



Unifying Records Management in the Law Firm

by Tom Pemberton, FileTrail®

With the emergence of new technologies in recent decades, it is common for law firms to have several applications in place that are impacted by records management practices and retention policies. Today, firms dealing with multiple, disconnected point solutions seek a unified, integrated system. As they do, they must choose to migrate existing components toward a single-vendor suite or integrate a collection of the best-of-breed components from multiple vendors into a single system, balancing use of resources against cost.

In this article, we will look at viable alternatives for firms as they seek a unified system. We'll also discuss how physical records management can be integrated into a unified technology-based system, and we'll go over the key capabilities of physical records management.

The Changing Nature of Records Management

Since I entered this industry in 1991, the meaning of "records management" has changed dramatically. The scope of what constitutes a record has virtually exploded with the digital revolution. Today, even blogs, text messages and videos are considered records subject to regulatory compliance and litigation risk.

Along the way, a number of point solutions arose to address the needs of records handling in law firms. Practice management, imaging, document management, e-mail management, content management and file tracking were all distinct disciplines. Each served its purpose but generally duplicated some of the core functionality of these systems. Each included elements like user accounts, security, auditing, and archiving, plus the overhead of administration.

As records management responsibilities have migrated from the file room toward information management, two things have

happened. First, the redundancy and cost of administrating a growing number of point solutions has become more apparent. Also, the changing definition of a "record" and increasing regulation has increased common functionality (such as application of a classification, definition of retention policies, etc.). During all of this, firms have been merging and growing, and the difficulty of managing both paper and electronic records has increased geometrically.

Consolidation and specialization are always at work as opposing forces. A few years ago, vendors raced to assemble suites of products in an effort to deliver the efficiency of the single vendor with an integrated solution. In the meantime, some firms purchased components from multiple vendors to create a system tailor made for its needs.

At the same time that the aggregation of software suites was happening, new integration technologies were arriving, such as Web services, frameable pages, single sign-on, .Net, and XML. These technologies have allowed some vendors to remain specialized in competitive markets. The combination of specialized vendors and integration technologies provides firms with greater opportunities to integrate best-of-breed applications into a single system.

Firms that choose to assemble a system using components from multiple vendors must still choose a single vendor for their primary user interface. The configurability of components and availability of internal development resources are factors in the choice.

Some applications include configurable pages that allow the data presentation to be highly customized, which provides enough flexibility to be the user interface for other applications. APIs, frameable pages, and Web service functions make the integration simple.

Alternatively, firms may create their own Web portal as the user interface for applications. This approach allows a firm to tie together data from many best-of-breed applications. While more internal development resources are required for this approach, there are far fewer limitations and a much lower capital expenditure for software.

A firm that integrated file tracking into its practice management portal also integrated with an OpenText repository to manage the electronic records. Their portal provides a unified interface for attorneys and staff that makes accessing physical records and electronic content fast and efficient.

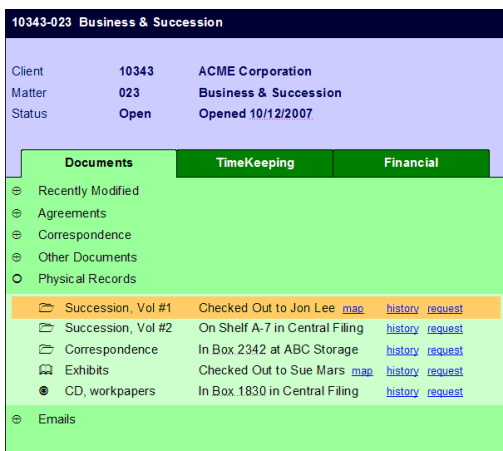
Meeting the Needs of Attorneys and Staff

The needs of attorneys and staff are more about operational efficiency. Creating a smooth-running machine that produces quality billable hours drives revenue, ensures responsiveness to clients, and maximizes client retention.

The records management components that deal with electronic records have become more and more sophisticated in recent years. New areas of functionality like mobile computing and maturing processes both contribute to efficiency for the user. While it is true that physical records are required less and less, there is a rebound effect. The tediousness of manual processes or dealing with an old Windows-based application becomes more obvious and exacerbating as the user experience of working with electronic records become smoother and more natural.

