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PRACTICE TIP

What's So Great About SharePoint?

By Michael Savino

The popularity of SharePoint is undeniable. As the legal competitive landscape intensifies, more and more firms are looking to SharePoint to improve client service and collaboration. SharePoint allows law firms to store and locate critical information in convenient, flexible, sites, bringing it together in a meaningful way and enabling attorneys to become educated on industry trends and client concerns via the use of wikis, blogs, RSS feeds and the like.

Below is an outline of the key benefits of SharePoint to law firms of all sizes, and how firms can take advantage of these features.

INTERNAL COLLABORATION

SharePoint is highly customizable and offers flexible collaboration tools. Whether work occurs across borders or down the hall, SharePoint enables departments, practices, internal teams or individuals to connect and collaborate together without directly involving the firm's IT experts. Users have the ability to make changes to an intranet site on their own, such as adding documents, pulling together and publishing related information to the site, or adding an

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Lotus Platform Presents Unique Challenges In e-Discovery

By Amy Dove

Imagine you have a case in which you have to collect, process and produce data from Lotus Notes®. You may think to yourself: "Lotus Notes — that's e-mail, right? And my processing software or e-discovery vendor handles e-mail so no problem, right?" Well, not necessarily. Lotus Notes is most commonly known as an e-mail and calendaring application often compared with Microsoft Exchange. However, Lotus Notes can be much more than just e-mail. The collection of Lotus-based data requires a carefully considered approach that can present interesting e-discovery challenges.

Amersham Biosciences Corp. v. PerkinElmer, Inc., 2007 WL 329290 (D.N.J. Jan. 31, 2007), demonstrates the problems that Lotus applications can present during e-discovery. In this case, the plaintiff inadvertently produced over 500 privileged e-mails that it thought had been deleted from a DVD that contained Lotus Notes data. The privileged e-mails had been segregated into subfolders, and these subfolders were deleted prior to submitting the DVD to a vendor for processing. Amersham blamed the inadvertent production on how Lotus Notes stores data — in Lotus Notes, even when e-mails are moved into a separate folder and that folder is deleted, a copy remains in the larger database structure. When the plaintiff's vendor converted the e-mails from the native format into single-page images, the privileged e-mails that were supposedly deleted were instead mistakenly produced to the defendant.

As the Amersham situation clearly illustrates, including a strategy for Lotus-based applications in the planning phases of your discovery process will ultimately save you time, money and aggravation.

WHAT IS LOTUS NOTES?

A simple description of the Lotus platform is that it is a database framework and Rapid Application Development ("RAD") environment that organizations can

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Lotus

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use to create complex communications-related applications with relative speed and ease. Out of the box, Lotus Notes and its companion Web server software, Lotus Domino®, include a variety of customizable pre-built applications for, among other things, e-mail, calendaring, instant messaging, customer relationship management (“CRM”) and team collaboration.

In addition to leveraging built-in applications, organizations can also use Lotus Notes/Domino to build custom solutions for just about any business workflow process. Notes is, at its core, a database, or series of databases. Lotus Notes databases are not relational in the traditional sense, and in fact may seem very loose and unstructured to some technical types. The user interface, the programming tools and the database are very closely integrated. This flexibility is a large part of the reason many organizations are drawn to Lotus.

A key factor that differentiates Lotus Notes from its competitors is its integrated data replication capabilities. This client/server approach means that a user can update an offline version of a Lotus application for long periods of time — days, weeks and even months — without actually updating organizational databases. When the user eventually does reconnect to the network, the application pushes any outstanding data to the target database. Organizations can use this feature to improve network efficiency, scheduling data replication for convenient times when

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bandwidth is readily available, and as a natural companion to a more mobile laptop enabled workforce.

LOTUS FEATURES THAT CHALLENGE THE E-DISCOVERY PROCESS

Interestingly, the Lotus features that are usually most appealing to organizations — customizability, replication functionality and security — create the biggest challenges in e-discovery.

