MANAGING YOUR DOCUMENTS WITHOUT A DOCUMENT MANAGEMENT SYSTEM

TWO BASIC APPROACHES FOR MANAGING DOCUMENTS AND EMAIL

The less expensive option is to create a centralized folder/file system on a shared drive and use that in conjunction with a search program. The more expensive but comprehensive solution is to implement a document management system. If you have a document management system, please see the separate article "Managing Your Documents with a Document Management System."

ELECTRONIC FILE MANAGEMENT WITHOUT BUYING A DOCUMENT MANAGEMENT SYSTEM

CONSOLIDATED FOLDER STRUCTURE

If you don't have a document management system, it is critical that documents are saved by client/matter, not by user. Saving documents by user can create lots of problems, such as:

- Docs for one client in more than one folder, irrespective of whether the folders are stored in a central location: You should not have to think "Chris made the document" or "Sally wrote the draft" in order to find a document.
- Revision conflicts: If three people work on the same section of the document, but in separate word processor files, those files must be combined and reconciled at some point. This is possible with Microsoft Word's "Combine Documents" feature, but you're making extra work for yourself.
- Losing things permanently if staff turns over: A consolidated folder structure means everyone knows where to look. Don't think of this solely related to staff turnover; making things easy to find saves weekend and vacation calls.

Saving documents on users' C:\ drives is a big no-no. Saving documents by client or matter in one central location is a better option. You can create a logical folder layout, find documents easier, it makes backing up your documents simpler, and you can use Windows security to limit access for users. Two main options for file structure:

SAVING BY PRACTICE AREA

If S:\ is your server drive, you'd create a folder called S:\Documents, and sub-folders for each practice area thereunder:

- S:\Documents\Corporations
- S:\Documents\Estate Planning
- S:\Documents\Miscellaneous
- S:\Documents\Probate
- S:\Documents\Real Estate

Under each practice-area folder, you'll create additional sub-folders for each client name such as:

- S:\Documents\Real Estate\Smith, John
- S:\Documents\Real Estate\Rosedale, Meredith

If you conduct multiple transactions for a single client in the same area (*i.e.*, you represent an individual in the sale of one house and the purchase of another), you might want to create separate sub-folders for each deal such as:

- S:\Documents\Real Estate\Smith, John\Sale of 123 Maple St
- S:\Documents\Real Estate\Smith, John\Purchase of 400 E Main St

The documents created for each transaction would then be located under the appropriate sub-folder. For example, the path and file-name for the deed might be:

- S:\Documents\Real Estate\Smith, John\Sale of 123 Maple St\2022-09-21 - General Warranty Deed.doc

SAVING BY CLIENT

If S:\ is your server drive, you'd create a folder called S:\Documents, and sub-folders for each client thereunder:

- S:\Documents\Smith, John
- S:\Documents\Rosedale, Meredith

If you conduct multiple transactions for a single client in the same area (*i.e.*, you represent an individual in the sale of one house and the purchase of another), you might want to create separate sub-folders for each deal such as:

- S:\Documents\Smith, John\Real Estate - Sale of 123 Maple St
- S:\Documents\Smith, John\Real Estate - Purchase of 400 E Main St

The documents created for each transaction would then be located under the appropriate sub-folder. For example, the path and file-name for the deed might be:

- S:\Documents\Smith, John\Real Estate - Sale of 123 Maple St\2022-09-21 - General Warranty Deed.doc

FILE STRUCTURES TO AVOID

- S:\Jim\Smith, John\Sale of 123 Maple St
- S:\HRK\Smith, J\Real Est - Sale of House
- S:\Sally\Smith\Real Estate - Sale on 3-4-2022

The foregoing folders are all for the same matter which is being worked on by 3 different people in the same firm. They each have created their own folders for it with different naming conventions and all of them are under the employee's name or initials. This is a very common scenario and the reason that law firms waste so much time trying to find things.

ESTABLISH FILE NAMING CONVENTIONS
FILE NAMING LIMITATIONS IN WINDOWS

Each file in Windows is located at a "path." The term path refers to the complete location of your file, not just the name. For example, "C:\Docs\Letter to Client" has a file name that's 16 characters long ("Letter to Client"), but a path of 19 characters ("Docs" and "Letter to Client"). The "Docs" portion and the "Letter to Client" portion can each be 255 characters. The "full path" limitation, meaning all folders, subfolders, and file name combined, is an astounding 32,767 characters.

