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## **What to Look for in Case Management Software**

Maryland Trial Lawyers Association  
Trial Advocacy Conference  
Winning Strategies for Support Staff Track  
Thursday, November 11, 2004

Presented by  
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Drowning in paper? Not enough hours in the day? Can't find a file when you just need a phone number?

Would you like to deliver higher quality legal services at less cost, and make your clients happier? Would you like to be more efficient? More profitable? Lower your cholesterol? Well, maybe not that last one.

Every law office has a management system, for better or worse. Sometimes it's planned (everything runs like clockwork); sometimes it's by default (everything is piled in the corner of the office). You can use the computer hardware you probably already have to help you run your law practice better using a computerized law practice management program(s) to manage your:

- ☐ Clients and other people with whom you deal.
- ☐ Cases and other legal matters.
- ☐ Calendar appointments.
- ☐ Docket entries.
- ☐ To-do list.
- ☐ File notes.
- ☐ Document storage.
- ☐ Document creation
- ☐ Phone calls.
- ☐ Email.
- ☐ Time and billing.
- ☐ Accounting.

## WHAT TO LOOK FOR IN CASE MANAGEMENT SOFTWARE

- ☐ Legal research.
- ☐ Law practice information by creating customized reports.

There are several law practice management computer programs that can help you manage all of the information in your practice. There are not expensive, and, have the greatest return on investment (“bang for the buck”) of any technology expenditure, after word processing and time and billing (for those firms which need to track time or bill other than by contingency).

Any law practice management computer program should accomplish several objectives:

### Single Point of Entry

You or your staff should enter information only once, and then use it over and over again. For example, once a client’s name is entered into the system you should be able to complete a conflict of interest search, print a file label, generate a retainer letter, enter billing information, and post appointments and to-do entries on the calendar. *You should never have to type the client’s name and address again.*

### Collaboration

Once the information is in the system, it should be at everyone’s fingertips. All staff should have computers on their desks and have at least a minimal ability to use them. Finding a phone number should be simple. Changing information like a name, address, or phone number in one location should change it everywhere else it appears. *How many times have you dialed an old phone number because the new number did not get copied to all of the places where the phone number appeared?*

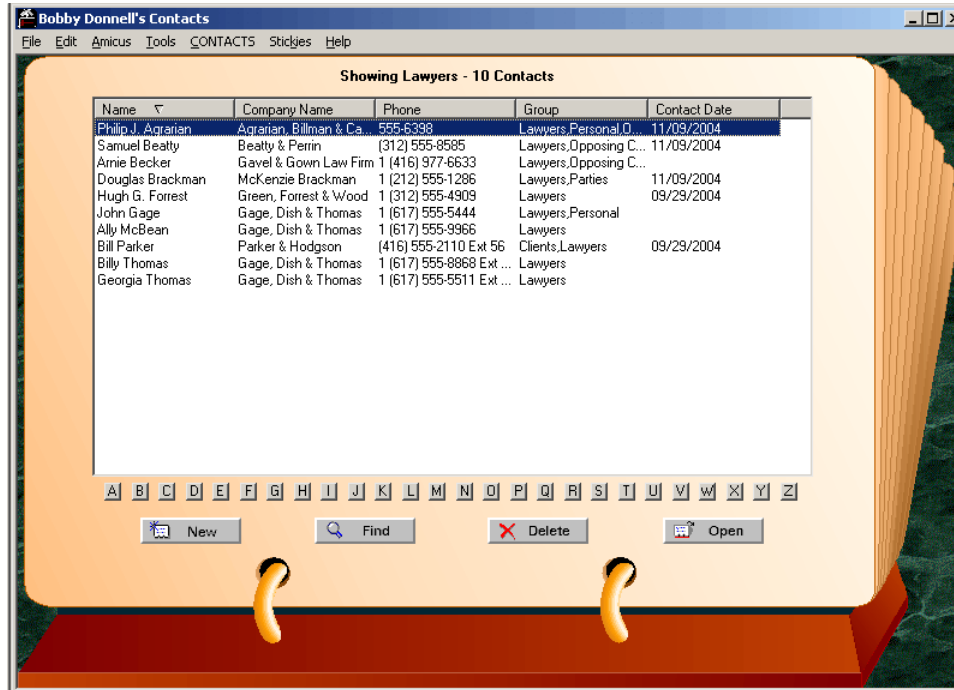
### Portability

The system should be portable, so that you can take it with you to the courthouse, a client’s office, a satellite office, your home, on a laptop computer, a Palm<sup>®</sup> device, or a wide area network. It should exchange information between these various devices so that changes made at the courthouse on the Palm, for example, are transferred to the system at the office so appointments can be made without conflicts.

### Contact Management

Contact management is the most basic law practice management system (“LPMS”) function. It acts as everyone’s digital “Rolodex.” This is where you find phone numbers, print envelopes, and store personal information like birthdays and spouse’s occupation. The system should be able to list just your clients, or just your expert witnesses or other category of contacts at the touch of a button. To this list of people, you should be able to send letters created by a merge function so that you can, e.g., send your estate planning clients notice of a change in the tax law.

