2017 JOINT SPRING MEETING

GROUP LEGAL SERVICES ASSOCIATION

SOLO, SMALL FIRM, AND GENERAL PRACTICE DIVISION

STANDING COMMITTEE ON GROUP & PREPAID LEGAL SERVICES

MAY 18-20, 2017

SCOTTSDALE, ARIZONA

ADOBE ACROBAT: FOR THE LOVE OF YOUR PRACTICE

THURSDAY, MAY 18, 2017
2:15 – 3:15

PRESENTER: ALAN KLEVAN

Alan Klevan
Law Offices of Alan J. Klevan, PC
Newton, MA

Alan Klevan is the principal of The Law Offices of Alan J. Klevan, P.C. in Newton, Massachusetts.   He concentrates his practice in the fields of workers' compensation law, automobile tort law, and general negligence law. He is also the owner of Summit Law Practice Solutions, a legal consulting firm focused on assisting solo practitioners and small law firms leverage their skills with emerging and existing technologies in order to maximize efficiency and profitability.

As a practicing attorney for over twenty-five years, Alan has seen how technology has changed the shape of how law is both practiced and marketed. Passionate about both his business and personal injury law practice, Alan has given over one hundred presentations since 2001 about how there has been a gradual paradigm shift in the last decade from mid-size and large law firm practice being the norm to solo and small firm practice, thus creating greater competition among lawyers for business.

Successful law practice management is comprised of four distinct categories – marketing, finance, practice and technology. There must be a balance among all four of these in order to run and maintain a successful law practice. Alan created Summit Law Practice Solutions to provide support to solo practitioners and small law firm practices in each of these categories.

In August of 2009, the American Bar Association's General Practice, Solo and Small Firm Division awarded Alan its "Solo and Small Firm Trainer of the Year Award" for his contribution to educating lawyers and law students about the opportunities of a small and small firm practice. Presently, Alan serves on the Editorial Board of the American Bar Association's General Practice Solo and Small Firm magazine board, Chairs the ABA's Technology Section, and serves on the long range planning committee.

Alan lives in Newton, Massachusetts. In his spare time, Alan serves as Executive Chef at his temple and travels along the east coast hoping to find the ultimate lobster roll.

You may find Alan in cyberspace at www.summitlps.com, www.klevanlawfirm.com, www.linkedin.com/in/alanklevan or www.twitter.com/AlanKlevan.

"Pretty Darn Fine or:
How I learned to Use PDF and Love my Practice"

Alan J. Klevan, Esquire

Summit Law Practice Solutions

Newton, MA

KEEP CALM
AND
LAWYER ON

ABA GPSOLO
Solo, Small Firm and General Practice Division
YOUR SUCCESS, OUR MISSION™

"The Paper-LESS" Office:

Tips and Tricks to Turbocharge Your Practice

Converting an office from paper to "paper-less," or even starting a "paper-less" practice may seem like a daunting task. Obviously, there is a learning curve with everything, and this is no different.

When thinking of how to manage a paper-less practice, the two words that should immediately come to mind are "efficiency" and "profitability." Making money is of paramount importance to all lawyers, and doing it in the most effective means should be equally important.

This article will focus on, in my opinion, the two most important aspects of the "back-office" paper-less practice, that being the use of naming conventions and a brief overview of some of the features of Adobe Acrobat to help you maximize your efficiency and profitability.

Naming Conventions

Without a proper naming convention, the contents of a typical file may look something like this:
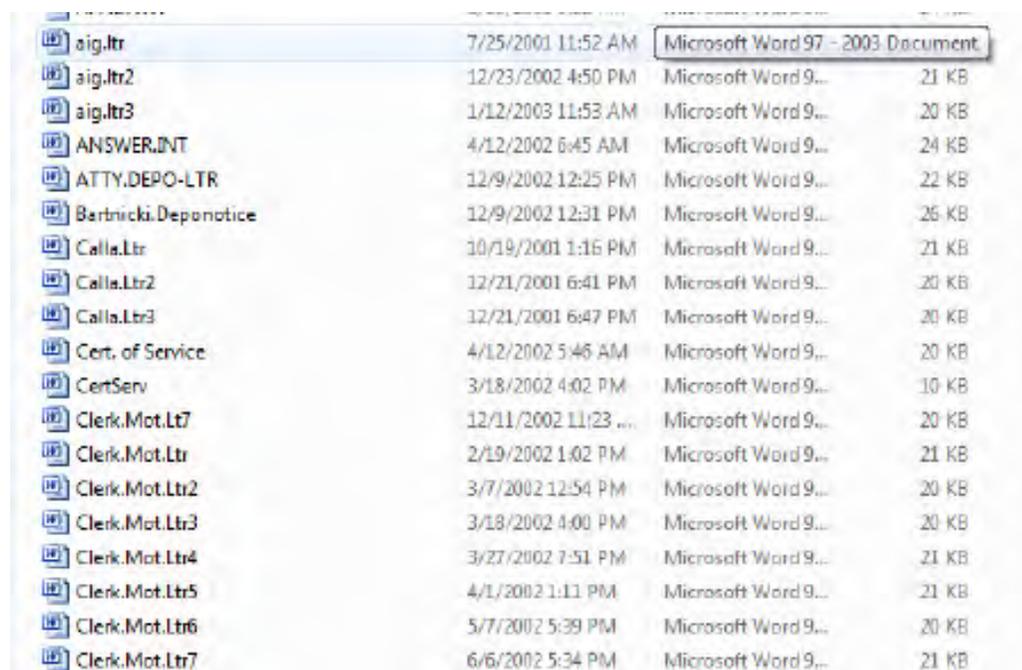
aig.ltr	7/25/2001 11:52 AM	Microsoft Word 97 - 2003 Document	
aig.ltr2	12/23/2002 4:50 PM	Microsoft Word 9...	21 KB
aig.ltr3	1/12/2003 11:53 AM	Microsoft Word 9...	20 KB
ANSWER.INT	4/12/2002 6:45 AM	Microsoft Word 9...	24 KB
ATTY.DEPO-LTR	12/9/2002 12:25 PM	Microsoft Word 9...	22 KB
Bartnicki.Deponotice	12/9/2002 12:31 PM	Microsoft Word 9...	26 KB
Calla.Ltr	10/19/2001 1:16 PM	Microsoft Word 9...	21 KB
Calla.Ltr2	12/21/2001 6:41 PM	Microsoft Word 9...	20 KB
Calla.Ltr3	12/21/2001 6:47 PM	Microsoft Word 9...	20 KB
Cert. of Service	4/12/2002 5:46 AM	Microsoft Word 9...	20 KB
CertServ	3/18/2002 4:02 PM	Microsoft Word 9...	10 KB
Clerk.Mot.Lt7	12/11/2002 11:23 ...	Microsoft Word 9...	20 KB
Clerk.Mot.Ltr	2/19/2002 1:02 PM	Microsoft Word 9...	21 KB
Clerk.Mot.Ltr2	3/7/2002 12:54 PM	Microsoft Word 9...	20 KB
Clerk.Mot.Ltr3	3/18/2002 4:00 PM	Microsoft Word 9...	20 KB
Clerk.Mot.Ltr4	3/27/2002 7:51 PM	Microsoft Word 9...	21 KB
Clerk.Mot.Ltr5	4/1/2002 1:11 PM	Microsoft Word 9...	21 KB
Clerk.Mot.Ltr6	5/7/2002 5:39 PM	Microsoft Word 9...	20 KB
Clerk.Mot.Ltr7	6/6/2002 5:34 PM	Microsoft Word 9...	21 KB