A common use of Lotus Notes is for e-mail and calendar functions. If an organization uses the default e-mail template, without any customization, then Lotus-based data is relatively easy to process as increasingly more tools are configured for the default template. Many organizations that use the Lotus platform, however, do so specifically for its flexibility. Customizing a Lotus application even a little bit — for example, adding a couple of fields to the default e-mail template — adds complexity to the collection process. However, a complex workflow application would require a much deeper understanding of the underlying data and user interface before any competent discovery effort could take place.

The replication facilities of Lotus challenge e-discovery in a similar way. Because end users can use Lotus applications offline for extended periods of time without updating the main database, pertinent data may inadvertently not get captured during the collection process. At some point, the end user will reconnect to the network and data from the user’s system will replicate to its intended destination, rendering the database inconsistent with produced documents. Litigation teams may not realize that data is missing until after production, if the missing data is identified at all.

Because Lotus Notes applications are comprised of multiple database files, some stored on servers and some on the user’s (client’s) machine, the security capabilities of Lotus Notes are duly encompassing. The security protocols must manage the ability of each user to view, update and delete data sets and

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To Catch an e-Criminal

By Ken Stasiak and Dave Kennedy

Someone is stealing electronic data from you — right now. A person your firm or company has trusted for years is doing things that are making you suspect he or she is stealing. You don't know how or with whom, but you know something is wrong. What do you do? Where do you turn? How do you find out for sure?

While this may not actually be happening to you right now, it may happen in the future. There is no way to actually avoid it, but there are ways to detect and catch the person before he gets anything else.

The following three steps will help you to discover whether your suspicions are correct and gather enough evidence to have an open-and-shut case.

STEP ONE: PROFILE

When profiling the person you suspect, it is important to look at all possible factors and keep some points in mind. Our experience has shown that when women steal, they tend to commit petty theft or steal things in increments too small to even notice. On the other hand, men usually go for the grand prize; something so enormous it is rather obvious.

A person's habits can also alert you that something strange is going on. For instance, lack of vacation time is traditionally a good sign because if the person is out of town, someone else has to handle his work and the person suspected of stealing won't want others on his computer and in his files.

Then you have to look at the triangle of illegal opportunity. The three points of this triangle are:

1. **Rationalization.** When someone feels he isn't getting what he de-

serves, he will make excuses to commit the crime. Example: the company owes it to him because he has been working late every night, or he should have access to all of the company's files because he is an executive.

2. **Pressure.** There are many different pressures that can lead someone to committing fraud. For example, if someone had a relative that has large medical bills. Another example may be late mortgage payments.

3. **Opportunity.** This is the area a company can control. If the opportunity is there, for example if a check is left out, the person has administrative access to files, etc., he can easily commit an illegal act.

If all three of these areas are present, a person is very likely to commit an illegal act.

The Sarbanes-Oxley Act ("SOX") was designed to help eliminate the opportunity point in the triangle. It sets up accounting and security controls designed make it very difficult for a person to commit fraud (or other illegal activities for that matter).

STEP TWO:

INTERNAL INVESTIGATION

After profiling the likelihood of the individual to commit an illegal activity, the next step is to conduct an internal investigation. The key to this step is to have as few people involved as possible. This will avoid including someone that may be involved in the illegal act or tipping off the actual person you are investigating.

The next step is to conduct a forensic investigation. Contact your external and internal legal counsel; they will likely have an external data forensic investigator that they work with. If they do not, look to a company that does information security as well as data forensics.

Forensics investigations entail multiple avenues, but touching base on some the activities are a bit-for-bit clone of the hard drives, restoration and reconstruction of partitions and files, and hashing. The cloning of the hard drives allows the forensics examiner to investigate the entire hard drive, and even reconstruct data that has been previously deleted off of

the system. Examiners can sometimes even go back and pull years of deleted information off of the system to be used in the investigation.

Investigators will also utilize different tools when performing the forensics analysis. There are many free tools on the Internet, including sysinternals, Helix, DD, Autopsy, as well as commercial products, such as Encase and NTK.