## WHAT TO LOOK FOR IN CASE MANAGEMENT SOFTWARE



Contact List Just Showing Lawyers

### Case Management

This is the central hub of the entire system, and mimics the organizational structure of a paper file. Although information is normally stored in a case-centric manner, just like a paper file, it should also be available in a contact-centric manner so that you can see, for example, all of the cases you have had with a particular adjuster, or all the clients a particular doctor has treated.

You should be able to focus on a case and see everything that is going on at a glance: all appointments and to-do's, everyone connected to the case, such as the opposing party and attorney, any other cases, file and phone call notes, documents, internal and Internet e-mail messages, billing records, and Web research results. Although much of this information would be in a paper file, you can access much faster because it is in digital format, and some information would probably never be accessed if it were not in digital format. For example, when the client calls to check on the status of the case, are you going to find the paper file and search through each of the sub-folders to see what has happened lately? Probably not, because that is very time-consuming. Doing so digitally is easy. This information should be available at everyone's desk with a few mouse clicks.

## WHAT TO LOOK FOR IN CASE MANAGEMENT SOFTWARE

**Matter Form - Change**

File Edit View Process Help

Save & Close Save Delete Cancel

Primary Secondary Additional Custom Related Notes Documents Phone Email Mail Web Billing Timeline

MatterRef: Brown v. Brown Code: CIV\_DIV  
 MatterNo: 02-1233.2 Court: Superior Court Staff: MCC|Marilyn C. Campos  
 Plaintiff: Vivian M. Brown Defendant: Harold Brown  
 Client: Vivian M. Brown  
☐ Notify ☐ Trigger ☐ Review ☒ Billable ☐ Private Status:

Related

Specified Automatic

All

Relation	Staff	Code	Client	Matter
<b>Related Records</b>				
<b>Event Records (5)</b>				
10/07/2004 10:00AM Status Conference	Auto	MCC	CONF	Vivian M. Brown Brown v. Brown - 02-1233
10/13/2004 1:00PM Deposition	Auto	MCC	VID	Vivian M. Brown Brown v. Brown - 02-1233
10/19/2004 9:00AM Review Video Deposition With Client	Auto	DBH	VID	Vivian M. Brown Brown v. Brown - 02-1233
10/20/2004 1:00PM Research meeting with client	Auto	MCC	RSRC	Vivian M. Brown Brown v. Brown - 02-1233
10/22/2004 2:30PM Signing of documents	Auto	MCC	MTNG	Vivian M. Brown Brown v. Brown - 02-1233
<b>ToDo Records (5)</b>				
10/04/2004 1 Please get witness statements completed	Auto	MCC	DELE	Vivian M. Brown Brown v. Brown - 02-1233
10/04/2004 Notify client - papers ready for signature next	Auto	MCC	LETT	Vivian M. Brown Brown v. Brown - 02-1233
10/08/2004 Discovery requests sent out	Auto	MCC	DISC	Vivian M. Brown Brown v. Brown - 02-1233
10/13/2004 Discovery requests sent out	Auto	RSB	DISC	Vivian M. Brown Brown v. Brown - 02-1233
10/20/2004 Notify client - papers ready for signature next	Auto	MCC	LETT	Vivian M. Brown Brown v. Brown - 02-1233
<b>Contact Records (3)</b>				
Augustino, Gino	OpAtty	AAH	OPCL	-
Brown, Vivian	Plaintiff	RSB	CLNT,P	Brown v. Brown - 02-1233
Brown, Harold	Defendant	RSB	DEF	Brown v. Brown - 02-1233
<b>Note Records (1)</b>				
10/11/2004 4:43PM Conference	Auto	MBA	CONF	Vivian M. Brown Brown v. Brown - 02-1233
<b>Document Records (2)</b>				
11/05/2004 2:56PM Civil Summons Form for NC	Auto	RSB	ADMN	Harold Brown Brown v. Brown - 02-1233
12/08/2004 1:25PM Brown Research Reminder Letter	Auto	DTM	CORR	Vivian M. Brown Brown v. Brown - 00-1233
<b>Mail Records (1)</b>				
11/17/2004 10:43AM Retainer Received	Auto	MA	RET	Vivian M. Brown -
<b>Billing Records (11)</b>				
10/06/2004 11:00AM Discovery requests sent out	Auto	MCC		Vivian M. Brown Brown v. Brown - 02-1233
10/12/2004 3:32PM Deposition of employer	Auto	MCC	DEPO	Vivian M. Brown Brown v. Brown - 02-1233
10/15/2004 9:40AM Courier Fee - deliver signed Asset agre	Auto	MCC		Vivian M. Brown Brown v. Brown - 02-1233

Case Information Sorted by Record Type

## WHAT TO LOOK FOR IN CASE MANAGEMENT SOFTWARE

The screenshot shows a software window titled "Matter Form - Change" with a menu bar (File, Edit, View, Process, Help) and a toolbar. Below the menu bar are tabs for Primary, Secondary, Additional, Custom, Related, Notes, Documents, Phone, Email, Mail, Web, Billing, and Timeline. The "Timeline" tab is selected, showing a list of events in chronological order.