If one is looking for a specific letter to Attorney Callahan or the court clerk, it would take an inordinate amount of time to find the document. The inability of an attorney or staff member to quickly locate what they are looking for inside of a document or case management system can severely hinder work progress. The attorney will both spend time looking for the document and time communicating his or her confusion as to where the document is located to support staff. Then, the paralegal or legal secretary must spend time trying to find it as well. The firm has by this time wasted too much time looking for one, single document.

Of course, I must mention that there are document management systems (DMS) such as Worldox, to search for documents, but properly-implemented, system-wide, naming conventions are just as effective. I

state "system-wide" because the entire firm needs "buy-in." If even one staff member does not buy in to the firm's uniform naming policy, it will create a bottleneck and impede workflow efficiency.

A naming convention starts with the creation of the case folder. It can be as easy as this:
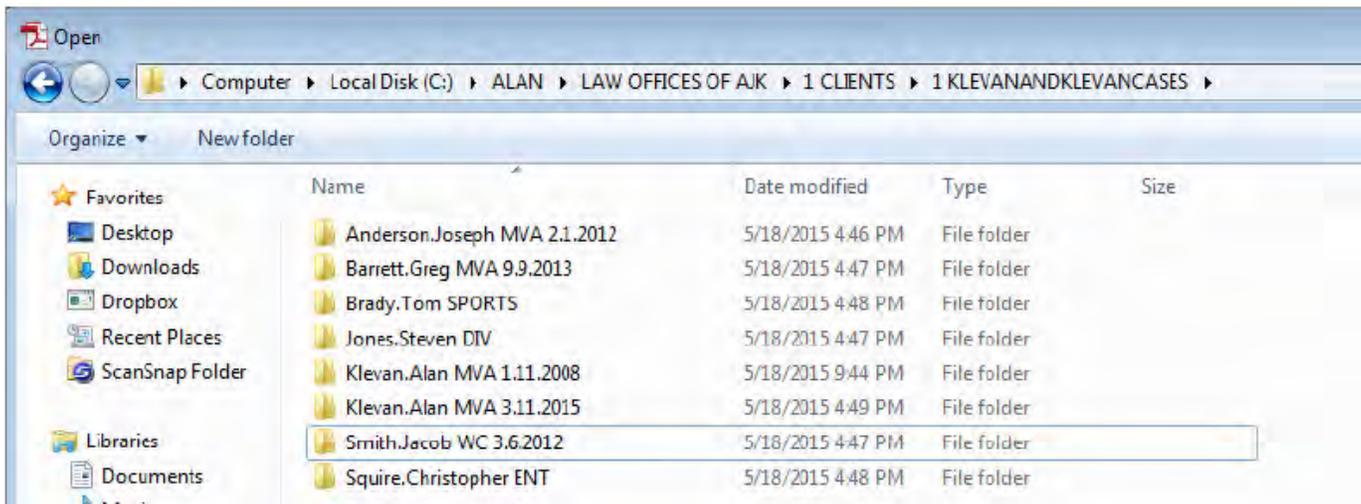
While this may seem basic, if you represent a client for more than one matter ("Klevan"), there must be differentiation.

Inside the folder is where consistency must be considered as well. A typical litigation file for me looks like this:

My "correspondence" subfolders look like this:

Name	Size	Type
CLIENT		File Folder
GENERAL		File Folder
PIP		File Folder
THIRD PARTY		File Folder

My pleadings folders…

Name	Size	Type
ADMISSIONS		File Folder
COURT NOTICES		File Folder
DOCUMENT PRODUCTION		File Folder
INTERROGATORIES		File Folder
MOTIONS		File Folder
PRE TRIAL		File Folder

I should note that, obviously, I receive paper and I do not discard it immediately, as a file is the client's property. I store paper until either I have an opportunity to give it to the client or deem that I do not need it. To maintain consistency, instead of manila files, I have notebook binders with index tabs numbered from 1 to 20, matching my paperless file naming convention.

The choice of naming and numbering files is truly in the taste of the lawyer/staff/firm. However, it is essential to have a proper file naming protocol in order to maximize workflow and prevent unwise use of time in the practice.

Next, and equally important, is the actual naming of documents. Of the many things Microsoft has done to make attorneys' (and staff) lives easier, is the fact that they provided us with 256 characters in Microsoft Word to name our documents! So, instead of naming a document "clerkltr1," you can name a document "letter to Clerk Jones telling him that he really messed me up by misfiling my Motion to Compel"

But there's a bit more to it than just being really specific with your file name.

In my years of consulting, I have found that the easiest way to find documents is a chronological naming protocol. This may not work best for you. In litigation, because there are stages of litigation, I find that a chronological order follows the chronological life of a litigated matter. For contracts, a different protocol may be necessary.

A chronological naming protocol would look something like this:

2017.05.18 Letter to the ABA thanking them for having me present at their Spring Meeting

The order of the date elements (year-month-day) and the fact that they are numeric, not alphabetic, allows all documents within a folder to be sorted chronologically. The date is when the document was created, not the date upon which it was scanned or printed to PDF If you receive a letter as an attachment to an email or by fax, you convert the letter to a PDF and use the date which appears on the document itself as

part of our file name, rather than the date received.

