

How to Improve Efficiency and Productivity to Grow Your Law Firm

Working Smarter With Legal Technology



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- JD, University of Houston Law Center
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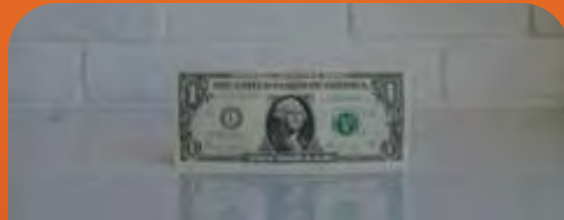


Agenda

- How document automation, practice management, workflow automation and e-filing technology benefit law firms
- The importance of using legal technology to create quality assurance measures
- How technology can assist firms with fulfilling their ethical obligations while also keeping them efficient and profitable
- Tools and processes to help firms increase productivity and grow revenue
- Questions and CLE Information

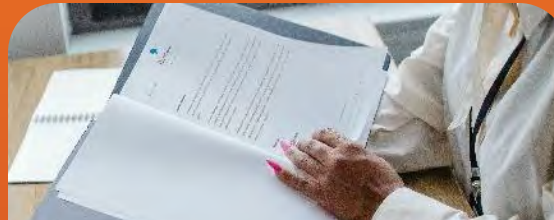


What Law Firms Focus on in Managing a Law Firm:



Being Profitable

Increasing revenue while minimizing costs



Serving Ethically & Competently

Preventing legal malpractice and disciplinary issues, while delivering outstanding legal representation



Protecting the Business

Preventing the business from going under from internal/external forces

Profits over Ethics/Competency?



- Do not shortcut your ethics or competent representation for potential profits
- This type of thinking can put new firms in danger

Productivity vs. efficiency

How productivity and efficiency can help new firms grow

- Productivity is about output, and is more proactive
- Efficiency is about doing things correctly, and is more reactive
- **Why does the difference matter?**
 - IT DOES NOT — just make decisions based on your firm's objectives



Four areas where new law firms can take flight

WORK SMARTER, NOT HARDER

1. Document automation/templates
2. Checklists/workflows
3. Contemporaneous/automated time tracking
4. E-Filing through third-party vendors



What is document automation?

- Document automation allows law firms to create documents without manual drafting
- Document automation software is based on a template
 - Templates = Documents a firm uses consistently throughout its practice
 - Proprietary documents, like retainer agreements and preservation of evidence letters
 - “Court & Authority” documents, like civil cover sheets and subpoenas
 - Routine motions and pleadings, like notices of motions or filings

Your firm's documents **DO NOT** need to be 100% automated



Benefits of document automation

- It saves time!
 - Allows your firm to concentrate on other revenue-generating tasks
 - Increases profitability
- It's a form of quality assurance
 - Guaranteed accuracy helps you serve your clients ethically and competently
 - It protects your firm from embarrassment or lawsuits
 - It delivers a consistent work product
- It delivers a better client experience



Considerations when choosing document automation software



1. Complexity
 - Some systems are easier to use
 - However, more complex systems can complete more robust automation
2. Price
 - What features are included? Is it part of a larger legal practice management software?
 - How many licenses will you need?
3. Training/adoption
4. Outsourcing document automation
5. Technical support

What can document automation do?

- Pull client data, court details and other information related to your case/matter
- Prompt questions to the automation that can quickly be added to the document
- Automate logic and scenarios
 - If Condition X present, provide certain automation
 - If Condition X is **not** present, a different automation would occur




What CAN Document Automation Do?

