

Realistic Technology Tips for Paralegals

Do What You Do Best

BY GAYLE ABSI

You may have heard so much about e-discovery in the last few years that if you see another article, webinar or seminar you might burst. You may feel overwhelmed with technology and that it's moving faster than the speed of light. You may be frustrated with those you work with, because they expect you to be educated on the latest and greatest technology tools, but when it's time for their document review, you're told to make multiple copies or print all the documents out!

The reality is that paralegals are expected to find a unique balance for each case, each legal team and each client. Paralegals have always been required

to be flexible, creative and able to juggle many different projects. However, those traits are becoming more challenging as the management of cases becomes more complex. Here are some tips to consider while managing the balancing act as we survive the evolving practice of law.



UNDERSTAND YOUR ROLE AND GATHER THE RESOURCES YOU NEED TO DO YOUR JOB

Paralegals work in different environments. Some have a litigation support professional available to assist them with the complexities of managing electronic data; others are expected to add those responsibilities onto their existing job description; and there are those who are somewhere in between. Wherever you are on the spectrum, you should make certain that you understand the expectations placed upon you and that those you work with understand your capabilities. Your job responsibilities are varied and learning new technologies is an added expecta-

tion. Have you been relieved of other tasks with the advances of technology? Likely not! It's okay to be an excellent paralegal and have a skill set whereby you add value and efficiencies to the management of the case, yet not necessarily be the technical processing guru. As a matter of fact, it may be that a

paralegal who doesn't have the expertise to internally electronically process productions ends up spending more time doing so — and therefore costing the client more money than if they work with a specialist who does have the expertise. Paralegals need to have a solid understanding of the capabilities of technology, but don't need to be the expert who performs each task. If it's more efficient to del-

egate these tasks in the best interest of the client because it will lower cost and time involved, then it's your role to recognize that and surround yourself with the appropriate resources. Knowing the appropriate resources is important. Technology is becoming so complex, that specialists are evolving in all its different aspects. You may be someone who is an expert in all areas of technology, but if you're not, stop beating yourself up. Highly qualified paralegals can manage their cases and the electronic component of them equally effectively if they understand their role and surround themselves with the appropriate resources. A simple cost benefit analysis is a good tool to help determine the best approach to a task.

REALITY CHECK

We are not a completely paperless society.

Despite the daily blogs and articles about electronic discovery, there is still paper in our world and in the world of our clients. Discovery, in the majority of cases, will include both. Paralegals need to help the legal team with the best management solution. Logic tells us that having our entire discovery in one place, despite its original form, is the most effective. Early on, this was done backwards. Electronic data was received and printed out. It did not take long to realize that it's more efficient to scan to image the paper and keep the electronic data in native form, then load all of it into a litigation support database. Managing litigation documents in litigation support

databases is becoming a requirement with most cases today. Paralegals need to understand the processes and have the ability to work with the legal team to ensure that these databases are established for the efficient review and management of discovery. The initial set up of a database and proper collection of documents is the most important component in a productive litigation support database. Data collections that do not capture important

information at the outset will be less useful and can leave a negative feeling with those forced to work with it. Likewise, knowing when it's appropriate to

print out of the database is equally important. For example, printing deposition exhibits is appropriate. Printing boxes and boxes of documents to put in chronological order for attorney review — probably not. This leads to the next tip.

DESPITE THE DAILY BLOGS AND ARTICLES ABOUT ELECTRONIC DISCOVERY, THERE IS STILL PAPER IN OUR WORLD AND IN THE WORLD OF OUR CLIENTS.



YOUR
LITIGATION
SUPPORT
SOLUTION ...

800.633.6125
www.rsi-kc.com

WEB HOSTED
DATA REPOSITORY

DIGITAL
ARCHIVING

RECORD
COLLECTION

ELECTRONIC
DISCOVERY

ON-SITE
IMAGING

SOFTWARE
TRAINING&SUPPORT

COMPUTER
FORENSICS

X-RAY
DUPLICATION

PHOTOCOPYING

IMAGING
& CODING

LITIGATION SUPPORT YOU CAN RELY ON

BE AN ADVOCATE

You don't have to be the expert on *how* everything is electronically processed, but having a solid understanding of the capabilities of technology and the ability to communicate with the legal team and clients will add value and efficiencies to your role. It's frustrating to be given an assignment that is so logistically complicated that it throws your entire workflow into chaos. I don't believe that anyone has that intention when requesting deliverables that are either not possible or unduly overwhelming and burdensome. To the extent that paralegals can be involved in the early stages of the case, they can offer suggestions on the most effective methods involving technology and ensure a smooth and effective process for the client. That will sometimes involve educating the people around you and offering alternative solutions. I've heard paralegals say that they were asked to do something by an attorney, but knew it was not an effective way to proceed. They thought, "It's the attorney who asked and I'm a paralegal," so they did what they were told. It's my belief that the better approach to that circumstance would be to offer an alternative solution, explaining how it will be more efficient and save the client money. This approach would be welcomed by the majority of attorneys. Offering alternatives to improve your legal team's handling of a project is not argumentative or disrespectful; it adds value to the team.

Use technology as a tool to manage your client matters — not to replace your knowledge

It's cool to be able to search through volumes of documents and transcripts and to be able to sort all the discovery documents with a click. Back in the "day," we spent weeks doing these tasks that require just a few key strokes today. It's not so cool to have all these capabilities at your disposal and not take advantage of

them so as to free yourself and others on the legal team to perform more substantive tasks. With each passing year, there are more advances with the latest and greatest tools being introduced into our world. They are designed to help those professionals do their jobs better, not to replace legal professionals. Know what you have at your disposal; learn its capabilities and how to use it to assist you with your tasks to improve the efficiencies on behalf of your client. Use the tool of technology along with your knowledge and expertise. We are still managing volumes of data and

YOU DON'T HAVE TO BE THE EXPERT ON HOW EVERYTHING IS ELECTRONICALLY PROCESSED, BUT HAVING A SOLID UNDERSTANDING OF THE CAPABILITIES...

the volumes of data are increasing, but we have tools to help us do that. One of the greatest pitfalls I see with legal professionals is that they fail to see technology as a tool; rather, they see it as another thing to "do" in the case. They end up performing their job the way they did before the tools of technology were available, as well as trying to use the technology. They end up doing everything twice and eventually cannot keep up with the double workflow. Technology is not designed to replace your knowledge. It's designed to give you an advantage and a more efficient method to perform your responsibilities — providing added value to you as a member of the legal team.

Today, clients are looking for attorneys who have solid legal support teams to represent them. They need to see value added and cost savings. Knowing your strengths, surrounding yourself with efficient resources, maintaining a solid understanding, and having the ability to communicate the tools you have to offer clients will be a benefit that your clients will recognize. Do what you do best.

Gayle Absi is the President of ABSI Legal Technology, Ltd., a Cleveland-based consultant that advises attorneys on using technology in the practice of law. She is a CT Summation Certified Trainer and has extensive experience in producing electronic records in litigation and designing and managing databases. Absi has managed large volume document review teams using both CT Summation and web-based tools. Absi is the founder of the Northern Ohio Chapter of The Association of Litigation Support Professionals and as its immediate past President, is serving as board advisor. ABSI Legal Technology, Ltd. is certified as a small and female owned business. Visit us on the web at absilttd.com.

Keep the Pen.
Keep the Coffee.
Ditch the Newspaper.
Make your next career move!

Visit www.paralegalmanagement.org
for Paralegal & Paralegal Management Job Listings

IPMA
INTERNATIONAL PARALEGAL
MANAGEMENT ASSOCIATION