

**How to Use Technology To Streamline Your Work and Reduce Your
Drafting Time**

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Special thanks to my partner Frank (Francis M. Bird, Jr.), who is the real technology guru of our office!

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Overview

My practice is about 85% estate planning. I am passionate about going paperless and my law partner loves technology. I generally open several new files a week, with most client matters wrapping up within thirty days. Following is a simplified general outline of the procedures my partner and I have designed for our office with a note about the technology involved at each stage. All of the technology discussed in this paper is inexpensive.

- When a potential client calls: a bare bones entry made into AMICUS, the potential client is directed to our WEBSITE to get directions to our office and our estate planning intake worksheet. Alternatively, client is sent EMAIL with directions and the worksheet which is stored in AMICUS. The appointment is calendared in AMICUS.
- Initial appointment: Our secretary completes a full entry into AMICUS. Our secretary uses AMICUS/HOT DOCS to draft an engagement letter which is then converted to ADOBE ACROBAT and sent to the client via EMAIL.
- When the engagement letter is signed and retainer paid: Our secretary uses AMICUS/HOTDOCS to draft a thank you letter to the referral source and draft powers of attorney for the client. An attorney uses tax software to analyze estate taxes for client and then uses AMICUS/HOTDOCS to draft will(s) and trust(s)

for client. Client documents are converted to ADOBE ACROBAT and sent to client via EMAIL. Retainer, which has been deposited and entered into PC LAW, is charged for work to date.

- Once client approves the documents: a signing appointment is calendared in AMICUS. Signed documents are then SCANNED and converted to ADOBE ACROBAT. Our secretary uses AMICUS/HOTDOCS to produce a closing letter and final bill, prepares original documents, and BURNS A CD copy of the images of the signed documents for the client. An attorney uses either a DICTAPHONE or NATURALLY SPEAKING to dictate an internal closing memo for the file in AMICUS (never printed). The retainer is charged for work to date.
- When we receive signed return receipt from client: All unnecessary paper is SCANNED and/or dumped in our shredder to be picked up by DOC SHRED and only the original signed engagement letter, closing letter and signed return receipt are kept. The physical file is then recycled for the next client.

Major Technologies Used

- **Amicus Attorney** is a file management and time keeping program that includes contacts and calendar, and allows linkage between email, phone calls and messages, documents, and research materials (our electronic library). In our office of 3 people (2 attorneys and one secretary), we can all view each other's

calendars (except for private appointments), read any email attached to a file or contact, see all phone calls and messages, and review all time on a file. Contacts can also be put into multiple groups, for example: life insurance agents, holiday card list, and people to call if Rebecca dies (practicing estate planning has made me morbid). We use Amicus consultant **Nancy Duhon** for updates, installation, trouble-shooting and training.

- **PC Law** is a billing and firm financial management program that we bought two years ago to replace Quickbooks and Timeslips. We wanted to replace Timeslips because we found that link between Amicus and Timeslips did not work all that well, and we wanted to replace Quickbooks because it seemed horribly inefficient to enter all of our invoices that were created in our time program into Quickbooks manually. We loved the idea of one integrated program to do both time-based billing and firm financial management. However, after all this time, we have not mastered PC Law enough to cease using Quickbooks.
- Our **website** www.birdandgodbey.com was built very inexpensively by **Basic Sites** - www.basicsites.com. We use it mainly as a way for clients to learn more about us, as well as a way for them to easily access directions and our intake worksheets. We have not paid to get the attention of search engines, but that said we do get the occasional new client who found us through surfing the web.
- Most of my communication with clients is via **email**. My email attaches to the

contact in Amicus, so anyone in the office can find email related to any specific contact or file. To decrease temptation for clients or others to alter documents sent to them via email, we convert all of our documents to **Adobe Acrobat** before sending them via email. Interestingly, this conversion solved another problem: we use WordPerfect but the vast majority of our clients have Microsoft Word. When we sent documents in WordPerfect our clients could not open them. We had to buy the Acrobat writer to do conversion, but so far our clients have universally had access to the Acrobat reader (available free).

- When I am out of the office, I can access email on my **Treo 650** by PalmOne. (The Treo syncs with Amicus so I have full access to my calendar and contacts, ability to enter time, email, web, phone, camera and MP3 player.) (I have not yet found a business use for the camera or MP3 player.)
- My partner saw the need for a **scanner** long before I saw the use, but the scanner has been an integral part of our efforts to go paperless. After documents are scanned on our **Brother MFC-8840D** and placed on our server, we can all view the documents without having the physical file. (Only one person can look at a physical file at a time.) We also use the scanner as a replacement for the paper copier. When I send a letter to a client, our secretary scans it for the "file copy" instead of using the paper copier. High quality, fast scanners are quite inexpensive now. After a document is scanned we convert it to PDF using Adobe Acrobat so that we can email the files easily later.