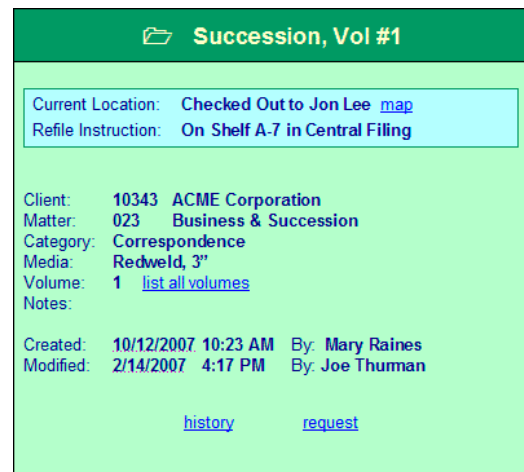
To provide the efficiency and easy experience desired by attorneys and staff the unified records management solution must include several key pieces of functionality:

- **Integrated matter view.** Access to physical and electronic records in a single matter-based view can provide attorney and staff with a quick visual overview of what exists. From the integrated view, links can provide instant access to other key functionality detailed in other sections, such as requests, item details and more.



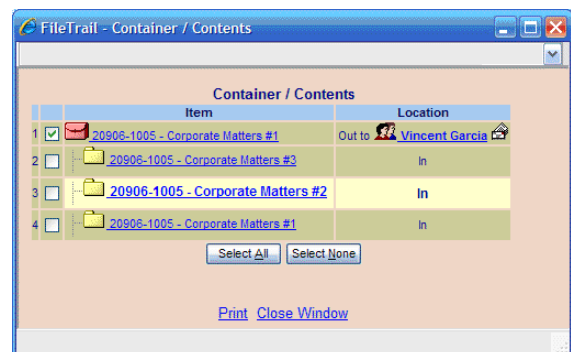
Electronic records from an ECM system and physical records from FileTrail are displayed to staff in a single, 3rd-party interface.

- **Unified search.** A single search tool for both physical and electronic records can simplify the task of finding records. An integrated list of all records-matching search criteria can provide attorneys and staff with quick access to information regardless of media.
- **Item Details.** Details of a record, whether physical or electronic, can be displayed with a mouse-click. The details provided may differ for physical and electronic media, but quick access to the details is valuable. We provide details for physical records that include client and matter identification, classification and volume information, current location and instructions to return a file. A sophisticated meta-architecture can accommodate unlimited user-defined fields, so any other information that is valuable to staff and attorneys can be displayed.



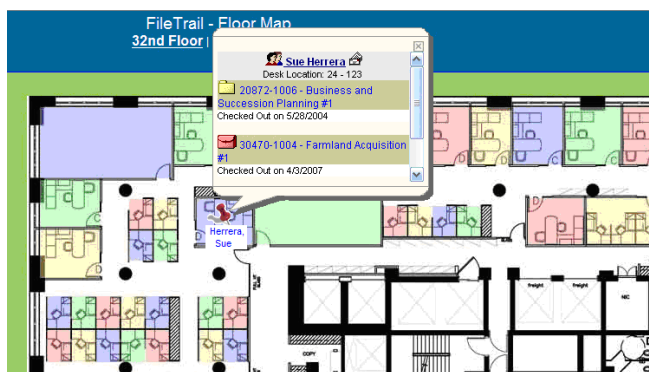
Details on a physical record are easily retrieved and displayed inside a 3rd-party application.

- **Item History.** The history of an electronic record would show checkout history, versions, etc. The history of a physical record provides a history of who has handled a physical record, and when they had it.
- **Container/Contents.** A tree diagram showing physically-connected physical records, such as box, folder, and sub-folder, is very helpful. Many of our clients have found value in being able to see the relationship of box, folder, sub-folder, and where each is located. It has proven itself as a great tool for research to resolve records-related problems.



Windows, such as this one showing container and contents, can be launched within the firm's interface.

- **Requests.** The ability to quickly request delivery of physical records from the file room or archival storage can be a great convenience. Placing the request through a unified interface can make it a simple process for attorneys and staff. Shifting retrieval of physical documents from revenue-generating staff to administrative staff makes financial sense and may improve the ability of attorneys and staff to respond to customers and to meet deadlines.
- **Location Mapping.** The ability to locate files on an interactive floor plan of your office can make retrieval of active physical records much easier. In many firms, knowing who has a physical record is not enough. Turnover is high in some positions, and staff move frequently. Launching QuickMaps interactive mapping technology from your unified solution is as simple as adding a new button to the screen.