If you have several individuals working on a file and would like to know the author of the document, initials would suffice. The example above would then look like this:

2017.05.18 Letter to the ABA thanking them for having me present at their Spring Meeting AK

Of course, the topic of this presentation is the "paper-less" office, which focuses on the use of Adobe Acrobat, so once the Word document is saved as such, the document should be immediately saved to Adobe Acrobat, which will automatically save the document into a properly named PDF

I am saving this document as a PDF simultaneously as I am writing it as an example:
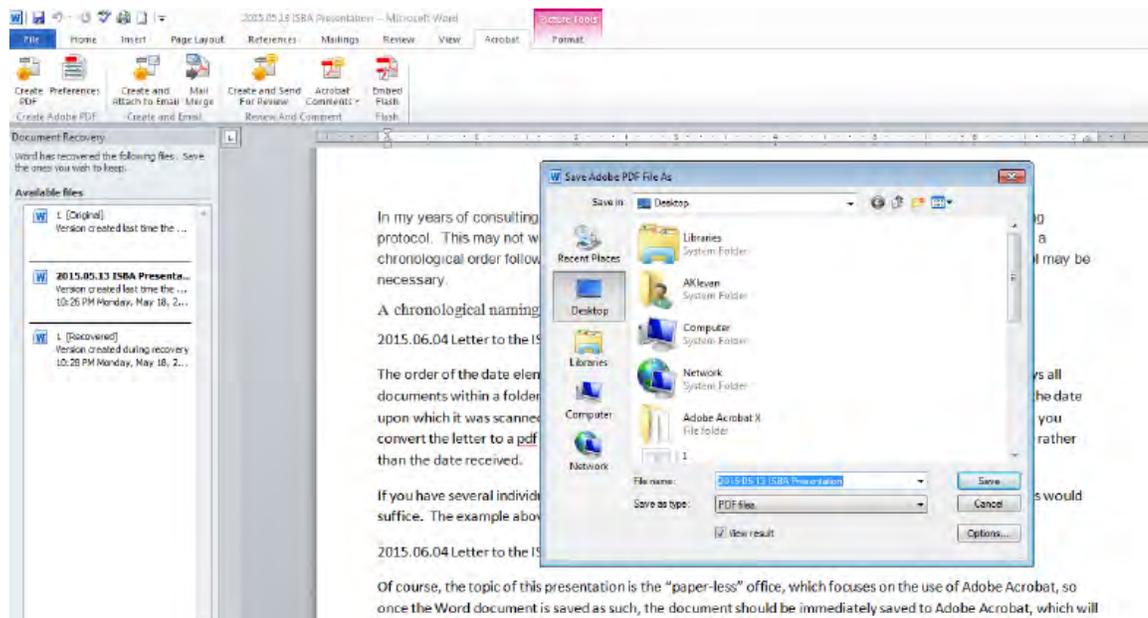
A properly-named correspondence file will look something like this:
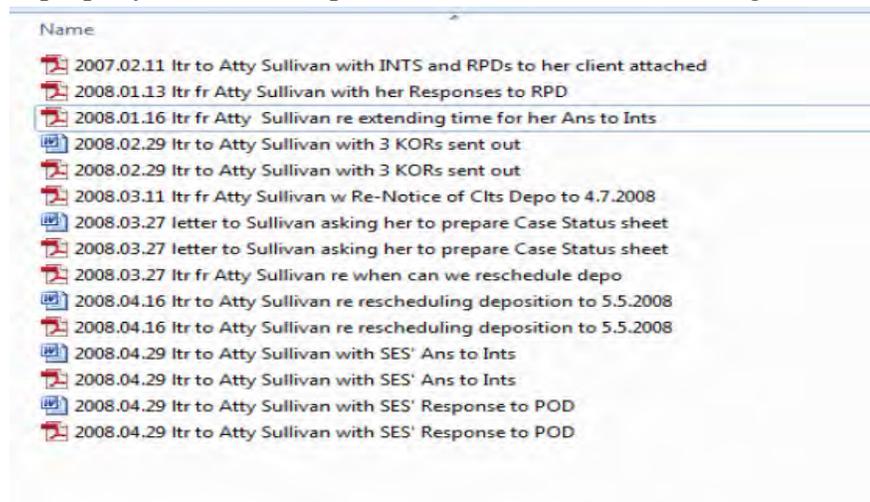
This list could go on and on, and do not feel compelled to keep it short. Include everything you could consistently abbreviate, and always feel free to add to the list. However, don't over-abbreviate, as the goal is

to make viewing documents easy.

Creating a naming convention is only truly effective if implemented consistently. If you decide to push for firm-wide naming conventions, make sure that every lawyer and staff member is required to use them. Explain to the decision-makers why this new procedure is necessary and how it will decrease frustration and increase workflow. Having everyone on board at your law firm is a prerequisite to making this small change immensely effective.

It takes time to develop a system suited to the way that your firm works and which everyone will use. Start with one small area, test it, and continue modifying until it works well for you.

Adobe Acrobat

In as plain English as possible, Adobe Acrobat is software that allows individuals to manage files of different types by creating a "PDF" (Portable Document Format). It allows one to create forms, manipulate files by editing them, combine files of different formats, as well as embed files of different types, such as multimedia files, into an existing file. Acrobat enables viewing documents created in various software programs on any computer, with the look and layout of the source program intact, like an electronic snapshot.

"How Do I Love Thee, Adobe Acrobat? Let Me Count (some of) The Ways…"

- Creating fillable forms
- Using the typewriter to fill out those forms
- Creating secure and password protected documents
- Bates stamping
- Combining documents and building binders
- Archiving entire Outlook folders
- Turning web pages, Word documents and the like into PDF files with one click
- Bookmarking and hyperlinking

The "cutting edge" law practice will then look something like this:

A document is received, scanned and filed using an appropriate naming convention. It will open up in one of the several screens on one of your monitors. Using Adobe Acrobat, you will combine files to create a binder of documents you will need, either for a Response to Request for Documents, a settlement package, a real estate binder. These binders can be Bates stamped, bookmarked or hyperlinked. The binder can be several different extensions, be it a JPEG, Word document, PDF – whatever. Acrobat has the power to do this. All of this will be done without ever closing a window because you are using multiple monitors. Once the binder is created and saved, the document can be forwarded either by email straight from Acrobat, or delivered through any of the many electronic mail delivery platforms these days. All without leaving your chair.

There are many resources to learn more about how to incorporate Adobe Acrobat into your law practice. In November, 2013, the American Bar Association released "Adobe Acrobat in One Hour for Lawyers," written by Ernie Svenson. The Table of Contents and a brief excerpt of the book can be found here:

http://apps.americanbar.org/abastore/products/books/toc/5110768_excerpt.pdf

The book covers similarities and differences between Adobe Acrobat X and XI, and is a must read for those who are required to submit court filings in PDF format.

I discussed that it would be beneficial to upgrade to Acrobat Pro from Standard. For the best comparison of the two if you have Acrobat X, see this link:

http://blogs.adobe.com/acrolaw/files/2011/04/AcrobatXFamilyMatrixlong.pdf

Acrobat XI has additional features:

http://www.adobe.com/products/acrobat/product-comparison.html

There are plenty of alternatives to Acrobat, such as Nuance PDF Converter and Nitro PDF, as well as free programs, such as Cute PDF.