If you need to more than 255 characters for each path component and file name, Microsoft provides instructions here. You should work with your IT vendor to implement this change as it involves editing the Registry, a technical part of Windows.

But, assuming you're not nesting files and folders with immensely-long names, 255 characters is a lot, and a huge improvement over Windows' original 8 character limitation. Therefore:

- Then: wjcpc01.dep
- Now: 2022-10-30 - James Smith Perjury Case Deposition 01.docx

UNACCEPTABLE CHARACTERS (WINDOWS)

Windows reserves several characters for internal use and forbids them from being used in a file name. A file name may not contain any of the following characters:

- < (less than)
- > (greater than)
- : (colon)
- " (double quote)
- / (forward slash)
- \ (back slash)
- | (vertical bar)
- ? (question mark)
- * (asterisk)

FILE NAMING LIMITATIONS FOR MACS

Modern Apple Macs and iOS devices run on the Apple File System, released in 2017. Mac file names are also limited to 255 characters.

UNACCEPTABLE CHARACTERS (MACS)

Apples reserves a single character for internal use and forbids it from being used in a file name.

- : (colon)
- Additionally, while not a restricted character, starting a file name with a period (e.g., ".Letter to Client.docx") will cause that file to disappear from view. It's still present and recoverable, but it's best to avoid the problem. Macs hide all file names starting with a period from the user's view.

RECOMMENDED PROTOCOL

If you would like everything sorted by date (which is what many lawyers like), simply precede every file name with a date, year first, then month, then day. This structure is known as ISO 8601 or, more commonly, the European date format. Its advantage for file naming is that it keeps it keeps a single year together (2022), with all of January (01) first, and then all days within January in order. February (02) and subsequent months follow in order. If you follow the standard American scheme and enter the date month/day/year, then all of the January files (for all years) are lumped together, all of the February files are together, etc. Our file naming convention:

2022-10-30 - Letter to John Doe re billing system.docx

The date indicates the date the document was mailed out if it's a letter; and the longer description makes it clear what this document contains without even opening it. If you are scanning a document you received, then the date should be the date the particular document was received.

If you prefer documents organized by type rather than date, you could do the following:

Letter - John Doe re billing system- 2022-10-30.docx

In this second example, the files will not be organized by sent or received date, but by type. All "Letters" together, all "Pleadings" together, and so forth. The most important part is not the order, but the consistency:

- Affidavit - ;
- Complaint - ;
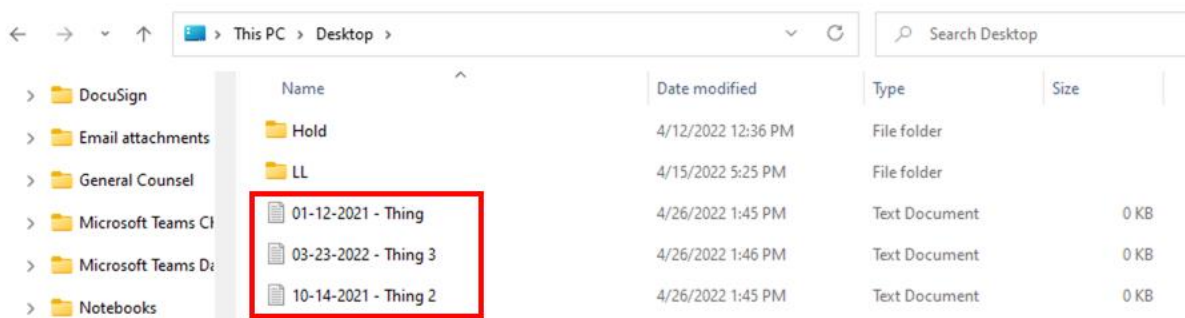- Letter - ;
- Pleading - ; and
- Settlement - .

or

- 2021-10 - ;
- 2021-12-11 - ;
- 2022-01-04 - ; and
- 2022-02-22 - .

VALUE IN ADDING A DATE YOURSELF

First, the value in using the European date model (4 digit year, 2 digit month, and 2 digit day) is to force everything to be in date order. Using the American model would produce a flawed order in Windows:

- 01-12-2021;
- 03-23-2022; then
- 10-14-2021.

Second, adding the date yourself tells you when you sent or received a document. It does not rely on the date in the document because the document could have been sent later than it was dated, lost in the mail, etc.. Additionally, adding the date to the file name prevents reliance on an operating system date for "date created" or "date last modified", something that can be altered by an action as small as opening, but not even editing, the file.

