White Paper

Case Management for the Medium to Large Law Firm

Essential Features to Maximize Your Return on Investment

Author: Matt Ryan, Senior Consultant

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Introduction

Commercially available case management systems have been in existence since the 1980s. Since that time, the number of software providers offering a commercial off-the-shelf (COTS) legal case management solution has increased substantially. Today, law firms looking for a case management solution could easily come up with a list of dozens of packages to consider by running a simple search on their favorite Internet search engine.

While some packages are easy to eliminate because they were designed specifically for a corporate legal department, or a law firm that deals only in personal injury, bankruptcy or immigration, a long list still remains from which to choose the correct system for your firm. To complicate matters further, the maturity of the products makes a feature-by-feature comparison of two or more programs a time consuming task that leaves no clear "winner" in the contest.

While very few case management COTS software providers will admit it, the simple fact is that all these systems perform about 80 percent of the same functions. Differences in user interfaces and the number of mouse clicks it takes to perform a given task are clearly important aspects to consider when selecting a system since these two items alone can determine the fate of a case management implementation. However, these items alone should not formulate your decision to purchase one product over another. A portion of your evaluation time should be spent on the 20 percent of the "not-so-obvious" functionality that can provide an enormous return on investment in both time savings, and internal information technology resource savings.

This paper will attempt to highlight several of these important features that more often than not, are overlooked during the software evaluation process. Some of these items are features; both simple and advanced, while some are probably more appropriately categorized as technical traits of a software system. Whether functional or technical, these features are by no means an inclusive list of everything that should be considered when selecting a case management system. Instead, items listed in this document that are appropriate for your firm should be combined with your own unique case management requirements to help you purchase the solution that will provide the largest return on investment for your firm over the long run.

The features discussed are arranged into sections by categories. The end of each section includes a checklist of the items discussed that can be used as part of a software evaluation form. A complete checklist is included at the end of this paper for convenience.

System Scalability and Reliability

While being a software vendor's largest customer may have benefits when things are going well, the tradeoff in headaches from a performance and reliability standpoint are hardly worth it. The extra money a firm might save by going with a system originally built for the small to medium law firm market can be wiped out the first time the system goes down or the entire system runs poorly after the 50th concurrent user logs in. The second time it happens, it simply costs the firm money in lost productivity.

One of the biggest "unseen" differences in case management products is the efficiency of the applications programming. Inefficient programs will require a much larger database server, workstations, and network throughput or bandwidth in order for the application to operate with reasonable response times. All of these inefficiencies translate into additional costs that a firm must incur in order to utilize the application and can evolve into much larger issues as the system is rolled out to more and more users.

While it is difficult to tell how efficient a program is during a software demonstration, there are several things to look for and ask about when evaluating a program. One of the most obvious is to ask each vendor for the recommended server and workstation configurations that would realistically support the number of users being considered. Large workstation and server requirements should raise a flag. Applications that require a dedicated server should raise another flag as this could signal a non-standard implementation of standard programming techniques that could cause future support headaches and compatibility problems.

Another not-so-obvious question that should be asked is the development history of the application being considered. Many legal case management applications began as a desktop application that ran against a desktop database. The lack of scalability and inefficiencies of these applications forced some of these vendors to offer a version of their application that will run against a true SQL relational database system such as Microsoft SQL Server. While a vendor may tell you that these "new" systems were a completely new development effort, chances are code was "borrowed" from their old desktop applications, carrying forward some of the inherent problems of their old systems.

In short, law firms need to consider applications that were designed specifically for a SQL relational database management system from vendors with proven installations much larger than the number of users that will be deployed. In order to ensure the case management system will be able to grow with the firm, a good rule of thumb is to insist that the vendor provide a reference for an established customer with a least four to five times the total number of users needed at the firm. If this reference can confirm an acceptable performance of the application with no considerable down time or system crashes, the application should perform equally well or even better in an installation only 20 to 25 percent as large and minimize the information technology costs associated with poorly designed systems.

The following checklist includes important questions to ask all vendors pertaining to the scalability and reliability of the system being considered.

Scalability and Reliability Checklist

Feature	Vendor A	Vendor B	Vendor C
Recommended database server for an installation with ______ users.			
Recommended workstation specifications including CPU, RAM and disk requirements.			
Was the product ORIGINALLY developed to run on a SQL relational database management system?			
Size of the vendor's largest installation.			
Is the vendor willing to provide this installation as a reference? If so, please provide a contact name and phone number.			

Note: Additional references of similar size firms should also be requested from each vendor.

E-mail and Calendar Integration

Microsoft Outlook/Exchange continues to increase its market share in the legal marketplace. In firms that have chosen this platform for e-mail, calendaring, and even contact management, Outlook has most likely become the primary application the firm's staff utilizes to perform their duties and communicate with clients. The good news for these firms is that most COTS case management applications include some level of integration with Outlook and/or Exchange so users do not have to abandon Outlook in order to use a new system.