Thank you for selecting <<Firm details/Alternate wording -- my or our>> law firm to represent you in the above matter. <<Firm details/Alternate wording -- I or we>> have agreed to represent you and have set out the following fee arrangement.¶

¶
<<IF (Matter Details/Billing Type) Equal (Time Based) THEN>><<Firm details/Alternate wording -- my or our>> fees for legal services are <<Perhour>> an hour, plus any expenses that may be incurred, such as copying costs, postage, and related expenses. <<Firm details/Alternate wording -- my or our>> office will bill you approximately monthly depending upon the amount of work that was done on your file during that period of time. At this point in the case, it is difficult to estimate the amount of time and expense that will be necessary to adequately represent you in this case. However, as we discussed, <<Firm details/Alternate wording -- I or we>> estimate the fee will be approximately <<Matter Details/Billing Fee/Estimate>>. <<Firm details/Alternate wording -- I or we>> will also advise you before undertaking any procedures that will substantially increase the amount of fees. Please remember this is an estimate and may be subject to change. <<ELSE>>In the event of recovery, the amount of recovery shall be used as a basis for compensation. <<Firm details/Alternate wording -- my or our>> firm shall receive an amount equal to <<Matter Details/Billing Contingency Percentage>>% of said cash settlement. Other expenses may be incurred, such as copying costs, postage, and related expenses, which will be deducted after the amount of recovery is awarded. <<Firm details/Alternate wording -- I or we>> will also advise you before undertaking any procedures that will substantially increase the amount of fees. <<END-IF>>¶

¶
Throughout the case, <<Firm details/Alternate wording -- I or we>> will send you all documents filed and any relevant correspondences for your personal records. Please retain them. As we discussed previously, <<Firm details/Alternate wording -- I or we>> cannot guarantee a specific outcome.¶

¶
After <<Firm details/Alternate wording -- I or we>> have completed all the legal work necessary for your case, <<Firm details/Alternate wording -- I or we>> will close <<Firm details/Alternate

 Select a party ✕

Who would you like to address this document to?

PLAINTIFF

Lucy Mertz (Age: 11 years)

Laurel Diggle

Select All CREATE DOCUMENT CANCEL

Document automation is not..

- Document assembly
 - This is the creation of a template, not the automation of a document
- Putting staff out of work
 - Instead, it increases efficiency
 - It allows staff to complete more stimulating tasks that require human intuition and emotion

The bottom line:

The more **efficient** your practice is, the more work you can bring in!



Creating Checklists/ Workflows

- Purpose of Checklists
 - ✓ Serve as a safeguard
 - ✓ Ensure consistent work
 - ✓ Minimize errors
 - ✓ Help prevent malpractice
- Checklists Can Be Used for Routine Processes
 - ✓ Signing up clients
 - ✓ Filing complaints
 - ✓ Discovery procedures
 - ✓ Residential closings
 - ✓ Trial preparation



Checklists vs. Workflows

- Checklists – low legal tech
 - At minimum, create a checklist through Microsoft Excel or Word to use in your matters, and check it off, either by hand, or document yourself
- Workflows – more legal tech
 - Can integrate reminders
 - Encompass staff communications
 - Integrate document automation
 - Integrate with billing



Creating Checklists/ Workflows

EXAMPLE



Edit Workflow

Client Intake

Client Intake

Matter Types: Domestic Violence [change...](#) always apply this Workflow to new Matters

TASKS FOR THIS WORKFLOW

- Enter details into Smokeball
- Draft engagement letter
- Review, sign, and send engagement...
- Test new task
- Enter client into billing system
- New Task

DETAILS CHECKLIST DOCUMENTS

Name

Due No due date Due when

Working Day(s) after on before

Matter Opening

[add a reminder](#)

Assign to Attorney responsible Person assisting Staff

Categories

Details

Duration

SAVE & CLOSE

Contemporaneous/Automated Time Tracking

Contemporaneous time tracking

- Attorneys hate it, and rarely can accurately complete it themselves
- American Bar Association studies have shown that attorneys:
 - Lose around 5% of time if recording at the end of the day
 - Lose around 10-15% of time if recording at the end of the week
 - Lose 20% or more time if recording at the end of the month



Consequences of Lost Time



- Lose out on potential revenue
- Need to do additional work if firm requires hourly billing
- Lose out on fee petitions
- Ethical considerations

Tech Competence

40 States Have Adopted the Duty of Technology Competence

The duty to maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, **including the benefits and risks associated with relevant technology**, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject. (Emphasis added.)