STORE EMAIL OUTSIDE OF YOUR EMAIL APPLICATION
PROBLEMS CAUSED BY STORING EMAIL ONLY IN WEBMAIL OR EMAIL APPLICATION

A significant problem law firms struggle with, if they do not own a document management system, is saving and finding matter-specific email. Why? Because people (1) keep emails in their individual inboxes (which no one else can see), (2) save them in subfolders within their own inbox (which no one else has access to), or (3) delete the email altogether. Email is valuable correspondence that in most circumstances should be saved. However, in a law firm or legal department, it should not be saved exclusively within one's own individual inbox.

STOP PRINTING EMAIL

Because people understand that email sitting in their inbox is difficult for anyone else to find, they start printing it. However, stuffing your paper files with printed email accomplishes little, if anything, useful. It makes your files fatter and makes it even more difficult to locate the particular documents you're looking for once you find the file.

While paper is a terrific working medium, it is a terrible storage medium, especially when multiple people in different locations need to access the contents. Any paper document is available only to one person in one location at a time. As more legal professionals work remotely and are increasingly mobile, printing emails to stuff into a paper file becomes less useful and more absurd.

Instead, you need to capture email electronically by creating files from them.

CREATE FILES FROM YOUR EMAIL

Because an email is just a record in a database (not a file like an MS Word file) and can't easily be shared or found by anyone else in your office, it is necessary to create files from those emails. The files created should be stored with all other documents related to a matter. They can be segregated out into an email folder under each matter or many people prefer to lump them in with all correspondence. Here are some of your options:

WEBMAIL

If you access your email exclusively via a website (like Gmail), then your options are limited to creating a PDF from your email one at a time. Of course, you'll need a program which allows you to create PDFs in the first place such as Adobe Acrobat ($20/user/month) or the Windows or Mac "print to PDF" functionality.

SAVE OUTLOOK EMAIL AS MSG FILES

You can save email much like you save a Microsoft Word document clicking the File menu > Save As in Outlook. We recommend that you save as Outlook Message Format - Unicode (*.msg). It will default to MSG.

A huge benefit to saving MSG files is that it also captures the attachments to the email you're saving inside the MSG file. So if you forgot to separately save the attachments, it won't matter because when you open an MSG file, they're right there. Furthermore, MSG files are still email files (even though they're no longer stored in Outlook) so you can open one you saved previously and forward it, reply to it or anything else you could do with an email you open in Outlook.
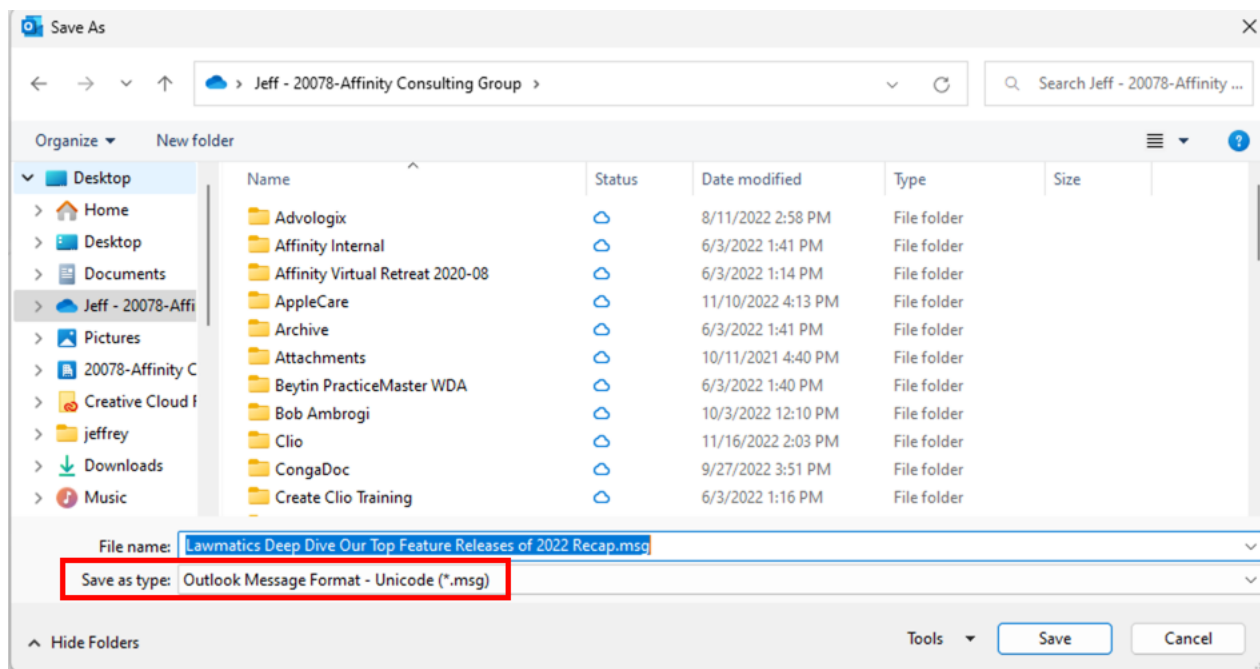