Case Information:

- MatterRef: Brown v. Brown
- MatterNo: 02-1233.2
- Court: Superior Court
- Code: CIV.DIV
- Staff: MCCIMarilyn C. Campos
- Plaintiff: Vivian M. Brown
- Defendant: Harold Brown
- Client: Vivian M. Brown
- Notify: ☐ Trigger: ☐ Review: ☒ Billable: ☐ Private: ☐ Status:

Timeline Table:

Type	Date	Time	Desc	Code	Status
Todo	10/04/2004		Please get witness statements completed	DELE	
Todo	10/04/2004		Notify client - papers ready for signature next wk	LETT	A
Billing	10/06/2004	11:00a	Discovery requests sent out		
Event	10/07/2004	10:00a	Status Conference	CONF	A
Todo	10/08/2004		Discovery requests sent out	DISC	A
Note	10/11/2004	4:43p	Conference	CONF	
Billing	10/12/2004	3:32p	Deposition of employer	DEPO	
Todo	10/13/2004		Discovery requests sent out	DISC	A
Event	10/13/2004	1:00p	Deposition	VID	A
Billing	10/15/2004	8:30a			
Billing	10/15/2004	9:40a	Courier Fee - deliver signed Asset agreement		
Event	10/19/2004	9:00a	Review Video Deposition With Client	VID	
Todo	10/20/2004		Notify client - papers ready for signature next wk	LETT	A
Event	10/20/2004	1:00p	Research meeting with client	RSRC	A
Event	10/22/2004	2:30p	Signing of documents	MTNG	A
Document	11/05/2004	2:56p	Civil Summons Form for NC	ADMN	
Billing	11/30/2004	11:00a	Complete witnesses statements		
Billing	11/30/2004	11:00a	Letter to Client to notify status of case and inform papers will be ready for signature n		
Billing	12/03/2004	10:59a	Status Conference		
Document	12/08/2004	1:25p	Brown Research Reminder Letter	CORR	
Billing	12/09/2004	11:00a	Discovery requests sent out		
Billing	12/20/2004	9:00a	In Court Direct and Cross of Child Psychologist	BW/	
Billing	12/21/2004	10:00a	Research	BW/	
Billing	12/21/2004	2:46p	Reviewing Settlement	BW/	

