

# PRACTICE TIP



## Making the Paperless Office Work

BY RICK JEFFRIES

Every morning, I walk into my office to find nothing on my desk. An empty outbox, a paperweight with nothing under it. A beautiful expanse of empty space. Nothing to do? Hardly. With the help of good technology, excellent support team members, and a tiny bit of discipline, I enjoy a paperless practice. You're probably wondering how that is possible, with the number of documents a busy lawyer receives. What I describe below is the product of years of adapting, learning, and making mistakes. I've found that the right combination of hardware, software, and human process keeps the work flowing and the office neat.

Great, you're thinking. Another article by a ludicrously organized, type A, neat-freak lawyer, looking to make everybody do it his way. Worse, he's probably some sort of greenie, tree-hugging, antipaper extremist.

I am none of those things. More accurately, I am a mental case. Neither self-sufficient nor inflexible, I am actually quite disorganized. I have an attention span just long enough not to be a medical issue, and particularly when doing the less glamorous work of litigation, I can be distracted very easily. One of the reasons

I have gone paperless is to keep my office a sanctuary—where the files and documents I'm not working on at the moment are not encroaching on my space and my attention. Clients find my office a serene place where they can discuss their matters calmly, and neither their confidential information nor anybody else's is left out in stacks and piles for other visitors to see.

### My Hardware

Obviously, staying paperless requires some technology, but it does not have to be bleeding-edge stuff. Here are the tools I use daily to keep my practice paper-free:

- Laptop: I have a Dell Latitude D820. Other than having a wide-aspect screen, it is not, with all respect to my Information Services department, a particularly remarkable laptop. It isn't very light, it isn't exceptionally fast. It is a solid, business-grade laptop with solid, business-grade specifications.
- Second monitor: I connect a second monitor to my laptop. It is the most valuable peripheral

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device in my paperless environment. The monitor I use is capable of rotating 90 degrees and showing an entire page at once in portrait format. Most laptops are capable of supporting a second display. The extra display space allows me to read on one screen and write on another, rather than constantly switching between windows.

- Port replicator: My screen, phone, and other peripherals are all connected to a port replicator or dock. With the click of a button, I can untear my laptop and go mobile without disconnecting and reconnecting all the wires.
- Smart phone: My contacts, calendar, and inbox travel with me in a smart phone. I currently use an iPhone; I also have had positive experience with Windows Mobile devices.
- Scanning network copier: Part of keeping paper out of my office is transforming paper into data. All mail, faxes, and other incoming paper of any substance are immediately scanned in and either e-mailed to me or profiled on our document system.

### Critical Software

Keeping data organized and accessible requires powerful, flexible software. In addition to e-mail and word processing applications (we use Microsoft Office, including Word, as well as Corel WordPerfect), I have found two programs essential to my paperless practice:

- Adobe Acrobat 9 Pro: Chances are you're familiar with the free Adobe Reader, the most popular way to read documents in Portable Document Format (.pdf). I use the nonfree Adobe Acrobat 9 Pro, which allows annotation, editing, and powerful organizing of documents and files, including .pdfs, which is how most documents reach me.
- Microsoft OneNote 2007: OneNote is the single most important, life-changing software application I have ever used.

OneNote ships with some versions of the Microsoft Office Suite or is available at retail for \$99. Microsoft also makes a free 60-day trial of OneNote available for download from the Internet. You may find the download at <http://office.microsoft.com/en-us/onenote/default.aspx>.

I use OneNote to capture everything: notes from meetings, research from the Internet, audio, photographs, everything. It is a very simple but extraordinarily powerful tool.

Why not just use a favorite word processor for note taking, you ask? OneNote uses a notebook as the principal metaphor for its user interface. If you keep stuff in three-ring binders to stay organized, you'll love OneNote immediately. Rather than open to a blank page, as Word or WordPerfect would do, OneNote opens to your notebooks, each of them organized to your preferences, with section tabs and pages within those sections. Even better, all your notes and data are instantly available; no need to search for the right file or use an Open command. OneNote is my trial notebook, my mediation briefcase, and my oral argument binder.

OneNote has no Save button. Everything you type (or if you use a tablet-style PC, write) or capture is immediately saved. If you're connected to a network, your notes are continuously backed up to a drive share.