Once settling in on an investigator, there are three types of forensic investigations that can be conducted (all which are legal and admissible in court): covert, live and dead.

Covert Forensics

Covert forensics is conducted during off hours when the person you suspect of illegal activity is not in the office. The investigator will acquire the suspected person's hard drive, image each file and replace the hard drive without being detected or damaging any of the files. During this operation, the investigator can also install devices in the computer that can be utilized during live forensics. These devices include keystroke loggers and backdoors into systems.

Live Forensics

Live forensics is conducted in real time. Utilizing some of the devices installed during the covert investigation, the investigators can monitor all traffic and activities taking place on that computer.

Dead Forensics

Dead forensics takes place once the hard drives are obtained. The investigator will analyze the information and files on the drives and be able to detect any suspicious activity. This activity can range from e-mail conversations to deleting files and banking transactions.

STEP THREE: INTERROGATE

After obtaining enough information to properly confirm suspicions, the next step is interrogation. It is very important that you have all the information you need so that your case is foolproof.

During interrogation efforts, the accused will typically go through five stages (identical to that of grief).

1. **Denial.** When you first approach this person, his first action will be to deny everything.

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application functionality at a very granular level. A litigation team collecting data from a Lotus Notes environment must understand the security configuration, and have sufficient rights to get a complete data capture.

THREE CRITICAL STEPS FOR PLANNING A LOTUS NOTES DISCOVERY EFFORT

Lotus Notes/Domino's unique architectures present challenges that must be accounted for in a detailed collection plan. The implementation of each Lotus Notes application must be assessed to understand the data structure, the user's replication process and all security protocols. Processing Lotus-based data can be more difficult than it needs to be only when an organization does not adequately plan ahead. By following these three steps to devise a comprehensive collection strategy, you can avoid unnecessary surprises:

- 1. Focus on the goal.** Before an organization begins processing data for e-discovery, it must have a clear understanding of how the data is used by the custodian within Lotus Notes, what is required to be produced, and in what format the data will be turned over to the other side. For instance, do you just need to produce relevant e-mail in TIFF image format, or do you need to figure out a way to produce the contents of a CRM or workflow system? Understanding the outcome of e-discovery processes helps an organization choose appropriate tools and devise comprehensive collection methods.
- 2. Do not assume anything about the Lotus implementation.** Meet with the System Administrator and ask questions until there is a comprehensive understanding of how the organization utilizes the Lotus platform. For example: Are applications used out of the box or are they customized? How often does data replicate between clients and servers? What security settings are in place?
- 3. Test, test, test.** Once goals, tools and collection methods are de-

finied, do not just jump in and attempt to process all of the data at once. Instead, process a small sampling of data and analyze the results. Then fine-tune the collection procedures before processing the entire data collection.

AN AUTOMATED APPROACH TO PROCESSING LOTUS-BASED DATA

As e-discovery becomes fundamental to litigation, companies are developing tools and solutions specifically to handle Lotus-based data. Unfortunately, many of these tools are rather young and require non-trivial technical skills. Generally, these tools handle Lotus-based data in one of three ways:

- 1. Extract e-mail using default Lotus Notes templates.** Many processing software applications now include direct support of NSF files. Typically, this means they extract the data they expect to be in the database based on the default e-mail template. If an organization has modified the fields or structure of its e-mail function, data will be missed in this process. If the default e-mail template is in use, then this is the simplest way to process Lotus-based data. Litigation teams that choose this approach should be very careful, however, to completely understand the organization's Lotus implementation so that critical data is not inadvertently overlooked. Remember that extracting data using the default templates will only capture data that is from the default e-mail template; data that is captured in addition to the template will not be collected, even if it is relevant to the discovery at hand.
- 2. Convert Lotus Notes files ("NSF") to the more common Microsoft PST file format.** This has historically been a common method, but it is increasingly being replaced by many processing software's ability to handle NSF files directly. A major downside is that converting files can be time consuming as you add in an additional conversion step. As with extracting data using default Lotus Notes templates, this approach can fail to uncover custom data that is not supported by the NSF-to-PST conversion tool.