Let's take a look at some of Acrobat's most powerful features for lawyers, but first, let's take a look at the toolbar:

Acrobat Toolbars

Acrobat's default toolbar groupings are Create, File commands, Quick tools, Page navigation, Select, Zoom, Page display, Tools, Comment and Read mode.
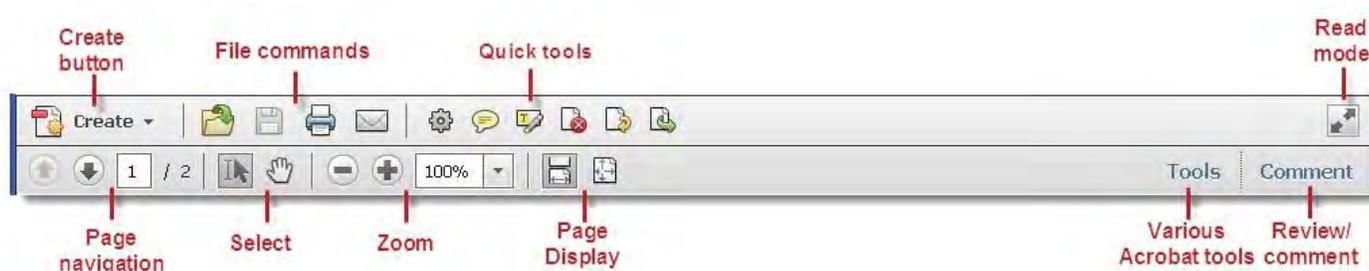

1. Create - allows you to create a PDF from an electronic or scanned document. Also allows you to create a PDF portfolio. You can create a fillable form from here as well
2. File commands - toolbar contains the Open, Save, Print, and Share document buttons.
3. Quick tools - provide one-click access to common functions in Acrobat. Quick tools is customizable
4. Page Navigation - toolbar contains the Previous Page, Next Page buttons and Page Number display.
5. Select - toolbar contains the Select and Hand buttons.
6. Zoom - toolbar contains Zoom Out, and Zoom in icons and Zoom Value display.
7. Page Display - toolbar contains the Scrolling Mode and Single Page icons.
8. Tools pane - access to numerous functions in Acrobat.
9. Comment pane - allows you to add comments to PDF file.
10. Read mode - view your document without the clutter of toolbars or task panes.

Creating Fillable Forms

     How to create a fillable form in Acrobat is one of the most frequently asked questions of me. You can create a form from an existing electronic document (for example, Word, Excel, or an existing PDF document) or scan and convert a copy of a form, and then add interactive form fields to it.

How to Create a Form Using an Existing Document

1. Choose "Create" > PDF Form or "Create PDF" from the "Getting Started menu.

2. From the 'Create or Edit Form' dialog box, select the 'Use the Current Document or browse to a file' option under 'Choose source' and then hit the 'Next' button.
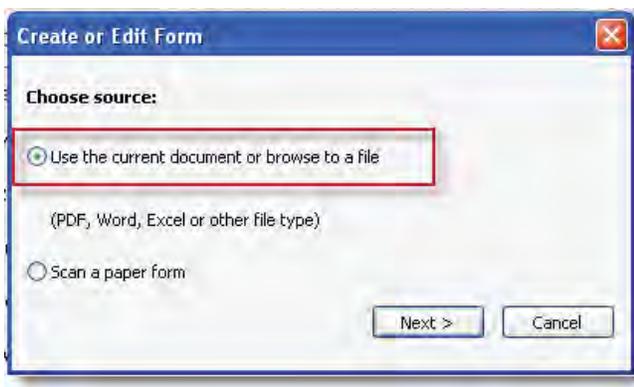
3. Under 'Locate the document to convert', click on the 'Browse' button and locate your file. Then click 'Next'.
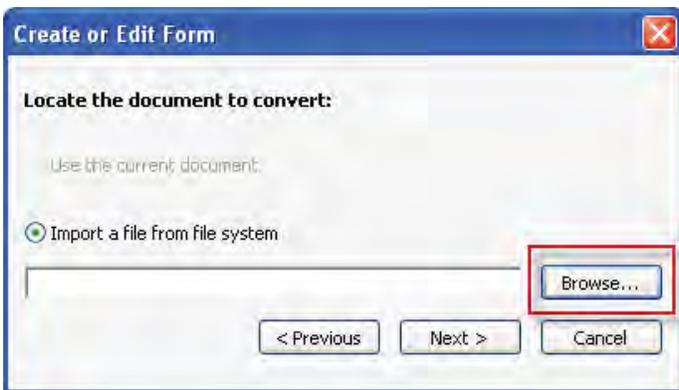
  Adobe Acrobat is often not entirely successful in recognizing form fields. Some fields go undetected, and some areas of the file are recognized as fields, when in fact they are not. The clean-up work you must do to eliminate incorrect form fields and to create manually the form fields that the program failed to detect can be tedious and lengthy.   You might save time by redesigning your original document, if that is feasible, so that the fields are easier for Acrobat to recognize. Notice what in your form design tends to be ignored by Acrobat and what tends to be picked up as a form field.

Illustrated below are two converted forms from Word. In the first example, all fields were correctly detected by Adobe Acrobat (the blue highlight color in each of the cells indicates a fillable form field in Acrobat).

In the second example, numerous fillable fields were not recognized. Note the absence of the "highlight" color by the phone number entry sections and by the round check boxes at the bottom. You could not enter data in those spaces in Acrobat. Additionally, an erroneous form field was detected and created where the user has nothing to fill in.

<u>To remove a form field that appears in error</u>:

1. Click once inside the form field to select it.
2. Press the 'Delete' key.

To add a form field that Acrobat left out:

1. Click on 'Add New Field' under 'Tasks' on the right-hand side of the screen.
2. Select the appropriate field type from the drop-down list (see below for descriptions of field types).

The following types of fields can be included in a PDF form:

a. Text fields -   allow the user to type in text such as name, address, email address, or phone number.
b. Check boxes -   are used by the user to choose between two
                       options such as, yes-or-no or true-or-false. A form may also use check boxes for
                       making multiple-choice selections.
c. List boxes -   Display a list of options the user can select. You can set a form field property that
                       enables the user to Shift- click or Control-click to select multiple items on the list.
e. Dropdown menu - allow the user either choose an item from a drop-down menu list or type in a response.
f. Buttons -   initiate an action on the user's computer, such as opening a file, playing a sound, or
                       submitting data to a web server. You can customize buttons with images, text, and
                       visual changes triggered by moving or clicking a mouse.
g. Digital signatures - allow the user to sign electronically a PDF document with a digital signature, which
                       can be a scanned image of your signature or some other image.