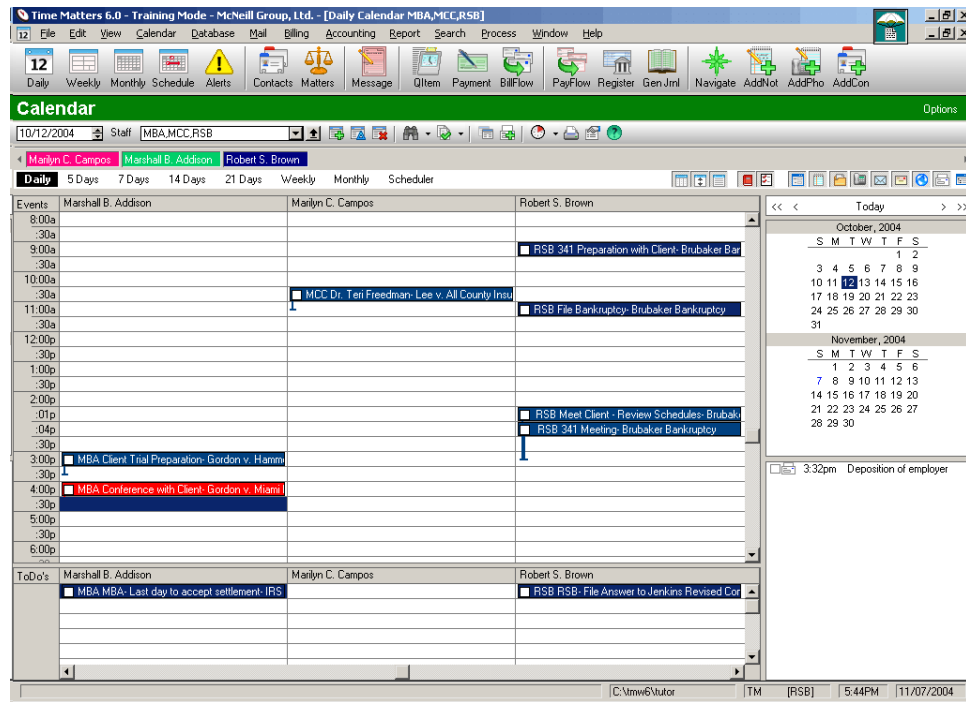
Case Information in Chronological Order

### Calendar

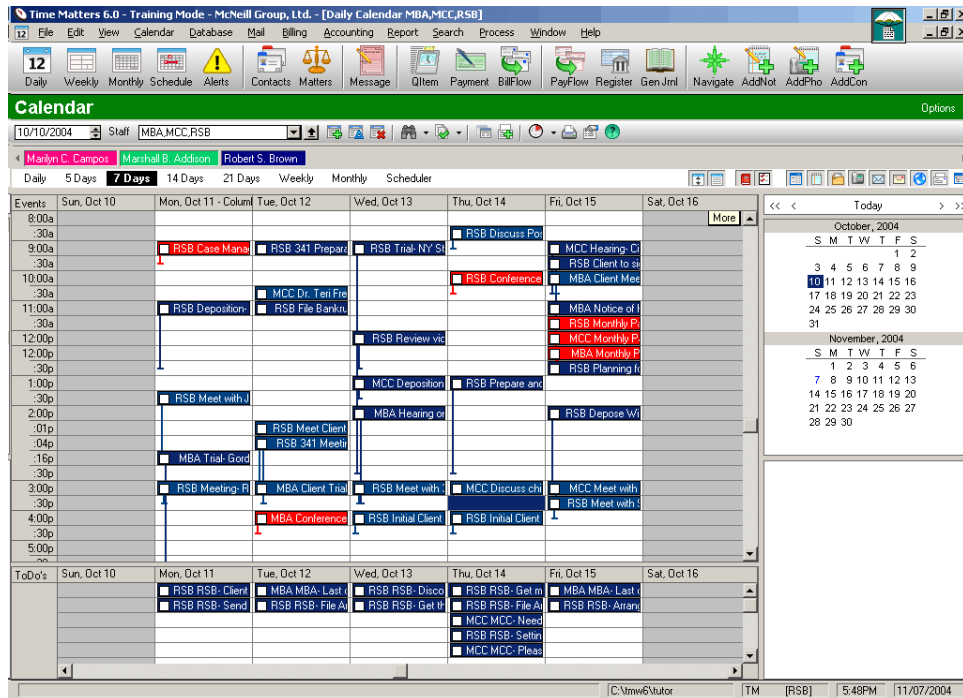
Law firms need a firm-wide calendar so that everyone with the proper security level can view and change others' calendars. This makes scheduling much easier than if each attorney carries their paper calendar with them all the time, or if they have a calendar on their work station that no one else can access.

You should be able to see the calendar for a particular person, or group of persons, for different date ranges, not just one day at a time. It should be easy to check others' calendars, to schedule meetings with other attorneys or staff, and to reserve conference rooms.

## WHAT TO LOOK FOR IN CASE MANAGEMENT SOFTWARE



Detailed One-Day View of Three Attorneys' Calendars

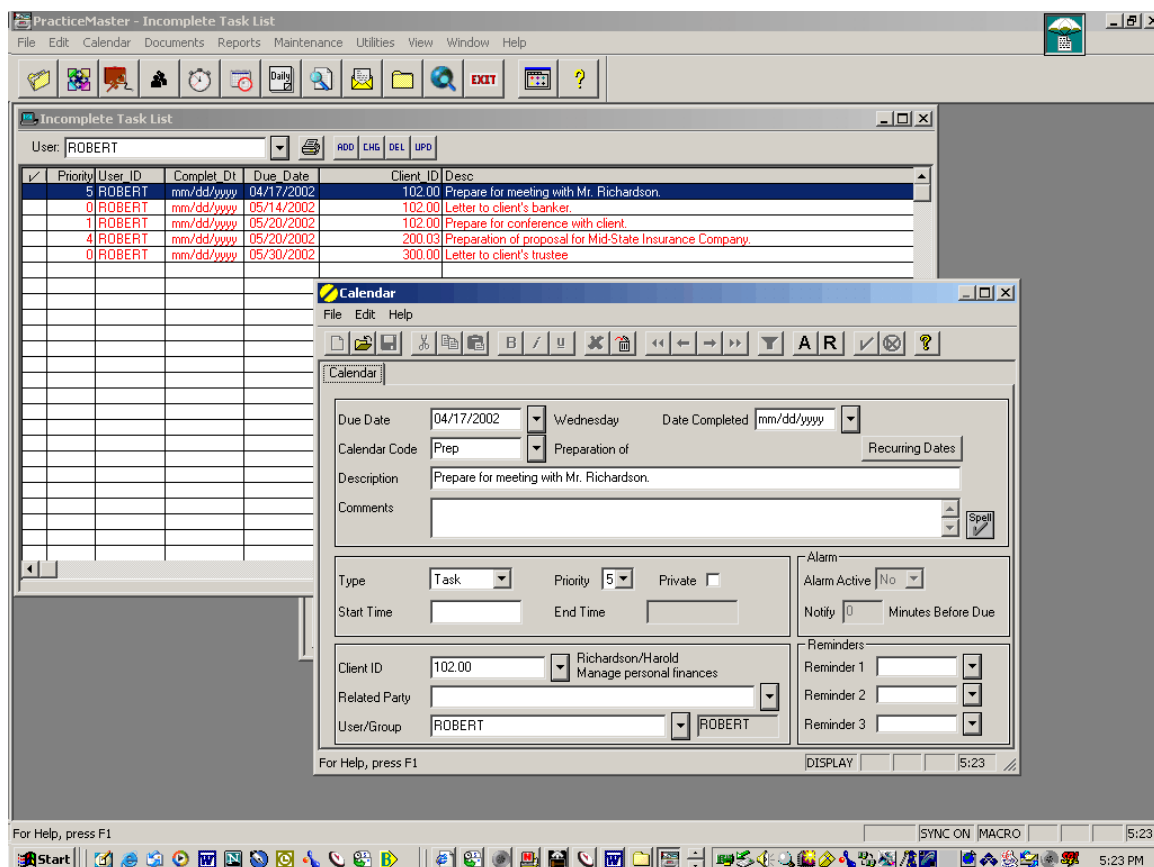


One Week View of Three Attorneys' Calendars

## ToDo Lists and Docket Management

All critical deadline information should be in the LPMS, including the deadline dates, the person responsible, and the status of the task. Deadlines should be calculated automatically based on formulas dictated by court rules, such as 30 days plus three days for mailing for interrogatory answers. Other tasks, such as preparing for a deposition, can be scheduled in a similar manner. All tasks should be viewable by case, by responsible attorney, by date, by type of task, and so on. It should be easy to view all limitations deadlines in chronological order so that report can be printed for the monthly partners' meeting. It should be just as easy for a paralegal to see their tasks that are due, overdue, or nearly due.