Ethics of Contemporaneous/ Automated Time Tracking

TAYLOR V. TRAYLOR, SECOND APP. DIST., CALIFORNIA, FILED 6/10/20

Contemporaneous time records surely are a bother to keep. But people paying those bills are entitled to care about accuracy. At hundreds of dollars an hour, minutes here and minutes there add up.

Accuracy is a professional virtue and a systemic concern. The public is entitled to confidence the justice system is just as careful about getting legal bills right as it is about getting everything else right. And exact clocks and timekeeping software have made it rather easy to be accurate—extremely accurate. (Emphasis Added)



Ethics of Contemporaneous/ Automated Time Tracking

TAYLOR V. TRAYLOR, SECOND APP. DIST., CALIFORNIA, FILED 6/10/20

- We publish to underline that contemporaneous time records are the **best evidence of lawyers' hourly work**. They are not indispensable, but they eclipse other proofs. Lawyers know this better than anyone. They might heed what they know.

This statement affects all law firms – **no matter how they bill.**

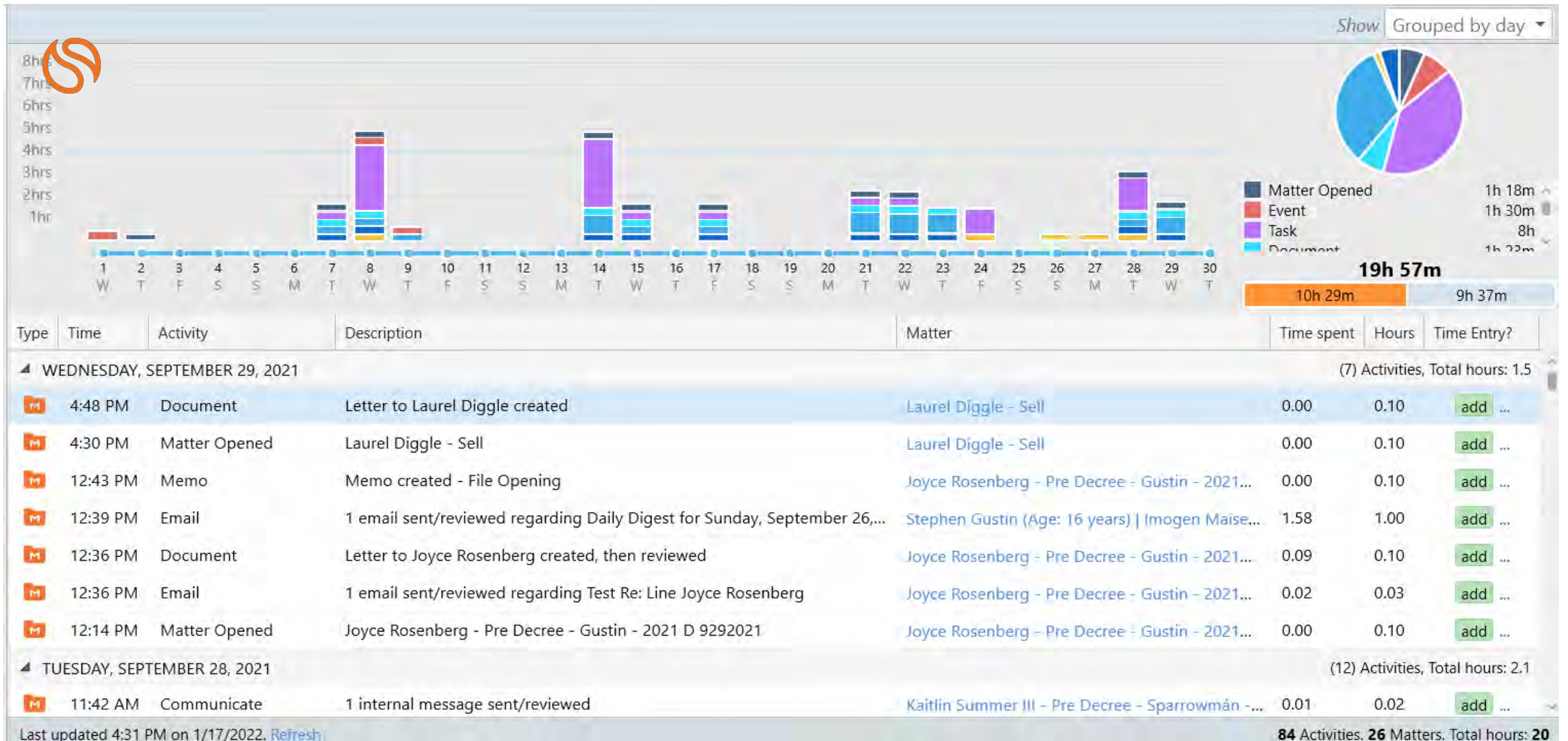


What to look for in automated time tracking

- Email tracking
- Microsoft Word tracking
- Electronic timer
 - Run multiple timers at once



Example of automated time tracking:



Automated time tracking for firms that DO NOT Bill Hourly

- Better manage your individual time and the firm's time
- Flat-fee billers: Your firm's billing data provides an accurate reflection of your profitability (hours worked vs. fee collected)
- Contingency billers: Your firm's billing data shows whether your case management can become more efficient



E-Filing through third-party vendors

- Case management integration
 - Seamless integration of documents and expenses
- Quality assurance
- Saves time
- Generally nominal expense
 - Can be passed along to client
 - Delivers a better client experience



Wrap up

- Implementing document automation, checklists/workflows, and automated/contemporaneous time-tracking software will make your new firm more productive and efficient