3. Next, click where you want to insert the field (an outline of the field displays so you know where it will appear after clicking).
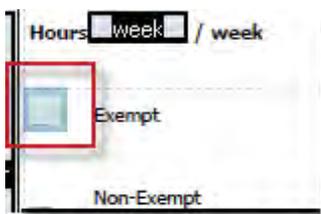
4. Blue handles appear around the field, allowing you click on them and drag to resize the field as necessary.
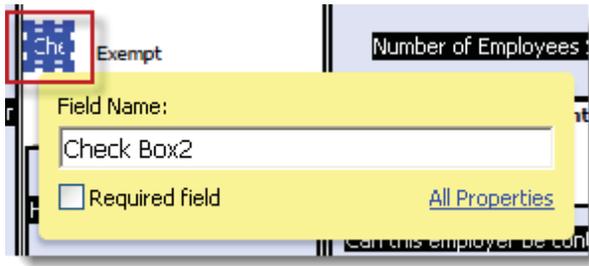
5.   You are given the opportunity to rename each field you are working with.

When you have completed the form, you can then leave the Editing mode and preview how your information will look when information is entered. To do so,

1. Click on the 'Preview' button on the toolbar directly above your form.
2. Enter information into various fields, making sure the font/font size/etc. are as you want them.
3. If you need to make more changes to the layout of your form, click on 'Edit' on the toolbar directly above your form. After making changes, click again on 'Preview' to see if the layout suits you.
4. Remember to erase the text you entered in preview mode; otherwise, it will be distributed with the form.

<u>The Typewriter Tool</u>

The typewriter tool is one of my favorite aspects of Acrobat. This tool allows me to manually fill out forms I have already created, as well as type information on any document I have scanned in. However, the typewriter tool will not work on a "flattened" document. A scanned PDF document will not automatically be able to be edited. It must be "OCR'd" in order to do so. A flattened PDF is essentially a "picture" of what the PDF program believes is on the paper. OCR (Optical Character Resolution) essentially converts PDF files (images) into editable and searchable data.

The typewriter tool looks like this:

If this tool is not on your toolbar, you can drag it from the "Tools" bar on the right side of the screen to the top toolbar – make certain you drag it with the "grabber" icon to the left of the tool as shown:
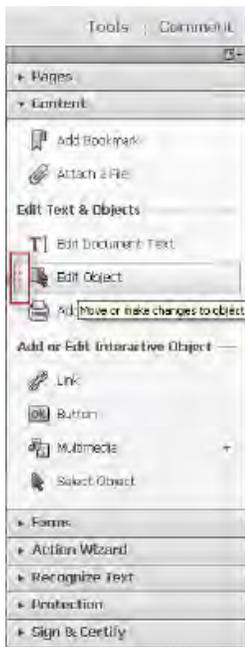
The Snapshot Tool

The Snapshot tool will allow you to cut any object from a PDF file and incorporate it into a Word document. I use this tool when I am sending a document that referenced medical records, photographs, Deposition testimony, and the like.

As with the "typewriter" tool, the snapshot tool should be found on the top toolbar. It looks like this:

If the Snapshot tool does not appear on the main toolbar, you can "right click" the toolbar and add the Snapshot tool to it.

Once you have the Snapshot tool, the tool will allow you to draw a box around the PDF contents you wish to "grab." It will confirm that the contents are copied. Open up the Word document you are using, and just paste the contents into the file. Some examples:

My client's motor vehicle was hit pretty hard...
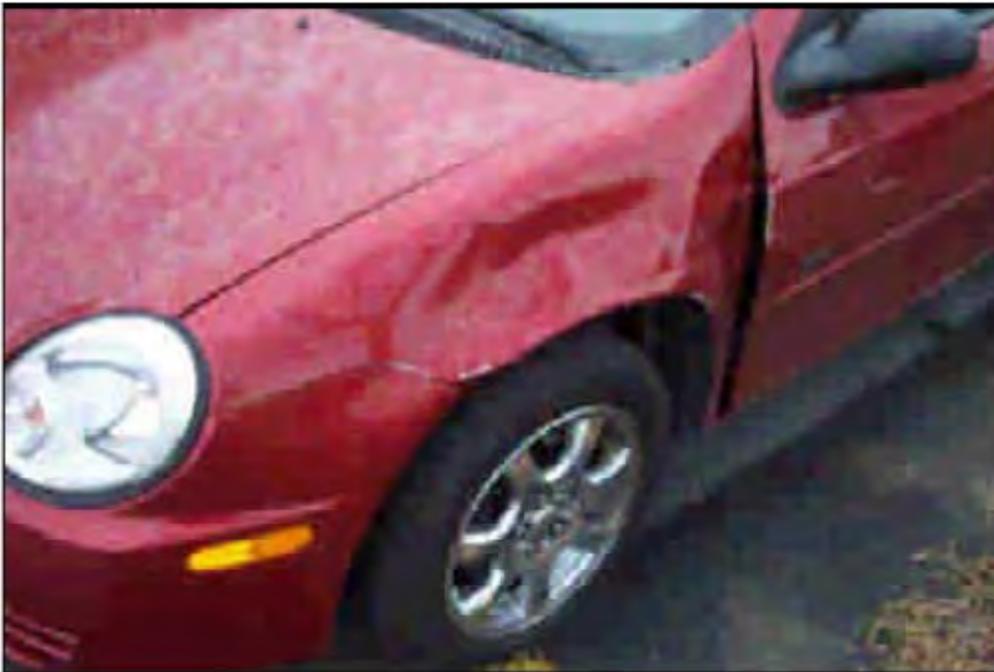
The appraisal was this:

```
Parts                                       375.15
Body Labor          17.0 hrs @ $ 36.00/hr   612.00
Paint Labor         16.7 hrs @ $ 36.00/hr   601.20
Paint Supplies      16.7 hrs @ $ 16.00/hr   267.20
Sublet/Misc.                                  5.00
-------------------------------------------------------
SUBTOTAL                              $ 1860.55
Sales Tax           $  642.35 @  5.0000%   32.12
-------------------------------------------------------
TOTAL COST OF REPAIRS                $ 1892.67

ADJUSTMENTS:
  Deductible                              0.00
-------------------------------------------------------
TOTAL ADJUSTMENTS                    $    0.00
NET COST OF REPAIRS                  $ 1892.67
```

Emailing a document through Acrobat

When working on a document you wish to email, Acrobat will allow you to automatically insert the document as an attachment to email. Just prepare the document as you would, and save it. Once saved, click on