While most case management vendors offer integration with Outlook, how this integration is programmatically accomplished, and the level of integration varies greatly from vendor to vendor. For instance, most vendors offer integration between the case management system's calendar and Outlook's calendar. However, fewer vendors offer true, two-way integration between calendaring systems that enables a user to continue to use their Outlook calendar as their primary calendar. While functional items such as this should become apparent during a vendor's software demonstration, other items surrounding the integration may not be discovered until after a product selection has been made and a contract executed.

The Exchange e-mail server is a firm's information technology hub. If there is any doubt to this statement, try and remember the loss in productivity the last time e-mail was not available and internal and external communication was interrupted. For this reason, firms should avoid products that require integration directly with the Exchange server. In many instances, integration with the Exchange server creates an additional workload and storage requirement on this vital resource that can cost the firm significant money in upgrades. More importantly, however, is that integration directly with the Exchange server often means bypassing or disabling important security settings in Exchange that would expose the firm to viruses or hackers. The potential costs to a firm for lost communications and work product, in addition to the time lost because the e-mail server is down would be difficult to quantify. As such, this type of integration should be avoided and firms should never allow third-party applications to integrate directly with their Exchange server.

Instead, e-mail, calendar, contact, and task integrations with the case management system should all take place on the Outlook desktop application. This minimizes the security risk for the entire firm while still accomplishing the objective for the end users. As an added benefit, this type of integration is often easier to install and maintain, in addition to the peace of mind it will provide.

Another item to be aware of is how the case management system stores case/matter related e-mails and e-mail attachments. Since some solutions simply create a "link" to the message stored in Outlook or Exchange, the message can never be deleted (purposefully or accidentally) from within Outlook or this link will be broken. Additionally, firms can find themselves having capacity and performance problems on the Exchange server since e-mails are never removed from the system. Ideally, your case management system should store e-mail and all associated attachments in its data store in their native formats.

The following checklist includes important questions to ask all vendors pertaining to their integration with Microsoft Outlook.

E-mail and Calendar Integration Checklist

Feature	Vendor A	Vendor B	Vendor C
Does vendor’s application require integration directly with the Exchange server?			
Does the vendor offer true, two-way integration between calendaring systems (Can appointments be created and updated from either application)?			
Does the vendor offer true, two-way integration between task/reminder systems (Can tasks and reminders be created and updated from either application)?			
Does the vendor offer true, two-way integration between contact systems (Can contacts be created and updated from either application)?			
If an e-mail is “saved” to a case/matter, does it have to remain on the Outlook/Exchange server?			

Note: While Novell GroupWise is not as prevalent in the marketplace as it once was, many vendors offer integration with this e-mail system. Even though the security and virus threat is not as great, firms using GroupWise should insist on a desktop integration with GroupWise.

Document Management

Many law firms have already invested in a dedicated document management system (DMS) in order to manage, organize and protect the firm's work product and documents. For firms that have not yet invested in this technology, many COTS case management systems include a document management feature. Additionally, firms considering a DMS implementation should also consider a case management system that offers this functionality, since case management can provide a number of useful tools for little or no difference in cost.

If a document management component offered by a case management vendor is going to be considered, several important items must be considered during the evaluation process. First and foremost is how the case management system stores and manages documents. Firms should make sure the case management system actually "manages" the storage of the document and does not simply maintain a link to the related document.

Applications that simply maintain a link to a document that has already been saved in a user specified location do not provide the firm with enough control over these documents. If one user saves documents to a network drive and another user saves documents to their local drive, a case management system that maintains links to documents does provide a method to access these documents, independent of where they are stored. However, the availability of documents will most certainly become an issue because if the user who stores documents locally does not turn on his/her computer on for the day, or if he/she utilizes a laptop computer and happens to be out of the office, these documents will be unavailable for every user of the system.

In order to solve this problem, a document management system should take the responsibility of saving the physical file away from the end user. Documents should be stored in a central location on a network drive or as actual records inside the relational database management system. An easy-to-use interface should allow users to "profile" the document by relating it to a case/matter and categorizing the document according to firm policies. The case management system should also programmatically manage all document saves and accesses independent of the document type (Word, Word Perfect, PDF, etc.).

For firms that have an existing investment in a document management system, many case management vendors offer integrations with these programs. This makes it possible to access case/matter related documents stored in the third-party DMS application directly from the case management system's user interface. If this approach is selected, firms must be sure that the selected case management vendor has an official "partnership" agreement with their DMS vendor so your integration will continue to work with new releases of the DMS solution. Additionally, an official "partnership" relationship also means that your case management vendor has built their integration using approved methods and tools provided by the DMS vendor, and document security is not compromised.

A firm's specific document management requirements will expand beyond the items covered in this section. The following checklist includes important questions to ask all vendors pertaining to their document management capabilities. Selecting a vendor who meets these basic requirements will provide a greater return on your case management investment.