You may notice that you have a choice of Outlook Message Format and Outlook Message Format - Unicode. The Unicode format is the current standard for Outlook and holds support for international characters. The non-Unicode one saves msg-files in the ANSI format. The ANSI format is the only format that Outlook 2002 and previous can read. Outlook 2003 and later can read ANSI formatted and Unicode formatted msg-files. Dragging and dropping messages out of Outlook into an Explorer folder will by default save it in the Unicode format.

You can also save email as Text Only although you'll lose any formatting that was in the email. Saving as an MSG file will retain the original formatting, look and feel of the email.

SAVE OUTLOOK EMAIL AS PDF FILES

This is made infinitely easier if you use Acrobat Standard or Pro and take advantage of the integration between Outlook and Acrobat. By using the ribbon shown below, you can make PDFs of single email, multiple emails at once or even entire folders at once. You can also set up Automatic Archival so any email that ends up in a particular folder is automatically archived into a PDF without you doing anything.
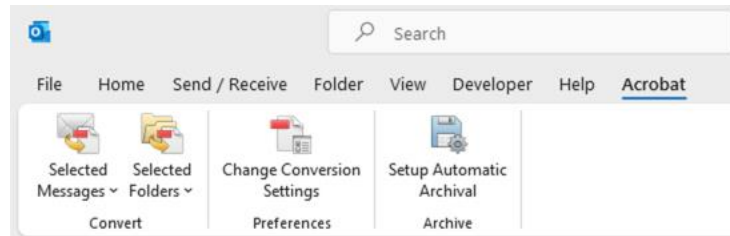
Using the Acrobat integration also captures attachments inside the PDFs you create from email automatically (same as MSG files). Another benefit of creating PDF files from your email is that PDFs are viewable on just about any device. MSG files, on the other hand, can only be viewed in Outlook and a few other programs. So from a future-file-access perspective, PDF is much safer than MSG.

In addition to the foregoing, Acrobat also allows you to add a button to the Outlook Quick Access Toolbar called Selected Messages so that you can open any email and click a single button within the email to convert it to PDF. This method also saves the attachments inside the PDF just like using the ribbon mentioned above. Below is a screenshot of my Quick Access Toolbar in Outlook with my PDF button highlighted.
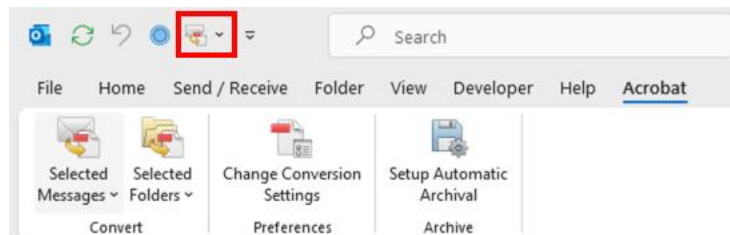
To add Selected Messages to your Quick Access Toolbar, navigate to the Acrobat ribbon, right-click on the Selected Messages icon, and choose "Add to Quick Access Toolbar."