- E-Filing through third-party vendors becomes better organized
- Legal technology will help your firm achieve profitability, increase your legal competency and serve your clients ethically





A little about Smokeball



20+

YEARS IN LEGAL TECH

Smokeball was founded by technology leaders with more than 20 years of experience in delivering impactful legal technology products.



50%

**STAFF WITH LEGAL
PRACTICE BACKGROUND**

We are focused on developing a team that shares a profound love for the law and is compelled to help small law firms be successful.



Global

U.S. + AUSTRALIA

With offices in Illinois and Sydney, Australia, we've got essentially every time zone covered to properly service our thousands of clients.

Poll: Would you like to learn more about Smokeball?

If yes, one of our law firm specialists will follow up.

1. Yes
2. No not at this time
3. I'm already a Smokeball customer



Upcoming CLE Webinars

- Thur, May 26 at 1 pm CT **[CLE Webinar]:** [Mindfulness Beyond Stress Management: A 'How To' for the Skeptical Lawyer](#)
- Tue, Aug. 30 at 1 pm CT **[CLE Webinar]:** [Harnessing the Potential of Emotional Intelligence in the Workplace and Beyond](#)

All upcoming webinars are now listed on our resources page. [Click here to view.](#)

**Smokeball runs free CLE webinars every month. Make sure to check our website regularly for our next sessions.*



CLE Information

- Illinois-Approved- (Course ID: 506042)
- Florida- Approved- (Course ID: 2202626N, 1.0 General, 1.0 Technology)
- Texas-Approved- (Course ID: 174154694, 1.0 General, .25 Ethics)
- Washington-Approved- (Course ID: 1204550)
- Georgia-Approved- (Course ID: 310679, 1.0 General, 1.0 Ethics)
- Nevada-Approved- (Course ID: 79415, 1.0 Ethics, 1.0 General)
- Utah- Approved- (1.0 Ethics)
- Minnesota-Approved- (Course ID: 452404, 1.0 General)
- Pennsylvania-Approved- (1.0 Ethics)
- California-Applied

****Self-apply or reciprocity credit is available in certain jurisdictions****

Questions

