



Words of Wisdom for Filing Client E-Mail

In a recent [twtpoll](#) I asked for your feedback on filing client e-mail. I wanted to know:

- Who files the e-mail in your office – lawyers or staff?
- How is it filed – electronically or in paper form?

The results were mixed. While I take heart that the majority of firms are electronically filing e-mail, it's clear we have a long way to go toward streamlining this process.

Here are some of the comments I received:

“Attorneys are supposed to file (e-mails) in Time Matters, but they end up in folders in Outlook, junking up the e-mail memory.”

“Lawyer (solo) files e-mail in Clients’ Outlook folders.”

“We use Gmail ... and use search to find (messages).”

“We label e-mails with appropriate matter/client name in Gmail and archive or backup as needed.”

These answers highlight three common problems:

- Law firms using Web mail are not filing client e-mail on their local hard drive or server.
- Lawyers are treating Outlook folders as a filing cabinet for e-mail.
- No one is really addressing the issue of *who* should be filing client e-mail.

E-Mail Must Be Properly Filed

E-mail should be segregated by client and saved electronically in the same folder where Pleadings, Correspondence, Research, etc. are stored. Create a specific subfolder within the client's main folder, or include e-mail in Correspondence. Use [inbox organizers, filing assistants, and other techniques to make the process easier](#).

Storing e-mail with other client documents allows you to have a complete electronic record that everyone in the firm can access. **When e-mail sits in your inbox, no one else working on the case can see it, and no one else will know what is going on.** As you accumulate more and more messages, your inbox becomes bloated. Archiving or backing up is not an ideal solution for several reasons:

1. E-mails are saved in their original format which typically consumes more space than e-mails preserved as .txt or .pdf files.
2. Attachments may or may not be captured.
3. If you need e-mails pertaining to a particular client, you will have to restore the entire archive or backup. This is time-consuming, space-consuming, and will involve work on your part to sort, search, and identify the specific messages for which you are looking.

Decide Who Should File Messages

If you are a solo practitioner with no staff, you will be filing your own e-mail. However, if you have staff, or are in a firm, you have other choices.

Option 1: Forward e-mail to your secretary or assistant for electronic filing

Pros: Forwarding e-mail means you stay in control. Private or confidential firm e-mails remain in your inbox. Only client e-mail is forwarded, with the benefit of keeping your staff person in the communication loop.

Cons: You remain in control of your inbox. If you aren't good about forwarding messages, it defeats the purpose of this approach.

Option 2: Give your secretary or assistant full access to your inbox

Pros: If you give staff access, the e-mail will get filed. Staff and others will be in the communication loop. If you don't want to be bothered with filing your own e-mail or forwarding it, this may be the approach for you.

Cons: Secretaries will be wading through a lot of messages to tackle this task. Firms who choose this option must refrain from sending sensitive information via e-mail. As an alternative, confidential documents such as employee evaluations or firm financial statements can be posted in a secure place on the server accessible only to those who have permission rights.

No matter which approach you use, here are some additional tips to make the process go more smoothly:

Keep Personal E-Mail Out Of Your Business Account

Many lawyers and staff are already overwhelmed by the amount of e-mail they must process. Slogging through personal e-mail in addition to business e-mail makes it more difficult to find critical, time-sensitive messages.

Keep personal e-mail personal. Doing so will save space on your business server, protect your privacy at work, and prevent business e-mail from bouncing back to the sender because your inbox is full of personal messages.

Don't Use (Outlook) Rules to "File" Client E-Mail

Don't get me wrong. Rules definitely serve a purpose. I use rules (based on domain name) to direct Listserv messages to designated folders. You can use rules to copy and forward all e-mail coming from a court domain to your assistant so he or she is copied on court notices. What doesn't work is relying on rules to "file" client e-mail. Even if you were willing to suffer the tedium of creating a rule based on each client's e-mail address, client's don't always use the same account to communicate with their lawyers. And of course, trying to base a rule on a subject line is impossible. How many times have you received (or sent) an e-mail with NO subject line? Or continued an e-mail thread based on a subject line that ran its course? Rules require consistency to work properly, and subject lines don't offer that security.

Get Your E-Mail Off the Web

I find it ironic that folks who are leery of [SaaS](#) don't give their Hotmail, Gmail, or Yahoo! accounts a second thought.

When you leave e-mail on a Web server, your confidential client data is not under your control. If your provider's server is down, or you can't get on the Internet, you can't get to your information. Macs and PCs both ship with e-mail programs. Poke around. I guarantee a preloaded program is available on your computer. Set it up to download your Web mail. *This doesn't cost you a dime.* Go to your Web mail's Help page and search for instructions on how to download Web mail to your specific program. For Google, log in to Gmail, click on Help, and click on POP under "Other Ways to Access Gmail." Google offers instructions for setting up Apple Mail, Outlook Express, Outlook 2002, 2003, and 2007, Thunderbird, Windows Mail, the iPhone, and other mail clients.

Once you are downloading e-mail to a local program on your computer, you can save it, print it to PDF, or at least archive it locally (my least preferred method of saving e-mail – see the issues discussed above). Remember: the idea is to get the e-mail out of your inbox into the client's electronic folder.

If you absolutely, positively, cannot be persuaded to download your Web mail, then I strongly recommend you print messages to PDF. If you don't own and can't afford Adobe Acrobat, then download a [free PDF writer](#). As you open and read each Web mail message, simply "print" it to your PDF printer and save it on your hard drive or server in the client's electronic folder.

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