SAVE OUTLOOK EMAIL BY DRAGGING INTO A FOLDER

You can clean out your inbox or subfolders under your inbox by cascading the windows and simply dragging and dropping all of them into the desired folder. This will COPY the emails over into that folder, saving them automatically as MSG files, which preserves the metadata and all attachments.
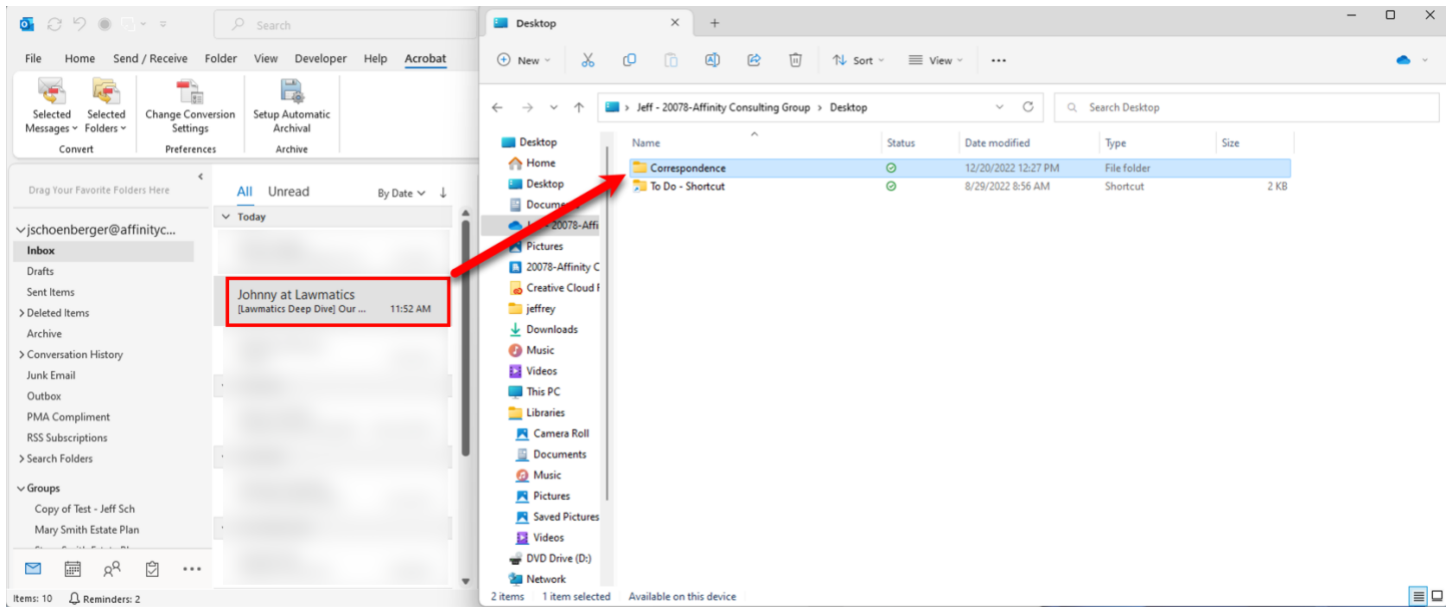
SEARCH PROGRAMS

One of the most common problems facing law offices is difficulty in finding their existing documents. If you have a document management system then you probably don't need a separate program for searching because all good document management systems have that functionality built-in. If you don't have a document management system, then these programs are essential.

WINDOWS SEARCH OPTIONS

Even if you've created a good file naming convention, you'll still need help finding some documents. Now that you've created searchable PDFs, you can search through all of them at once, quickly, by searching for particular words. Here is a survey of your options:

X1 SEARCH

RECOMMENDED: $79/yr - See https://www.x1.com/products/x1-search/. Very fast searching of "desktop files, remote file shares, emails, attachments, SharePoint data, and more."

COPERNIC DESKTOP SEARCH

See www.copernic.com. There are four editions of Copernic Search: Basic ($20/yr), Advanced ($33/yr), and Elite ($76/yr), and Server (contact them). Unless you're installing it in a very large firm, you only need the Basic edition. It does not search cloud-based email, but will search MS Office documents, PDF documents, and the major cloud sync vendors (Google Drive, Dropbox, and MS OneDrive). Copernic Advanced and above add the ability to search EPUB books, emails stored in Outlook online, and WordPerfect documents.

DTSEARCH

See www.dtSearch.com - $199 - one of the most sophisticated and fast search engines I've ever seen. It provides the most search options and file types that it can recognize. If you need industrial strength search capability involving enormous numbers of documents, this is your program.

WINDOWS INSTANT SEARCH

This is free and is included with Windows.

APPLE/MAC SEARCH PROGRAM OPTIONS
HOUDAHSPOT
RECOMMENDED: $34 - see www.houdah.com/houdahSpot

PATH FINDER

$30/yr – see http://www.cocoatech.com/pathfinder/

SPOTLIGHT SEARCH

This is included with the macOS operating system. For more information, see http://support.apple.com/kb/HT2531