In order to manage your practice better, you should be able to focus on an attorney or staff member by checking on his or her to-do list. You should be able to rearrange the items on the list at any time, add new items, change existing one to reflect recent developments. You should be able to track the status of tasks you have delegated to others, or that have been delegated to you.



Attorney ToDo List

## WHAT TO LOOK FOR IN CASE MANAGEMENT SOFTWARE

In addition, you should be able to focus on a particular type of deadline, e.g., statute of limitations deadlines, and see all such deadlines dated within a certain time frame. You should be able to further filter this by also focusing on a certain attorney. This process allows any attorney to see a list of all his or her statute of limitations deadlines that are due in the next six months.

### Document Management

Documents should be stored in the computer system by the client and matter, just as paper documents are stored. Because the LPMS already has a client-matter organizational structure, it is redundant and possibly confusing to create a similar structure for storing word processing documents. Managing (saving, finding, and opening) documents via the LPMS is easier and faster, and also lets you view the documents in context with everything else in the case. Some LPMSs allow you to access the document management system from within Word or WordPerfect.

The screenshot shows a 'Matter Form - Change' window. The 'Documents' section contains a table with the following data:

Date	Correspond	Pleadings	Post Motions	Status	Code	Description
11/30/2004	Tue	3:33PM	Mailed	POTM		Reminder of Upcoming Motion to Dismiss Hearing
11/30/2004	Tue	10:08AM	Draft	CORR		Client Letter
10/14/2004	Thu	3:06PM	Final	CORR		Prepare matter strategy letter.
10/11/2004	Mon	5:11PM	Filed	PLED		Able Interrog Letter

Case-Centric Document Management

### Document Assembly

Your staff should be able to create frequently used documents, like retainer agreements, complaints, interrogatories, loan agreements, wills, etc., using the information already in the system and by responding to short, simple prompts that a staff person can easily answer. This results in higher quality documents because there are less likely to be errors due to cut and pasting. It is also faster to create documents in this way.



## Work Flow Management

You should be able to enter the standard appointments, to-do's, and documents that you will need to open a routine case, e.g., an auto tort, by making only one entry. If the date entries can be calculated from a single starting date, then a pattern can be set and the dates of the appointment, to-do entries, and documents can be entered automatically. If the starting date changes, e.g., the court reschedules the trial date, then the system should revise all of the records and correct the dates that were initially calculated.

The more the LPMS can be tailored to your work flow, the more efficient and productive your can be. Creating a standard work flow, or outline, to illustrate the steps necessary to accomplish a task, and which steps have been complete, makes it easier to manage your work.

**Outline Form - Change**

File Edit View Process Help

Save & Close Save Delete Cancel

Primary Custom Related Notes Documents Phone Email Mail Web Billing Outline

Date: 10/14/2004 Thu Time: 9:30pm Code: ADMJAdmin Staff:   
Description: Open New Matter   
Regarding: Barry B. Able Able v. State of Florida 03-1236.1   
Reminders: Follow Done Notify Hide Trigger Review Billable Private Status

6

Elements

- ☒ Open New Matter
  - ☒ 1. Schedule client for appointment.
  - ☒ 2. Conduct conflict check.
  - ☐ 3. Prepare retainer agreement.
    - ☐ 3.1 Type of matter?
    - ☐ 3.2 Hourly rate?
    - ☐ 3.3 Amount of retainer?
    - ☐ 3.4 Primary attorney?
      - ☐ 3.4.1 Need to brief other attorneys who will be working on the matter?
  - ☐ 4. Meet with client.
    - ☐ 4.1 What is the client's concerns?
    - ☐ 4.2 What are the client's goals?
    - ☐ 4.3 Is there a viable cause of action?
    - ☐ 4.4 Can we meet the client's expectations?
  - ☐ 5. Prepare matter strategy letter.
  - ☐ 6. Retained by client:
    - ☒ 6.1 Signed retainer agreement received?
    - ☒ 6.2 Retainer received?
    - ☒ 6.3 Signed matter strategy letter received?
    - ☒ 6.4 Add matter in Time Matters.
  - ☒ 7. Review new matter at partners' meeting.

Open New Matter

Work Flow Diagram

## WHAT TO LOOK FOR IN CASE MANAGEMENT SOFTWARE

### Customization

Make sure that the system is customizable to your particular needs. In a personal injury case, you may need to track several limitations dates and medical expenses. In a divorce case, you may need to track the date of separation and marital property. The system should show only the appropriate information for that case.

It should be easy to “slice and dice” the information in the system. If someone unexpectedly goes on sick leave, you should be able to take all of that person’s to-do’s for the next two weeks that haven’t been completed and transfer them to another individual. Then, if the person returns from sick leave early, you should be able to transfer the undone items back to the original staff person.