Finally, OneNote has intuitive and simple text entry and editing features. As with a notebook, you can write anywhere on the page just by clicking, but you can drag things together and take them apart, reorganize by dragging text around, create diagrams, charts, and numbered lists, just by typing in a way you would find natural. If I type "1. Apples" and press Enter, OneNote understands I am making a list and starts the next line with "2." If I type "Fruit <tab> Quantity <enter>," OneNote understands I am making a table and immediately draws the lines, expanding the table as long as I want to keep entering data.

Data are useless if they can't be put to work, and OneNote permits me to export brief outlines to Word documents, notes to PowerPoint presentations, a few paragraphs of composed and reorganized text into e-mails, and so on. You can also print directly from OneNote, but unless it's my grocery list, I generally don't. Paperless, remember?

I am not a spokesman for OneNote, and I am as ambivalent about Microsoft as the next guy. But download OneNote's free trial and see what you think. It has changed profoundly the way I practice law.

### The Process of Going Paperless

With hardware and applications in place, paperlessness still needs a human element. I find a few simple daily actions are necessary to keep a paperless practice paperless. Here are some of the principles and processes I use.

The central principle of my paperless existence is "Don't take it, don't make it." Don't create paper or accept it from others. It's that simple.

Let's start with "don't take it." I ask colleagues not to bring paper to my office with which they don't plan on leaving. I don't let paper that matters into my office. Paper that matters is anything that would cause

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difficulty if I lost it. Usually this means “the original” or “the firm’s only copy.” Preprocessing incoming paper is critical.

Usually, I spend five minutes with my assistant and the morning mail. I try to decide at that point what each item will need, and decide to do one of the Four Ds:

**Defer.** These items need additional resources to complete, such as incoming discovery requests. I have my assistant scan them, calendar deadlines, draft a template for the responses, and link the document to me by e-mail. I then send an e-mail to the client with the answer template document with a request for a telephone call or a meeting.

**Delegate.** I delegate items that require assistance from a colleague. For example, we get a complaint and must file an answer. My assistant will follow the same process: scan the document, create a template answer, send me the link. I then e-mail an associate with the answer skeleton and a request for action. The associate completes the draft and sends an e-mail to the client with a request for his or her review. I make revisions to the answer and communicate with the client as necessary.

**Do.** Some things can be done on the spot: RSVP to a seminar or luncheon, for example. If an item presents a task that can be completed in two minutes or less, I’ll do it. But this is a vastly *overused* and dangerous category.

**Discard.** I discard documents of no lasting value to my practice. This is a tricky category but one I find I have consistently *underused*. Bar journals I’ll never read, flyers to continuing legal education events I’ll never attend, postcards for books I’ll never read, all the detritus of having a mailing address goes right in the trash. Everything I keep has power over me. Everything I throw out has none.

Now let’s consider “Don’t make it.” I don’t make paper. My office contains no handwritten notes, scraps, no yellow pads, no Post-its, no memos to colleagues, no faxes. My assistant is responsible for the live originals. My default printer is a virtual printer (that is, all my documents “print” to PDF by default). I try not to send a letter or a fax when an e-mail will do just as well. If my colleagues or clients want to print out what I send them, that’s their choice. I don’t make it for them.

### Banishing the Four Ps

I have found that scraps of paper and handwritten notes were the foundation of my messy office. It was one thing to use a vendor to scan boxes of client documents or handle my mail by PDF. But the yellow pads, stickies, scribbles on envelopes—lost, orphaned data that I’d eventually lose or throw out from frustration—

remained. I had to banish from my office—once and for all—the Four Ps: pencils, pens, pads, and Post-its.

When I say “banish,” I mean physically remove these items from my space. Without a pen, I use OneNote to capture a phone message. I can still throw it out, but I can also add the cell phone number my client left to Contacts with ease. Without a legal pad, I am forced to keep my “to do” list on OneNote, where I can delete, add, reprioritize, and reorganize with complete ease. I had to physically break the habit of writing with pens and pencils. My notes became searchable and organized. A friend and former colleague of mine keeps a OneNote page called “Stickies,” where she keeps all of those important but uncategorized notes.