"Acrobat" at the top of your Word toolbar – Acrobat will automatically install itself on your Word toolbar once Acrobat is installed – and the following will appear:
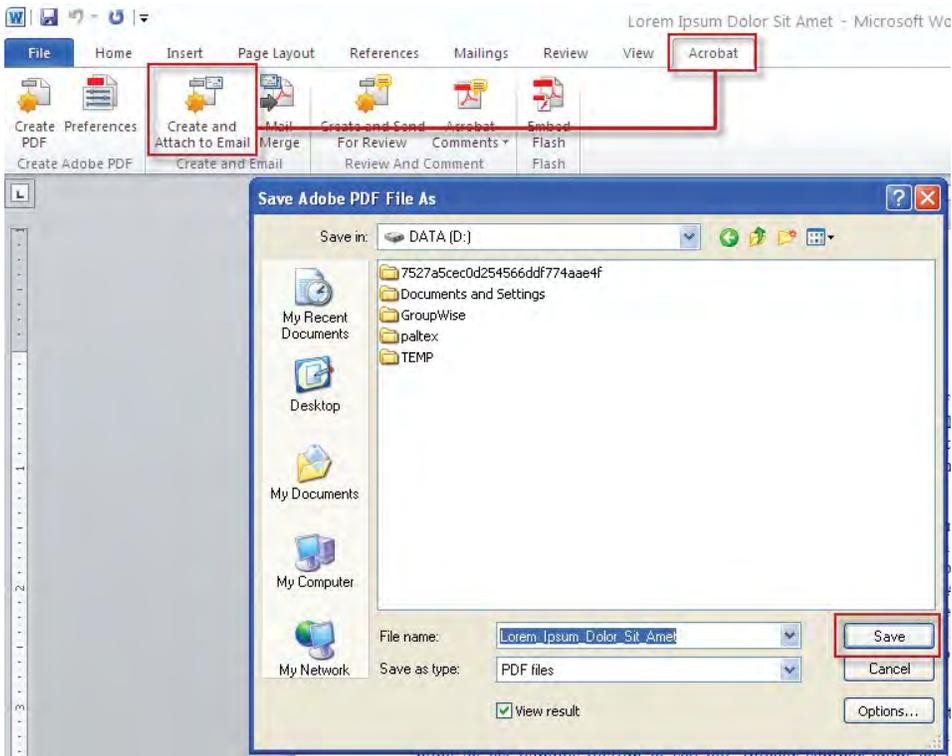
Your default email program will automatically open to the 'Mail To/Compose' screen with newly created PDF file attached.
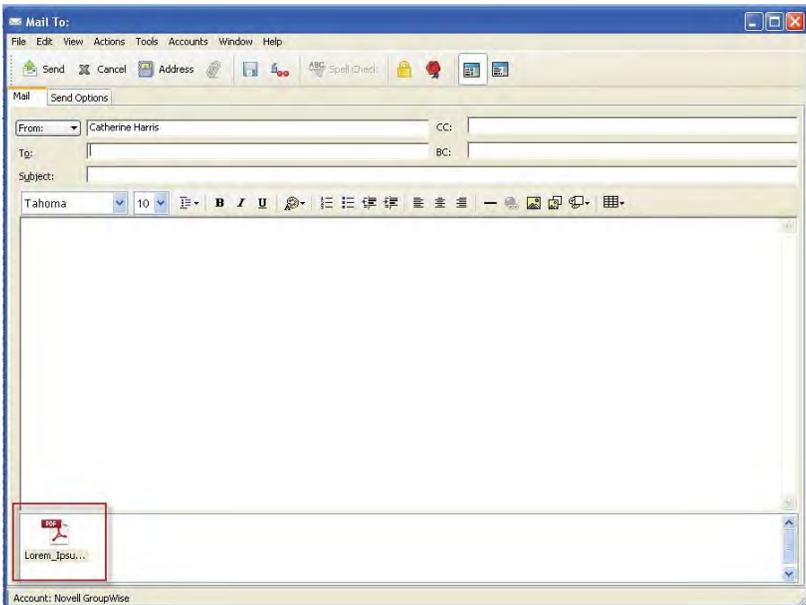
Converting and Combining Different Types of Files into a Single PDF Document

In my opinion, one of the most powerful tools in Adobe Acrobat is the "Combine Files" function. For me, I use this tool to:

- Combine dozens of files together for a Response to Production of Documents
- Prepare a settlement brochure by combining my Exhibits such as police reports, photographs, medical records and bills and lost wage information
- Combining Exhibits in divorce/separation agreements.

If you currently have a file open, click on the 'Create' button from the upper toolbar and choose 'Combine Files into a Single PDF…'
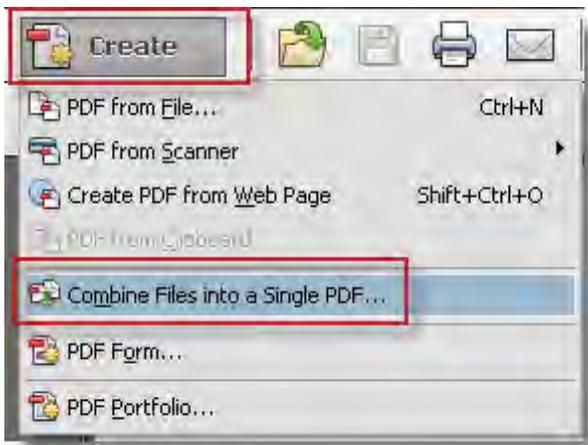

The 'Combine Files' window will appear onscreen. Click on the "Add Files" button. A dialog box will appear. Then navigate to the directory that holds the files that you want to combine. These files do not necessarily have to be in PDF format; they can be files in various formats, such as Excel or Word, or they can even be image files.

Hold down the Control key and click once on each file you wish to add. If you are adding several files in a row, you can hold down the Shift key and click once on the first and last file to add all the files.