QuickMaps interactive mapping shows the physical location of the files you need to retrieve.

- **One-click Email.** Many firms have listed the ability to generate a pre-filled email about a specific record with one click as their favorite feature. Automatically formatting the email – complete with email address and description of the item, then allowing you to adjust the message before sending, saves time and simplifies communication.
- **Metrics Dashboard.** For physical records, quick access to dashboard items provides a simple reminder of physical records that are checked out to you, records that have been transferred to you, open requests for retrieval, etc. These passive reminders save time and, over time, increase accountability.

Various systems that manage paper records offer many other functions to consider. It's important to consider your firm's size and needs when evaluating these systems.

Meeting the Needs of Records Staff

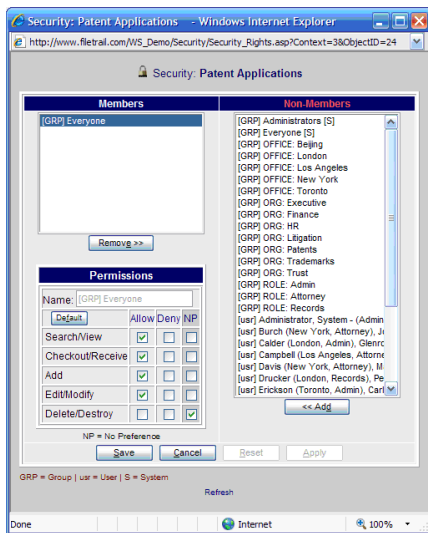
The needs of records management staff, from the records manager to the file clerk, is about serving the firm. Traditionally, technology used in this part of the firm has languished. At many firms, records management staff struggle to meet the demands of the firm with no system or using *ad hoc* tools like Excel or Word tables.

In the past, the solution to long retrieval times was to add another body. Many firms that do have physical records management products use Windows-based applications that they have outgrown.

In a unified records management solution, the needs of records staff cannot be overlooked. A physical records management component that meets the basic needs should include the following core concepts and functions:

- **Classification.** A classification function is built on the basic elements that are required by a file plan to control access (security), determine what information to collect and automatically apply the correct timing for archiving and disposition (retention). Classification defines the valid combinations of organization (departments or areas of law), category (types of content) and media (name and graphical icon for each type of physical media).
- **Metadata.** Metadata is data that describes data, and it is at the heart of a configurable system. The greater the configurability of the metadata, the more capacity you have to tailor the taxonomy that describes the records to meet the needs of the client. Over the past 20 years, this capability has led to more flexible records systems.
- **Retention.** Retention policies ensure that a physical record is purged to archival storage in a timely and predetermined way. Purging allows the firm to balance use of costly space for active filing against retrieval costs from storage. Disposition controls destruction of records according to applicable law and regulation. The most important retention function of the records management system is to document that disposition was done according to a consistently applied policy. Disposition applies both to the physical and electronic record, but not to the index data for physical records. The physical record's data may be updated, but never deleted, as it is integral to documenting the disposition.
- **File plan.** A file plan can unify classification, metadata, retention and other rules into a single, functional configuration that can be adapted to the unique aspects of each client. Along with security, a file plan limits a user's choices to those that are valid, while ensuring the completeness and quality of data. Taking it one step further, a file plan can be configured to accommodate the unique operational aspects of each office of the firm. Differences in size, staffing, practices and other variables mean that the offices are not a homogenous set of operations. Differences may include labeling, filing media, facilities and more.
- **Tracking.** A variety of tracking tools and transactions accommodate the needs of different staff. Bar code-driven check-in and check-out speed operations in large file rooms, while the self-checkout stations simplify check-out in open file rooms. Transactions for attorneys and staff allow easy transfer and receipt of files with or without bar coding.