The stickies are no longer all over my phone and computer; dog-eared legal pads no longer clutter my desk. Breaking the scrap habit, banishing the Four Ps, was critical to my paperless success.

### What About the Paper File?

Obviously there are a few documents—though fewer than you think—whose status as an original is important, and my assistant keeps them aside in a discrete and secure location. Everything else gets placed in undifferentiated files, by client and matter, in chronological order after they are scanned and saved to our continuously backed-up document system. The real “file”—the place I look when I want to know something—lives on our servers. I’m not sure why I even keep the paper, except that some clients might find instant shredding of their documents, no matter how well preserved electronically, to be disturbing. But I haven’t referred to a physical file in months, and I don’t intend to start.

My assistant has displayed no interest in making pleadings books and correspondence cards. The drudgery of filing is replaced with the profiling and saving of a few documents a day.

### Refuting Objections to the Paperless Lifestyle

I have heard a host of objections to the idea of a paperless office, but I don’t give them much credence. Here are the most common examples:

- “I can’t read documents on the screen!” In my experience, that is wrong 97 percent of the time. My rotated second monitor allows me to read a page of text, larger than it would appear on paper, with my head up, my neck and back straight. I find reading from a bright monitor much more comfortable than looking down at paper. Three percent of the time, I like to read

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a draft on paper to get a fresh look. I don't print anything before the "bond paper" stage, the final draft. I either sign it or make my final revisions as markups—and in either case the paper leaves my office.

- "What if a colleague wants to review the file?" So what? What they really want is to get caught up on key pleadings, documents, and correspondence. These can be easily printed from the documents system, if absolutely necessary. Keeping everything in electronic format relieves me of the fear of loss, damage, and confusion. Everything is stored, backed up, and in order.
- "What about the big box of documents we just got from the client?" So what? Up to a boxful, we can handle scanning these documents on our office equipment. If I get more than a boxful, I use a vendor to scan the documents and make them searchable with optical character recognition (OCR) technology. OCR documents scan so they are searchable. The cost savings to the client are substantial (particularly when spared attorney or paralegal time looking for documents) and the client is impressed by our instant mastery of the information.

### How's My Paperless Life?

I am no longer dependent on a physical file. No matter how much data I need to carry around, my briefcase always weighs the same. Adobe Acrobat and OneNote have OCR and search capability. I never have to dig for documents—I can search them instead. My office is an inviting workplace always ready to meet clients or colleagues. Clients are impressed by how quickly and easily we can learn, organize, and inform them about their documents.

I hasten to add that I am not perfect; I am the weak link in my paperless processes. Where do I fail? I have a physical inbox. But it's very small, and I process

it to done and empty it if it gets full. I sometimes get boxes of stuff and procrastinate about getting them scanned in. I chicken out on my system and let things accumulate. Sometimes, I let myself get lazy when it's "just one thing." I may leave it until the end of the day, but then I process it. Even when I fail, however, it is usually just a matter of deciding which of the Four Ds applies to the paper I have allowed into my clean zone, and getting the process started again.

### Be Paperless Your Own Way

If the idea of a paperless practice appeals to you, it is probably easier than you think to implement. Hardware and software are important, but experience teaches me that the human process—daily discipline—is essential to keeping the office paperless. The human process is also the most susceptible to errors and crashes. What I've outlined here are just some rules, and they have adapted to new technology as it becomes available. You should feel free to modify the rules to fit your practice.

We've reached the technological limit of paper, but we're only beginning to learn what office technology can do. I have found that keeping my office paperless offers great rewards of efficiency, credibility, and organization, in exchange for modest investments of money and time. ■

*Rick Jeffries is a partner in the Omaha, Nebraska, office of Cline, Williams, Wright, Johnson & Oldfather, LLP. His trial practice focuses on complex commercial matters, with particular emphasis on insurance and reinsurance, securities litigation and FINRA arbitrations, real estate disputes, trademark, intellectual property, and technology law. He can be reached at [rickjeffries@clinewilliams.com](mailto:rickjeffries@clinewilliams.com). This article is adapted from one he previously published in the May 2008 issue of The Nebraska Lawyer. Reprinted with permission.*

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