Click the 'Add Files' button. Your files will be displayed in in the 'Combine Files' window.
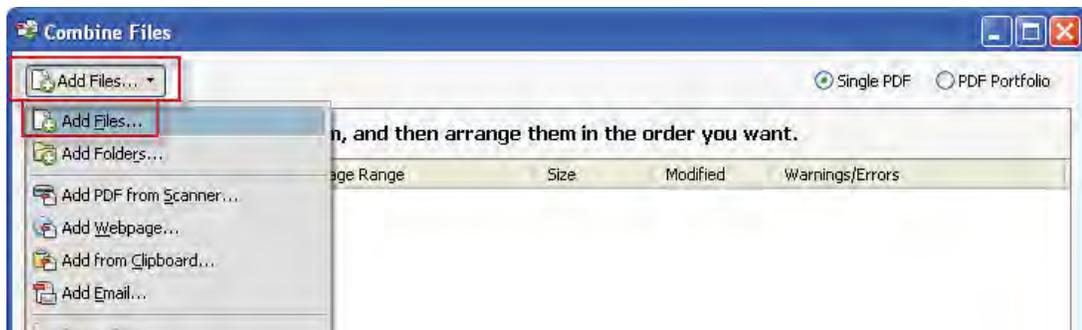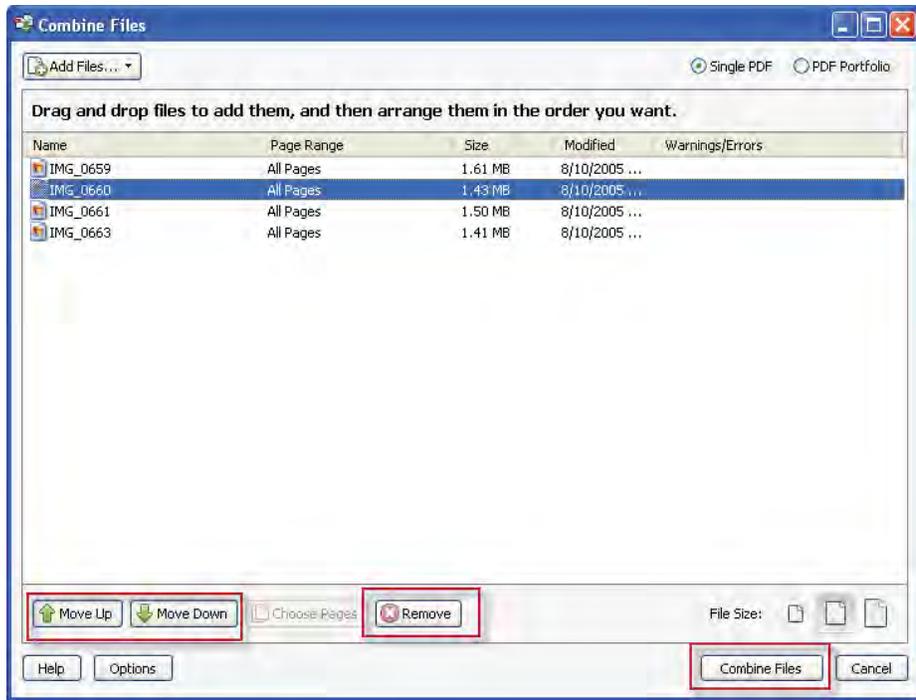
To change the position of a file in the list, click on any filename and then use the 'Move Up' or 'Move Down' button to shift its position.

To remove a file from the list, highlight a file and click on the 'Remove' button.

When ready, click the 'Combine Files' button.

All files are converted to PDF format, and the consolidated PDF document is named 'Binder1' by default.

To rename the file:
1. Go to 'File' on the menu bar and choose 'Save As'.
2. In the 'Save As' dialog box, rename your newly combined PDF document and press 'Save'.

Working with Bookmarks

While many authoring programs create bookmarks automatically that link to different sections within the document, you can also create your own.

1. To add a bookmark, scroll to the page in the document that you want bookmarked.

2. In the Bookmarks panel, click the New Bookmark icon.
3. A new untitled bookmark is added. Click on the word 'Untitled' and replace it with a title of your

choosing.

An alternative to this is to "right click" your mouse exactly where you want your bookmark to reference. The "Add Bookmark" box will appear. Then, name your bookmark.

Adding Comments to a Document.

Should you wish to add comments to a PDF, Acrobat allows you to do so. Click on the "balloon" on the top toolbar, click where you want to insert the comment, and a popup will open. Insert and save your comment


You may also open up the comment "sticky note" icon from the "Comment" drop down on the right side of the Acrobat program.
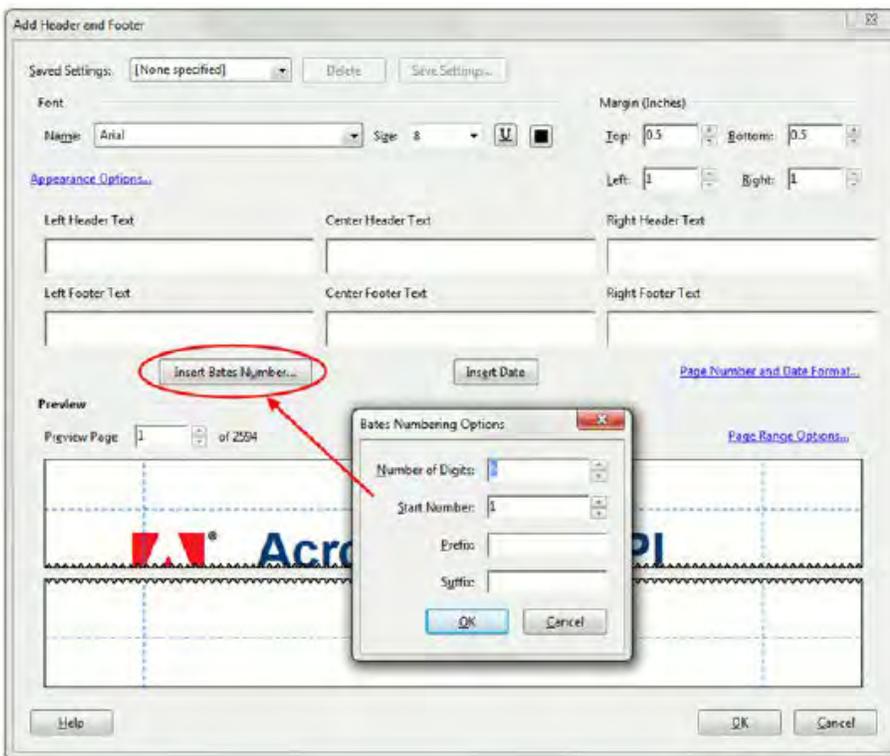
Bates Numbering

Most attorneys will use Bates Numbering at one time or another. Gone are the days of the rubber stamp. Acrobat will allow you to insert Bates Numbers quickly.

Most attorneys will use Bates numbering when producing documents to opposing counsel. Bates numbering can also be used in Separation Agreements, contracts, numbering medical records, or just to organize one's file. The Acrobat Bates numbering tool is powerful in that it will allow you to position your Bates number, choose a color and font of choice, and insert numbers from a different starting point, if desired.

