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LawBiz® TIPS – Week of March 22, 2011

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Success, not fun, is the standard by which most of us have been raised. And success is usually measured by the greenback.

As I've now celebrated a milestone birthday, I'm easing up on myself, somewhat, and recognize and appreciate the value I'm contributing to the legal community. And I don't say this with any boastfulness, but rather as a reflection of the many accolades I've been fortunate to receive, including the most recent Lifetime Achievement Award from the State Bar of California.

Those who gather their approval internally have a much easier time of being kind to themselves than those who require external validation to feel worthy. It's time - it's long overdue - to enjoy the daily pleasures. I've always sought to do this (usually with my cycling). But there's a difference between enjoying and rejoicing! Don't let the opportunities slip away to rejoice in your achievement, pleasures and joys.

A handwritten signature in black ink, appearing to be "Ed".

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## To Scan, or Not to Scan?

In a recent Managing Partners' Roundtable, we talked about the costs of digitizing all of a firm's files. One partner suggested that failure to do so might result in malpractice allegations. This is an interesting concept; one that I don't believe has yet been examined.

### Pros and Cons of Digitizing Files

The cons of digitizing are that it is expensive and time-consuming. Lawyers must forsake billable time to help determine which files matter and which can be "cleansed" and tossed. Files must be taken apart to be scanned. Decisions have to be made on what hard copy to toss now, what to keep and for how much longer.

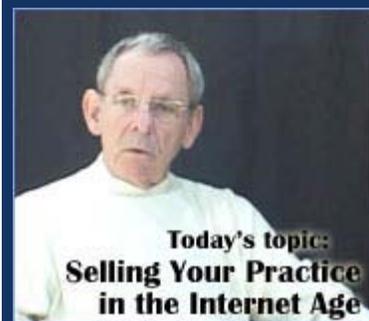
The pros of digitizing are the reduction in amount of real estate

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Featured Video:



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### What Clients Are Saying:

"Through Ed's invaluable coaching and no-nonsense approach, I was able to not

needed to store files, the lower cost of occupancy resulting from a conversion, and the ability to search files electronically by keyword.

The decision on what to keep and what to toss after digitizing is crucial. Failure to keep clients' files safe is a failure in the overall duty to act competently in the best interests of clients. The rules and specific time periods for storing or destroying client files vary by jurisdiction. Some states require a lawyer to securely store a client's files for 10 years after completion or termination of the representation unless the lawyer and client make other arrangements.

#### How to Digitize Your Files

Several years ago, a Chicago law firm began a digitizing process by scanning documents through a photocopy machine. Their contract provided for payment only when paper was copied and printed, not just scanned. Thus, this process had limited cost. Disabled people were employed to do the work, enabling the firm to do well by doing good. The firm realized a lower cost of labor than would have resulted in using its own personnel. The entire process was conducted in the evening so that the firm's normal workflow was not disrupted. Today, there are modalities and less expensive approaches such as using Fujitsu SanSnap®.

#### The Benefits of Digitizing Files

Scanning documents as searchable PDF files in an ongoing records' retention and management program is an excellent way to meet ethical document retention requirements and manage the huge number of documents required in litigation. Scanned documents are searchable electronically in compliance with the federal rules of evidence. Lawyers increasingly use software programs that search for key terms in electronic documents and classify those documents accordingly - a process that used to be extremely time-consuming and expensive with paper.

If documents are scanned, they can be produced and analyzed faster in the discovery process. The electronic files are just as valid as the paper ones and much easier to access and manage. Be sure to keep copies of the scanned electronic files in several locations as an added layer of security. You'll have more space in your office and you'll have a searchable file database, saving both time and money.

## 8 Steps to Greater Profitability

### *The Lawyer's Path to Prosperity*

*Are you frustrated with how your law firm or practice is running? Are you looking for ways to jump-start your business? Do you want to make the dream of starting your own successful firm a reality?*

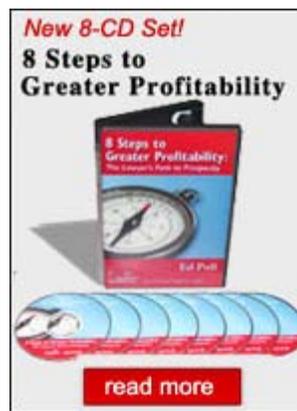
This 8-CD set provides the most complete audio guide to law practice management available. From crafting a business plan to selling your practice for maximum value, Ed will lead you from start to finish through the eight most crucial steps to

only stay employed at the firm, but to make partner and have a future with the firm."

**JM, Los Angeles, CA**

"Ed knew the right questions to make me answer. He has taught me virtually everything I know about formation, planning, and now management of a successful law firm."

**RUM, Los Angeles, CA**



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Ed Poll, LawBiz® Management

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