- **Request Fulfillment.** Tools for request fulfillment help file room staff pull and deliver requested files. A pull list provides a list of requested files in “filing order” – a reflection of shelf location or collating data – to allow pulling in the sequence that files may be found in the file room. Archived files that have been requested are easily ordered electronically from a commercial records center. A delivery list contains files that were actually pulled in “desk location” order, helping deliver files in a single pass through the office.
- **Security.** A security feature should control who can access what, and in what way. Based on users and user groups, access to functions are controlled by privileges, while data is segmented by permissions. Permissions control what data may be accessed based on organization, category, media, filing location or client/matter. Permissions typically control the ability to view, add, modify, check out, or destroy data.

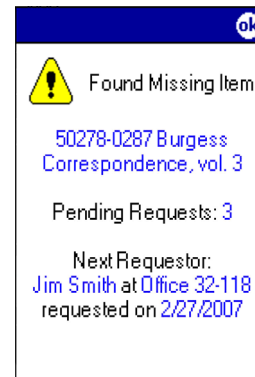


Permissions control which actions specific users and user groups can take on a type of record.

- **Missing Items.** Every firm has a list of items that are needed which cannot be found. Staff save time with an automated, running list of missing items. As a point of research, the missing items list provides quick access to location history, item details, etc. Synchronization to a portable scanner allows you to hunt for missing items and generates an alert during an audit when a missing item has been scanned.
- **Color-coding.** Color-coding is a valuable tool for eliminating misfiles. We have seen cases that demonstrate savings of up to 60% on retrieval and re-filing labor. For firms that color-code, printing color codes from the records management solution represents a savings over hand-application of pre-printed color tabs. Many firms that do not color-code recognize the value, but do not adopt color-coding because of the cost of converting the existing inventory of existing files to a new standard.
- **Bar Coding.** Bar coding is a conventional tool for file tracking. It is also an inexpensive tool. Every physical records management solution can now print bar coded labels on standard label stock. Bar codes are a fundamental

time-saver in common tasks, including check-in, check-out, boxing for storage, and conducting audits.

- **RFID.** RFID, Radio Frequency Identification, is the latest tool for automating file tracking. The ability to read the unique value in an RFID tag from a distance yields faster performance and a whole new set of capabilities. A partner at one law firm stated that using RFID is cutting their file-handling labor by 75%.



The RFID FileDetector helps locate missing files quickly and route them to where they are needed.

- **Auditing With RFID.** The labor required in an office-wide audit can be cut by up to 85% using RFID in place of bar coding. One client audits over 250 cubicles and offices, with 5,000 to 6,000 IP files typically in circulation. Prior to RFID, this process consumed 32 man-hours each week. Today, using RFID, the audit is completed by one employee in four and one-half hours.
- **RFID FileDetector™.** One feature on a portable RFID reader is called the FileDetector. It helps find misplaced or requested files in as little as 5% of the time required by bar coding. One client was recently featured in a TV news program discussing the savings from finding lost files quickly with the FileDetector. With a read range up to 10 feet, the File Detector signals the general location of file, then helps you to the specific location of the file.
- **Passive Tracking™.** Passive Tracking describes the ability of RFID to track files as staff conduct their normal work tasks. Passive Tracking can be used to automatically check-in files at a returns table, check-out files as they arrive at a cubicle, or locate files as they pass a doorway. In addition, carts of files can be automatically tracked as they are delivered to individuals or case rooms.
- **Virtual Portals.** Portals, like the gateways you walk through in airport security, were promoted heavily in the early days of RFID. However, they proved expensive and an eyesore that was not accepted in offices. Recent innovations have allowed the virtual portal to track direction through a doorway using hidden sensors, avoiding the eyesore of a gateway structure.

- **Self-Check Station.** Tracking where attorneys can take files out after-hours has always been difficult. A self-check station leverages RFID and security technology making checkout so simple no one can make excuses. Attorneys simply present their security badge to the self-check station and walk away. The RFID reader automatically checks-out all the files they are carrying.

Conclusion

Law firms are seeking to unify multiple records management point solutions. They have the option to choose an application suite from a single vendor or to integrate best-of-breed applications from multiple vendors. Firms must weigh the convenience of one-size-fits-all solutions against the resources required to create the best fit with multiple applications. The latter can provide an operationally streamlined interface for attorneys and staff, while reaping the benefits of the specialized functions each application provides for staff managing different areas. If internal resources are already available, the increased capital outlay may actually be less for the internally integrated solution.



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