To get started, from the "Tools" bar on the right side of the Acrobat Program, click "Pages" > "Bates Numbering" > "Add Bates Numbering"
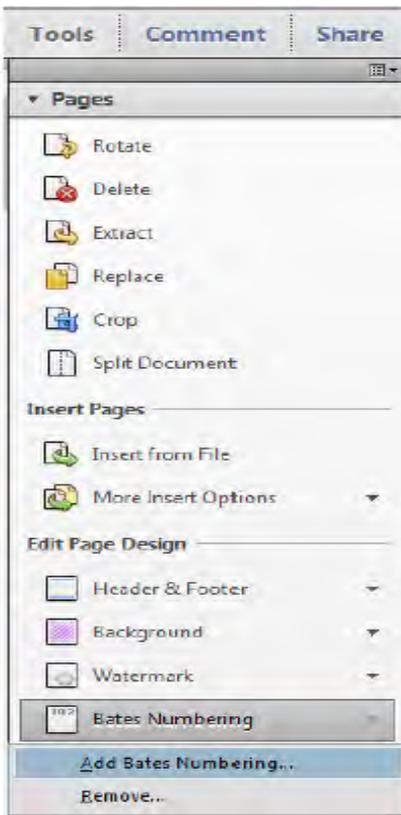
The program will ask you which document you would like to open to add Bates Numbers. Once you open the document, the following popup will appear:

Click on "Insert Bates Number," specify the number of digits, and then click on whether or not you want the

numbers to appear on the header or footer and the orientation.

If you receive additional documents you wish to add to this immediate document, you would:

1. Bates number the "new" document, starting with the number following the last Bates Number on the previous document
2. Combine files
2. Save the combined document

Alternatively, you can erase the Bates number from the original document, combine the files, and Bates number the new file from the beginning.

**Adding Multimedia to PDF Files**

One of the neat features in Adobe Acrobat X Pro is the ability to incorporate multimedia into PDF documents. To add a video to a PDF document:

1. Click on File > Open
2. Select and open the PDF document that you want to use.
3. Scroll to the portion of the document where you plan to insert the video.
4. Click on 'Tools' on the right side of the screen.
5. Click on 'Content' and then select 'Multimedia'.
6. Choose 'Video'.

7. The cursor will now look like a "crosshair" symbol.

8. Draw a box where you wish your video to appear on the page.

9. The 'Insert Video' dialog box will pop-up.
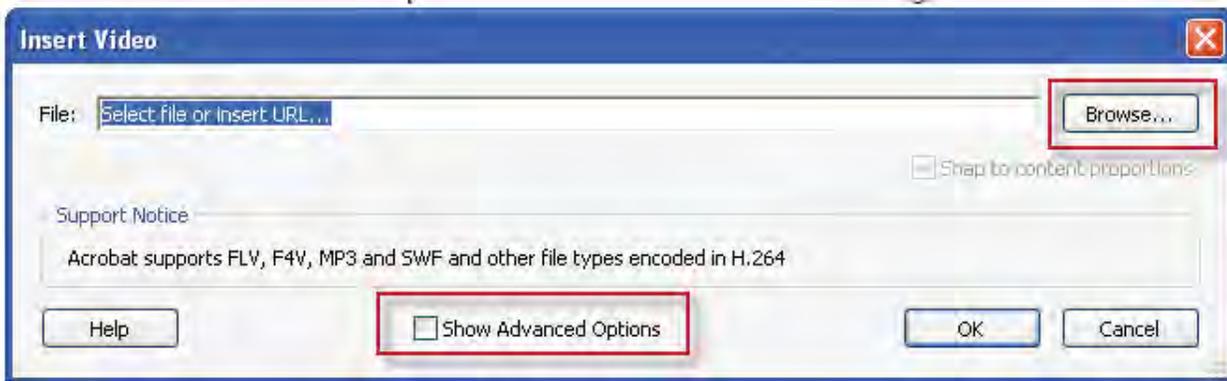
10. Click the 'Browse' button, and then select the media file that you want to use. **NOTE:** You can insert FLV (Flash Video) files and H.264-compliant MP4 (MPEG-4 Video) and MOV (QuickTime) files.
11. Before you click the 'OK' button, checkmark the 'Show Advanced Options' box.
12. The Insert Video dialog box will now show the advanced options.
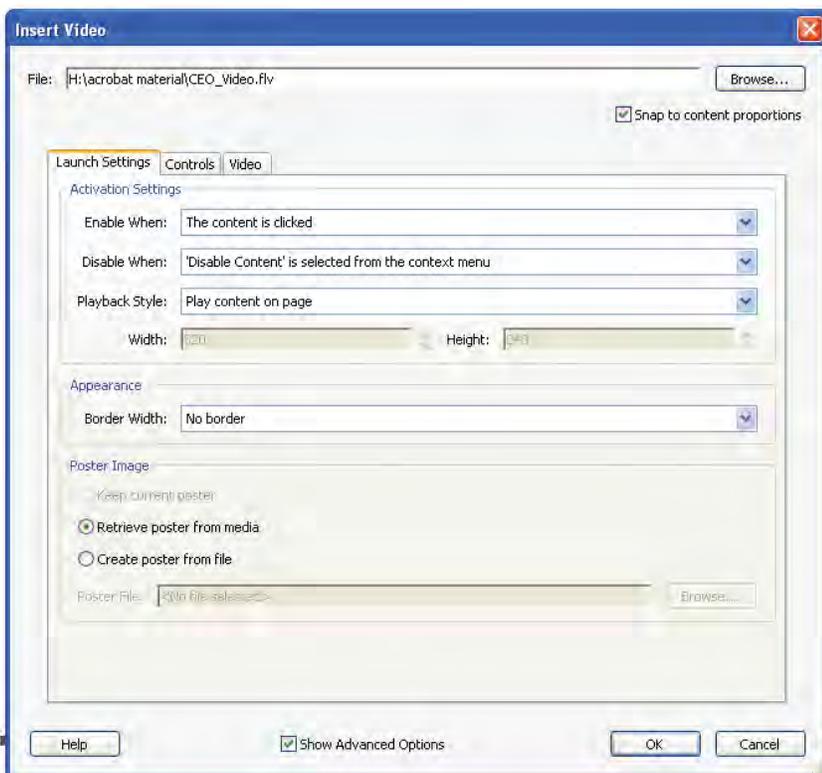
13. On the 'Launch Settings' tab select the following settings:

a. Enable when: The content is clicked
b. Disable when: 'Disable Content' is selected from the context menu
c. Playback Style: Play content on page.
d. Width: When you choose the 'Play content in floating window' option in the 'Playback Style' section, you can set the width and height of the floating window in the width section.
e. Border: You can choose to display your movie without a border or choose between a thin, medium or thick border.
f. Under the 'Poster Image' section, make sure 'Retrieve poster from media' is selected and then click OK.
g. Click the Play button to begin the video. Once the movie starts to play, roll the cursor over the lower section of the video to see the playback controls.
h. Stop the video and save the newly updated PDF document.