### Time/Billing and Accounting

Time and billing functions, and accounting functions, are needed in every law practice, although the needs are not the same for an contingent fee practice as an hourly fee practice. In the past, the programs that performed case management functions well did not perform billing and accounting functions well, and vice-versa. Most firms found that several separate, “best of breed” programs met their needs better than a single “all-in-one” program. That has changed, and there are several all-in-one programs that handle all these functions well. If all of your data is in one program it is easy to view all of the information about a matter, such as injuries, medical expenses, and costs advanced, in order to settle a case, thus saving time and increasing productivity.

**Matter Form - Change**

File Edit View Process Help

Save & Close Save Delete Cancel

Primary Secondary Additional Custom Related Notes Documents Phone Email Mail Web Billing Timeline

MatterRef: Able v. State of Florida Code: PUPPI Plaintiff

MatterNo: 03-1236.1 Court: Superior Court Staff: RSB\_DBH

Plaintiff: Barry B. Able Defendant: State of Florida

Client: Barry B. Able Notify Trigger Review Billable Private Status

Billing: Goto 11/07/2004 Billed Unbilled Fee Exp Specified Automatic

All Time 21.73 Hrs. = 2,348.45 + Expenses 373.25 = Total 2,721.70

Bill Date	Time/Exp	Staff	Bill Code	Description	Dur/Qty	Total Dur	Gross	Billable Amt
9/10/2004	T	RSB	CALL	Call to interview witness. Asked questions re the	0.35	0.35	54.25	54.25
9/10/2004	E	BEA	DEPO	Depositions and Transcript for Harry Caldwell	1.00	1.00	318.25	318.25
9/03/2004	T	RSB	DOC PREP	Prepare Notification Letter	1.00	1.00	65.00	65.00
9/03/2004	T	BEA	MEETING	Meet with Jeremy Baird	4.00	4.50	337.50	300.00
9/03/2004	T	ASM	BILL	Request for Production of Medical Records	0.33	0.33	37.95	37.95
8/27/2004	T	AAH	MEETING	ADR Meeting	0.80	1.00	150.00	120.00
8/27/2004	T	BEA	MEETING	Deposition with Jeremy Baird	4.50	4.50	337.50	337.50
8/20/2004	T	RSB	CALL	Call with Client	1.00	1.00	75.00	75.00
8/13/2004	T	MCC	DOC PREP	Please get the docs ready for the production	0.30	0.30	46.50	46.50
8/13/2004	T	RSB	MEETING	Meet with staff - Plan the week	0.25	0.25	38.75	38.75
8/13/2004	T	RSB	MEETING	Meet with Jeremy Baird - investigator	1.00	1.00	155.00	155.00
8/13/2004	T	RSJ	MEETING	Review documents and strategize next step.	1.00	1.00	40.00	40.00
8/06/2004	T	RSB	PRE-TRIAL PREP	Send Interrogatories and other discovery	2.60	2.60	403.00	403.00
8/06/2004	T	RSB	MEETING	Meeting with client re settlement discussions	1.50	1.50	232.50	232.50
8/06/2004	T	RSB	DOC PREP	Draft Notice of Hearing	3.10	3.10	480.50	480.50
8/20/2004	E	RSB	COURIER	Courier Fee-Delivery of documents to Ashville	1.00	1.00	55.00	55.00

Time and Cost Advanced Records Showing Sub-Totals

## Reports

Once you've collected all the information about your practice in the system, it's much easier to create whatever management reports you need to run your practice better. You can easily see who is referring cases to you, and show your appreciation. Better yet, you can send the referring attorneys monthly reports showing the status of all their referred cases with virtually no work on your part because the information is already in the system. It's just a matter of slicing and dicing it.

Report Preview			
File Zoom View			
Goto 1 Save Close			
<b>Matter Referral Sources</b> By Referral Type with Detail			
<b>Not Specified</b>			
Matter Reference	Matter No	Client	Staff
New Client Case		New Person	RSM
Patterson v. Jones	04-2836	John Patterson	Robert S Brown
Patterson		Paula Patterson	Robert S Brown
Releaded Prospect Matter		Releaded Prospect Matter	Robert S Brown
			Count: 4
<b>Attorney Referral</b>			
Matter Reference	Matter No	Client	Staff
Gordon v. Mann Marine	03-3637-1	Larry B. Gordon	Robert S Brown
Morison v. MegaTech	01-1145-1	MegaTech Computers, Inc.	Robert S Brown
			Count: 2
<b>Court Appointed</b>			
Matter Reference	Matter No	Client	Staff
Able v. State of Florida, et al.	03-1236-1	Berry B. Able	MCO, RSM
Fontana v. Sanders	03-1231-1	Charles Sanders	Robert S Brown
Paris v. Velez	03-30209	Gary H. Paris	Robert S Brown
			Count: 3
<b>Employee Referral</b>			
Matter Reference	Matter No	Client	Staff
Reiterman v. Reiterman	02-1118-1	Deborah Reiterman	Robert S Brown
Lee v. All County Insurance	01-1249-1	Connie Lee	Robert S Brown
			Count: 2
<b>Existing Client</b>			
Matter Reference	Matter No	Client	Staff
O'Brien v. Bryce Tech, Inc.	01-1267	Jacob O'Brien	Albert A. Howell
			Count: 1
<b>Family Member</b>			
Matter Reference	Matter No	Client	Staff
Findler v. Bernard	02-1149-1	Gary Findler	Albert A. Howell
NY State v. Theodore Roland	03-1123-1	Theodore Roland	Robert S Brown
Smith v. Smith	03-1060-2	Roger Smith	Robert S Brown
Wilson v. MegaTech	01-2224-3	Frederick A. Sheehan	Robert S Brown
			Count: 4
11/07/2004			
Page 1 of 2			

