sent items” folder is in its proper client folder.
- Check weekend snail mail. Scan any pleadings, and email a copy to client as soon as possible, informing client of the nature and meaning of each filing. Read and review all other mail, saving items to be scanned later in the day. In the event medical records are received on a client, scan all medical records, and insert .pdf file in client file under “medical,” listing the health care provider in the file description.
- Review day calendar and check on any reminder items posted in Outlook.
- Check voice mail messages, prioritizing messages.

- Retrieve previous day's digital dictation, time and billing and review and edit. (Note: Each piece of dictation should already be named and / or dated so that there never has to be a renaming of a document prior to final edit.)
- Begin work day – either travel to court, deposition, mediation or meet with client(s).
- Back to desk. Final review of pleadings, convert to .pdf and send to client for approval prior to filing.
- Final edit of pleadings. Print and file pleadings with court. Scan file-marked copy and send courtesy copy to opposing counsel and put scanned copy in client folder under "pleadings."
- Correspondence files final edit, print and mail. Scan entire week's dictation under file with date, keeping all correspondence in a file labeled with the date of mailing.
- File review, and dictation of matters for the next day. Review time records for the day and check entry records in digital file.
- Send email notice to virtual secretary with digital dictation / time & billing for the day.