- Although you might not think of a shredder when you think of technology, once you decide to get rid of excess paper, a shredding policy is essential. We recently started using **DocShred**. They brought a file-cabinet sized container with a lock. When it is full, we call them and they come and shred the contents onsite (in the loading dock of Colony Square) and then present us with a certificate that 1 bag (or whatever) has been shred.
- Because clients are also trying to go paperless, we send them a CD containing Adobe Acrobat copies of their signed documents instead of paper copies. All of our computers have **DVD/CD burners** now. We also burn CDs for ourselves as part of our computer back up system. (Our server backs up off site every night and we have ex external hard drive for local backup.)
- I still use an old-fashioned dictation recording device, but my partner Frank Bird recently bought **Dragon Naturally Speaking** on the strong recommendation of some lawyer friends. Apparently this technology has really improved recently. It is too early for us to make conclusions, but so far Frank has been very pleased with the accuracy. Because our drafting system has become so efficient, we do not have a big need for dictation, although we do dictate internal file closing memos to summarize the file and other correspondence and internal memos.

HotDocs

For efficiency in drafting, we use **HotDocs** by LexisNexis-- a document automation software. This sort of program works well if you write a lot of similar documents (wills, contracts, pleadings, corporate or probate documents) and find that in drafting you or your secretary use a document that you wrote previously and search and replace a finite number of variables. For example, you might write a letter confirming an appointment and asking the client to bring specific materials with them. Or, for instance, we use a power of attorney that is customized only with the client name, name(s) of agent(s) and county of residence. Although it may seem simple to find and replace, I am sure that we have all sent letters addressed to "Client A" but commencing with "Dear Client B"...

To use HotDocs, you start with any basic letter or document and mark certain words, phrases or sections as variables. The variables can be multiple choice ("male or female") or choices from a drop down menu ("Fulton or Cobb or DeKalb or Gwinnett") or open ended ("name of agent"). You pick the variables and the choices. Once the HotDocs document has been set up, creating a new document is as simple as answering the questions. For instance, to create a power of attorney, it might bring up a dialogue box that asks:

What is the name of the principal?
What is the name of the agent?
What county does the principal live in?

Once the user inputs the answers and saves them in HotDocs, the document is automatically produced and appears on the screen.

The real value of HotDocs is for slightly more complex documents, where a number of changes need to be made. In our Wills, for instance, the words "her" or "his" will appear 50 or so times depending on the gender of the person making the Will. With one simple HotDocs question ("Is the person making the will male or female?"), all of those her/his and he/she references in the document are correct. The same occurs for singular and plural (ex. child v. children).

We also include a series of questions which, when answered, automatically insert or omit certain Will clauses (and renumber the paragraphs, if necessary.) Examples include "Does the Testator want to direct disposition of his/her remains?" "Are the provisions in this Will in lieu of year's support?" "Does the client own Sub-S corporate stock?" etc. For our complex wills, there are about 30 variables which match our intake form fairly closely, and assuming the initial meeting with the client was productive, it takes about 5 minutes to answer the HotDocs questions and produce a first draft.

Some of the bigger questions -- like what sort of estate tax planning the clients need to include in their wills-- can not easily be converted to a HotDocs question. As a result, we have a handful of different Will formats in HotDocs. The first step in drafting is for the lawyer to pick the particular document to use to begin, and then answer the questions for that particular document. Once HotDocs produces the document, it is of course necessary to go through the document carefully to be sure is it sufficiently tailored for each client. That said, HotDocs is not like using a form book-- HotDocs is a way to use your own work product most efficiently.

Within HotDocs, we also keep a "clause library" that can be used for any document. This library is the repository for all of our specially written clauses that are not used often enough to be a part of the regular series of questions for any given document, but they are available so that we are not recreating the wheel every time an issue arises. These clauses might include complex provisions for the care of pets, provisions for drug or alcohol addicted children, or special provisions involving a home.

Recently we hired a consultant to help us integrate HotDocs with Amicus. The question section of HotDocs will pick up any information already in Amicus-- names, addresses, and any custom information. Integrated documents skip questions when HotDocs can already find the answers in Amicus. The result is that a client's basic information-- name, address, etc. -- will only be typed one time, when the client is initially entered into Amicus. This greatly reduces the potential for human error and increased efficiency.

Conclusion

Technology can be of great assistance in streamlining work and reducing drafting time. As with any new process, there is an initial investment of time to get comfortable with the technology and customize it for your work. Often the setting up can not be delegated to staff, as the true legal work is determining the variables and choices.

Streamlining is particularly valuable for attorneys who charge on a flat-fee basis, but hourly billers can also decrease some of the frustrations of drafting thereby leaving more energy to tackle the interesting legal issues.