Referral Source Report

## Security

The user's ID and password should be required to access the system, and multiple levels of security should limit the ability to view/change/delete certain information. Or, if information like a trial date is changed, a message should be sent automatically to the person whose calendar was changed notifying them of the change.

Using a practice management program can utilize the power of the computer to make it easier to retrieve information about your cases, make performing routine tasks simpler and faster, reduce your reliance on paper files, and organize your practice better. This will make you and your staff more efficient, more productive, and more profitable. You will be able to provide higher quality legal services to your clients at less cost.

The cost of these programs, about \$150 to \$1,000 per user, is modest, compared to the gains in productivity you will experience. Because you can process your workload faster, you have more time to perform other work. It's like having 10 hours in an eight-hour day.

Once you decide that the benefits of computerized case management merit implementing it in your firm, how do you do it? There are three critical factors involved:

- ☐ Buy-In.
- ☐ Customization.
- ☐ Training.

### **Buy-In**

In order for a law practice management system implementation to be successful, everyone in the firm must be on the same "page" and buy in (commit) to the concept. You need buy-in, both from the top down, and from the bottom up.

Buy-in from the top down means that the head honcho(s) need to get on the band wagon and extol the virtues of the practice management system that will be implemented. Even if the managing partners do not have computers on their desks, they should be preaching about the advantages that a practice management system will bring to the firm. There should be no question that the practice management system train is leaving the station, and anyone who doesn't get on board will be left behind.

Buy-in from the top down consists not only of agreeing that implementing a case management system is a good idea, but also making it as easy as possible for the staff to learn the system by choosing the right one for your practice, and not scrimping on customization and training. It doesn't do any good to buy the best program available if no one knows how to use it.

Buy-in from the bottom up means that the staff needs to be committed to learning the system because if they decide it's going to make their lives harder, not easier, you've got big trouble. Can you spell "passive resistance?"

Implementing any new system in any type of office involves a certain amount of pain to climb up the learning curve. Some people adapt to change better than others. Everyone needs an incentive to climb out of their comfort zone to learn the new system. With partners, it may be more profits and more peace of mind. With staff, though, you need to make sure there is an incentive for

them to make the extra effort necessary to learn the new system. Although everyone likes a bonus, and to the extent that a practice management system makes you more profitable you can share the benefits with the staff, studies show that being appreciated for their effort is just as important to an employee's job satisfaction. Most people realize that having better computer skills makes them more valuable to the firm, as well as in the job market. Once the staff sees how much easier the system makes their jobs, they likely will hop on board and be the biggest fans of the system.

Don't sabotage your implementation by expecting the staff to perform the same amount of work they usually perform while learning the new system. Normally, productivity decreases for a couple of weeks while everyone is learning the new system. Nothing will undercut an implementation like an attorney berating a staff person for not getting the work done during the first weeks in the new system as fast as it was done under the old system. Champagne and flowers should be dispensed liberally. Before rolling out the system, try to take care of your deadlines for several weeks after the roll-out so they won't have to be done at the last minute.

### **Customization**

Tailoring a law practice management system to your practice is really where you get the biggest bang for your buck. The more you put into customizing your system, the more you will get out of it. Every law practice, even those that handle the same types of cases, has different procedures. There is no one "best" way to run a law practice, and lawyers typically do not want to be told how they should practice, especially by a computer program.

"If you don't know where you're going, you're never going to get there." You need to first decide what you want your LPMS to do, then choose the program that works best for you. This requires that you have knowledge both of your practice and of the functions of the LPMS programs on the market. Hopefully, you know your practice, and at least some of what you want to achieve, e.g., a list of upcoming limitations deadlines. However, until you know all of the functions LPMS programs offer, it's hard to decide what functions you need. If you didn't know that you could create a case status list with the push of a button, you wouldn't know to ask for it.

To learn the capabilities of the various LPMS programs on the market, you need to either invest the time reviewing the developers' Web sites, reading their marketing materials, installing and evaluating their programs, etc., or hire someone whose job it is to know that information, just as you would hire an expert in a medical malpractice case. If you hire a consultant, make sure you hire one who has worked with law firms, and better yet, has actual law practice experience. Ask your colleagues or your local bar for recommendations.

You can then compare your needs to the functions of the various programs that are available. You also need to determine how much time and effort you want to invest in customizing the program to your practice, and choose a program that fits your firm's level of technological expertise. Some programs are easier to learn, but have fewer capabilities than programs that have more functionality

but take more time to learn. Some programs work better if you implement all functions at once. Other programs are easier to implement in phases. If your staff is techno-averse, you might want to ease them into the LPMS one function at a time.

