



Pro Bono: Case by Case

By Tom O'Connor



The one software tool that virtually every legal consultant says you must have in order to effectively manage your practice is a case management system.

Yet the annual American Bar Association technology survey consistently shows that only 53 percent of their respondents actually have purchased a CMS — and only 36 percent report actually using it.

Shockingly, the number one CMS program used — according to the survey — is Microsoft Corp.'s Outlook, with a whopping 51 percent response rate.

LexisNexis Time Matters came in a distant second at 12 percent, just barely edging the company's CaseMap, another non-traditional choice, at 11 percent.

FIRST QUESTION

The first question is, "Why are consultants so sure you need a CMS?" Andrew Adkins III, director of the Legal Technology Institute at the University of Florida Levin College of Law (and an LTN board member) has been a CMS consultant for nearly 20 years and is an acknowledged expert in the field.

Adkins says that basic CMS programs boil down to several fundamental tasks which are best handled by one application, including:

- *Calendaring*: You define a set of rules based on a key date, such as a trial or motion.
- *Contact Database*: Holds basic contact information and notes about clients and other parties.
- *Case Database*: Storage for all information about the case or matter that can link to the contacts and avoid double entry of data.
- *Case Notes or Diary*: Free form information about the case that allows a centralized case information store for anyone to access.
- *Document Assembly*: Merges the information in the other modules directly into your word processor and integrates with your document management system
- *Reports Writer*: Creates either customized or standard regular reports.

WHY NOT MORE?

So if all the experts agree that one program can integrate all these separate tasks, why don't more firms have a CMS?

I've had a unique opportunity to answer that question here in New Orleans with the Gulf Coast Legal Technology Center, a joint project of my non-profit organization, the Legal Electronic Document Institute (<http://legal-edocs.org>), and Law Office Technology (www.lawot.com), a Baton Rouge-based consulting company specializing in hardware and software systems for law firms, to help them increase productivity and profitability.

Launched in January 2007, the GCLTC has been working to help small- and medium-sized firms get back on their feet, and literally rebuild their office from the ground up.

(Yes, I know it's been two years since the storms, but believe me, the recovery rate here has been terribly slow, for a variety of reasons which I have neither the time nor the restraint to go into here.)

To that end we have been working with the bar associations of both Louisiana and Mississippi to present an ongoing series of live CLE sessions and webinars which are designed to identify and demonstrate the most effective technology for law firms.

GCLTC operates in the heart of the Central Business District of New Orleans, close to state and federal courts, in space donated by Guste, Barnett, Schlesinger, Henderson & Alpaugh (www.gbsnola.com) in Suite 2500 of the Entergy Building at 639 Loyola Avenue.

SEPARATE APPLICATIONS

What we have found over the last year is that most Gulf coast firms (and probably most small firms) have been using separate applications to perform these basic case management functions and they did not want to take the time to "unlearn" their existing workflow.

In addition, the common impression about CMS is that it is difficult to implement and too expensive for all but the big firms.

But now that they are upgrading or replacing their systems, Gulf coast lawyers consistently ask "What is the right technology to equip a new law office or to upgrade and replace existing equipment and software? "

Our answer is that you need four fundamental pieces: new hardware, word processing, an e-mail system, and case management. We recommend Microsoft Corp.'s Windows Small Business Server as a cornerstone of such an installation.

As Craig Bayer, the principal of Law Office Technology, puts it, "The Small Business Server lets you host your own e-mail, contains a fax server, and gives you SharePoint, Microsoft's web-based collaboration and document management platform — which also allows remote access from anywhere."

This provides a centralized approach to software, which makes the use of a CMS extremely easy and cost effective, he says. Bayer suggests that firms can easily set up a system: "Purchasing a Quad Core Xeon Processor Server with four GBs of RAM; three 160 GB hard drives in a RAID 5 configuration; and Small Business Server 2003 instantly allows small firms to compete against larger competitors, for about \$2000.

"Their largest expense will be training the staff on how to use all the technologies," says Bayer.

FANCIFUL?

Does this seem fanciful? Consider the experience of Murray, Darnell & Associates, a two attorney firm in New Orleans. Michael Darnell was a partner at Adams & Reese through 1995 and has been an assistant district attorney, assistant city attorney and judge pro tempore. Edwin Murray is a former member of the Louisiana House of Representatives and current member of the Louisiana State Senate.

The firm already owned LexisNexis' Time Matters and PCLaw products, but felt they weren't maximizing the effectiveness of these programs. Their answer was to install the Microsoft Business Server, with four new desktop PCs, add several ScanSnap scanners (from Fujitsu Computer Products of America Inc.) and then upgrade all of their software.

The cost of this installation came to just over \$10,000. Installation, upgrades and training added another \$3,000. The result was that for roughly \$14,000, the firm was able to integrate all their workflow and implement their CMS to effectively manage all their information.

RIGHT COMBINATION

The key is getting the right combination of hardware and software so that the CMS is maximizing efficiency. The good news is that such a package is readily available at a reasonable price.

In the case of Murray, Darnell we used the two LexisNexis products they already owned, but the same results can be obtained with one of the other products available in this price range.

These include other CMS products — such as Gavel & Gown's Amicus Attorney; World Software Corp.'s Worldox; Abacus Law 2008, from Abacus Data Systems Inc.; or Software Technology Inc.'s Practice Master — in combination with time and billing applications such as STI's Tabs III, Juris Inc.'s namesake software; Sage Software Inc.'s Timeslips; LexisNexis BillingMatters; or Omega Legal System Inc.'s Omega, to name a few.

EFFORTS CONTINUE

In the meantime, our efforts to help Gulf coast lawyers continue.

On May 8-9, 2008, I will be among the speakers at the Louisiana State Bar's Solo and Small Firm Conference, which will be held at the New Orleans Hilton Riverside.

Craig Bayer and I will present "Low Cost Office Tech Essentials," and there will be a host of other programs designed to help jump-start practices that were sidelined by the floods.

Among the many speakers at the conference will be LTN current and former editorial advisory board members, including Ernest Svenson, Ross Kodner, and Andrew Adkins.

Adobe System Inc.'s Rick Borstein will address the best way to use Adobe Acrobat 8 Professional — which was just voted the 2007 Product of the Year by LTN readers.

Of course, no small firm program would be complete without a "60 Tips in 60 Minutes" panel. This one focuses on practice management tips, with myself, Adkins and Kodner.

The keynote speaker will be Jay Foonberg, who will discuss "The Nine Steps to a Successful and Profitable Law Practice While Staying Out of Trouble." LTN's Monica Bay will present the lunch address: "Technology Trends — Blogging and the Solo and Small Firm Lawyer."

If you would like to attend please contact Eric Barefield at ebarefield@lsba.org, or visit www.LSBA.org for more information.

The work in the Gulf coast has only begun. If you would like to help our legal technology community continue to recover, there are many ways to you can help — and of course, you can always contribute money or time.

We're happy to help you evaluate your options. Just give us a call 504-324-1141 or send an e-mail to toconnor@legal-edocs.org.

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