Document Management Checklist

Feature	Vendor A	Vendor B	Vendor C
Does vendor’s application include a complete document management component OR integrate with the existing DMS application?			
If an integration with the existing DMS is desired, is the vendor an official “partner” with the DMS vendor?			
If the case management system will be utilized as a DMS, does the application manage the storage of documents?			
If the case management system will be utilized as a DMS, can the application store any document/file type along with a document “profile” (metadata)?			

Advanced Features

Many case management systems have become very feature rich and it's these added features, the 20 percent discussed earlier in this paper, which truly sets one vendor's product apart from the others. Since it would require an unrealistic amount of time in order to fully understand every single feature offered in every COTS product you are evaluating, this section highlights some of the more important "advanced" features that have a high return on investment, but not all products offer.

While a simple and direct user interface will be apparent during software demonstrations, having a program that is easy to navigate does not always insure the implementation will be a success. A firm with multiple practice groups has a wide range of needs that must be met from a single case management software program. As an example, a transactional practice group will have different business and information requirements than a litigation group. Purchasing a system that specializes in managing litigation cases puts a case management implementation at risk by not providing enough flexibility for the other practice groups.

A case management system should be viewed through the eyes of all users. This includes users from every practice group in the firm that will be utilizing the application. To minimize the risk that a particular practice group will not utilize the application, the case management system should be flexible enough to allow for a customization of the interface for each practice group or case/matter type. This will mean that the transaction group users will not have to look at screens and fields that only apply to litigation cases and will simplify the system for these users. This will also reduce the training time required and increase the user adoption rate of the case management application.

When an application does not provide a means to capture all of the data needed for employees to do their jobs, employees get creative. They turn to word documents, spreadsheets or pen and paper, and grow frustrated with the application since it does not do what the users need. This significantly impacts productivity, limits the usage of this data and often means that the data is not being backed up on a regular basis, further exposing the firm to losses. The selected case management system should be flexible enough to allow for the creation of customized screens that can be used to capture all data and information required by the user or client. Ideally, the vendor will offer a tool so this task can be accomplished by non-technical staff, so the task of customizing and maintaining the system does not fall 100 percent on information technology personnel.

Another feature that is often overlooked during the initial evaluation and selection process is how well the application can deal with the "exceptions" to the normal business processes. These can be as simple as re-assigning workload when an employee resigns from the firm, to handling last-minute client requests for information or a report.

If the selected case management system does not include functionality to quickly re-assign workload from one user to another, or it takes an employee an entire day or more to manually update the application, the true cost of the case management system just went up. Likewise, if the case management system does not have an easy way to export information in order to format it into a report a particular client just requested, the amount of time it will take to produce this report using some other means could be significant.

While it would be next to impossible to predict every possible exception that may arise, a case management system should be advanced enough to handle a majority of these items. The following checklist includes important features to consider in your case management selection.

Advanced Features Checklist

Feature	Vendor A	Vendor B	Vendor C
Can the vendor's application be "customized" for each the needs of each practice group?			
Does the vendor's application allow for "customized" windows or screens?			
Can all "customization" be performed by non-technical staff with minimal training?			
Does the vendor's application include the ability to easily re-assign workload between users?			
Does the vendor's application include the ability to easily export data into other applications?			

Software Evaluation Checklist

The following checklist can be utilized during the software evaluation process to ensure the items discussed in this paper are not overlooked. A firm's own unique requirements should be added to this list in order to provide a complete evaluation process.

Scalability and Reliability Checklist

Feature	Vendor A	Vendor B	Vendor C
Recommended database server for an installation with _____ users.			
Recommended workstation specifications including CPU, RAM and disk requirements.			
Was the product ORIGINALLY developed to run on a SQL relational database management system?			
Size of the vendor's largest installation.			
Is the vendor willing to provide this installation as a reference? If so, please provide a contact name and phone number.			
E-mail and Calendar Integration Checklist			
Feature	Vendor A	Vendor B	Vendor C
Does vendor's application require integration directly with the Exchange server?			
Does the vendor offer true, two-way integration between calendaring systems (Can appointments be created and updated from either application)?			
Does the vendor offer true, two-way integration between task/reminder systems (Can tasks and reminders be created and updated from either application)?			
Does the vendor offer true, two-way integration between contact systems (Can contacts be created and updated from either application)?			

If an e-mail is “saved” to a case/matter, does it have to remain on the Outlook/Exchange server?			

Document Management Checklist

Feature	Vendor A	Vendor B	Vendor C
Does vendor’s application include a complete document management component OR integrate with the existing DMS application?			
If an integration with the existing DMS is desired, is the vendor an official “partner” with the DMS vendor?			
If the case management system will be utilized as a DMS, does the application manage the storage of documents?			
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Advanced Features Checklist

Feature	Vendor A	Vendor B	Vendor C
Can the vendor’s application be “customized” for each the needs of each practice group?			
Does the vendor’s application allow for “customized” windows or screens?			
Can all “customization” be performed by non-technical staff with minimal training?			
Does the vendor’s application include the ability to easily re-assign workload between users?			
Does the vendor’s application include the ability to easily export data into other applications?			