Don't assign responsibility for customizing the LPMS to the most technologically savvy lawyer in the office. Choose a cross-section of the firm, and include staff, paralegals, associates, and partners. Include not only the techno-savvy, but also the techno-averse and those in the middle.

System design covers many aspects. One aspect is storing and retrieving all of the information you normally acquire in a matter. You need to look at each practice area and determine what information you need to store and retrieve. Some information is required regardless of case type, e.g., name, referral source, etc. Some information, e.g., limitations deadline and date of marriage, depends on the case type. This will reduce the need to handle the paper file every time you work on it. It will also make it possible to create routine documents from the information already in the system.

Another aspect of system design is mapping the LPMS to your workflow. The more "cookie cutter," or repetitive, your workflow, the easier it is to tailor your LPMS to the way your firm handles various types of matters. Typically, a personal injury case is subject to a fairly rigid set of procedures until suit is filed. Divorce cases do not follow a rigid path, but have certain mileposts. Intellectual property matters have very little standard procedures.

The more you can document how a certain type of legal matter should be handled, the more you can automate the process by which the work is performed. For each practice area, gather all of the checklists, procedures manuals, and routine documents. Spread them out on a table, and document the steps in the life cycle of a typical matter of that type. Use the "typical case," and don't try to cover every conceivable contingency. Most LPMS programs have a variety of tools to help you map your workflow to the program. Going through this process not only makes you focus on how the staff handles matters in your office (which may surprise you), but also gives you a chance to change the process to take advantage of the new tools you have at your disposal, such as:

- ☐ Seeing multiple calendars on the screen at one time to expedite scheduling.
- ☐ Viewing everyone connected to a case, and their relationship to the case.
- ☐ Seeing a timeline of everything that has happened in a matter.
- ☐ Creating a series of tasks necessary in order to, for example, obtain medical records and accident reports automatically when opening a new PI case, with a completely different set of tasks created when opening other types of cases.
- ☐ Tracking the status of all assignments you delegate to others.

- ☐ Searching for potential conflicts of interest throughout all matters, contacts, file notes, etc.
- ☐ Assigning a task to someone via a pop-up message.
- ☐ Synchronizing contact and calendar information with a PDA (personal digital assistant), such as a Palm or Pocket PC device so that you always have your “Rolodex” and calendar with you.

## **Training**

Sometimes referred to “underware,” the third component of a computer system (the others being hardware and software), training is the most underappreciated part of any system. But, like its counterpart, although you might not be able to see it, it will determine how comfortable the whole ensemble is. Lack of training, or poor training, is the biggest cause of LPMS implementation failures. Unfortunately, when an implementation fails, it is twice as hard to achieve success the second time around because everyone has a preconceived notion of what the result will be.

Usually, this is not the fault of the staff, but due to the training not addressing how the staff is expected to use the system in “real life,” not just using demonstration data on a system customized differently than the way the firm’s system is customized. Another cause of failure is not using hands-on training. “Lecture training” goes in one ear and out the other, and is about as successful as teaching someone to dance by lecturing to them. Yet another cause is constantly interrupting the staff during training to handle “emergencies,” so that they lose all concentration.

Try to train in small groups. Train people with similar training needs together. Providing post-classroom training (“floor training”) is very important to answer questions and handle problems not foreseen during classroom training, and avoids a dramatic drop in productivity when every question results in half the staff stopping what they are doing to ponder the question to which no one knows the answer.

Even after the formal training period, make sure there is a support system in place so that everyone knows how to get their questions answered. There should be at least one “guru” on site that has received advanced or administrator training who can coordinate answering everyone’s questions, and who has access to the application vendor to answer questions that the guru cannot.

Another cause of poor training is lack of sufficient training, and a major reason for a lack of sufficient training is because the cost of training can always be reduced, whereas the cost of the hardware or software is fixed by the vendor. Although the temptation to scrimp on training will be present, avoid it at all costs. Better to delay the implementation until you can properly fund the project than to try to get by with insufficient training and ending up with a system no one likes or knows how to use.

Most firms find that it is more cost-effective to hire a professional trainer who knows the LPMS program, and who has customized the program for the firm, than to try to self-train. Every day that the firm is not up to speed on using the new LPMS means that it is less productive than it should be. The cost of the lost productivity from poor training, or stretching the implementation period over several weeks while the staff figures out the program for themselves, is much greater than the cost of good training that reduces the implementation period to a couple of days.

## **Selected Law Practice Management System Programs**

Some of the most popular LPMS programs are listed below. This is by no means an exhaustive list. There are many excellent programs that are not listed. At last count, there were over 60 LPMS programs on the market.

- ☐ Abacus Law, [www.abacuslaw.com](http://www.abacuslaw.com).
- ☐ Amicus Attorney, [www.amicusattorney.com](http://www.amicusattorney.com)
- ☐ Legal Files, [www.legalfiles.com](http://www.legalfiles.com).
- ☐ Needles, [www.needles.com](http://www.needles.com).
- ☐ PracticeMaster, [www.practicemaster.com](http://www.practicemaster.com).
- ☐ ProLaw, [www.prolaw.com](http://www.prolaw.com).
- ☐ Time Matters, [www.timematters.com](http://www.timematters.com)
- ☐ Trial Works, [www.trialworks.com](http://www.trialworks.com).

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