- 3. Extract all data stored in the Lotus Notes database.** The safest way to process Lotus-based data is to extract every data item stored in the target database. Organizations that build fully customized Lotus applications have no choice but to use this approach, because using default e-mail templates and standard NSF-to-PST conversion tools will not identify data that is critical to the discovery request. Organizations that use modified versions of built-in Lotus applications may also choose this approach to ensure that custom data is adequately captured. This is a complex process requiring in-depth knowledge about the Lotus Notes implementation and the discovery responsibilities of the organization. You must review all system documentation — including form designs, data dictionaries and security settings — to ensure that custom data is captured during collection. A Lotus Notes system administrator with complete knowledge about the implementation must be a key resource to any discovery team. You must also have resources with strong complex data analysis ability that can take the extracted data and format it for production. This generally requires specialized discovery data analysis expertise.

CONCLUSION

Ultimately, every organization should analyze its own specific implementation of the Lotus platform to determine how to process Lotus-based data during e-discovery. For organizations that use Lotus software out of the box, relying on default templates to drive collection processes may suffice. For the majority of organizations that customize Lotus Notes applications, however, a more comprehensive approach is required. It is critical to develop a comprehensive plan that evaluates and marries the requirements of a discovery effort with the data contained within Lotus early in the process to avoid unexpected time and cost delays as production deadlines rapidly approach.



SharePoint

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attorney's blog information as a feed to the site.

Simply by accessing a Web browser, teams can work together, collaborate and publish documents online, maintain task lists and implement workflows. Teams can also create group workspaces, coordinate calendars, organize documents and receive notifications and updates through alerts set up on the system. All of these collaboration tools allow law firms to operate more efficiently.

SharePoint provides an easy and quick search tool that allows firms to access information across many sites — and even to other data outside SharePoint. The search is extremely comprehensive, ranging from locating attorneys and staff by name to presenting documents containing keywords. It can also locate content in business applications and has features such as duplicate collapsing, spell correction and alerts to improve the relevance of results and help users find what they need.

Intranet Portals

Portals, or Web sites, are also a useful tool that can be created without involving the firm's IT group. SharePoint's open, scalable architecture enables the creation of customized portals, whereby team members can create department sites, document libraries, meetings sites, survey sites and discussion boards for use within their firm's intranet. Portals also offer many application templates to law firms that address specific business processes, such as billing, whereby reports for clients and their matters can be pulled from the financial systems.

Via the portal, wikis can be created and used to brainstorm team

ideas, collaborate on design, build encyclopedias or store administrative information. Also, firms can use blogs to share ideas, ask questions and give project updates on the portal. Generally, internal wikis and blogs can be used to share institutional knowledge with other members of the firm, eliminating the need to find the "right person" to obtain information.

Portals can personalize a law firm's operations by allowing attorneys to create individual MySites that share information such as skills, roles, colleagues, managers, groups, distribution lists and documents in progress. They can also create a "resources" box with practice-specific resources. As a convenience, each MySite has a security measure that can be fully customized to control access across the firm.

Establishing these features — portals, blogs, wikis and MySites — is quite easy. Firms need to first learn how to construct sites in SharePoint. Working initially with the IT experts:

- Site templates should be created that facilitate site creation, ensuring a consistent look and feel along with content objectives; and
- Users should be granted the appropriate level of rights ranging from creating sites down to merely reading content.

A site administrator, typically a practice's paralegal, can create a site using the template and answering a few questions. SharePoint then automatically builds the site that becomes available immediately.

With the site built, the actual pages will need some customization for the content to present, so the site creator will manage the "Web Parts" on the pages. A Web Part is a specialized SharePoint tool placed onto a site page that does a specific function. There are many Web Parts available out of the box: announcements, Web links, document library, customizable lists, tasks, wikis, blogs, etc. Literally within minutes, the site page can be customized to contain all kinds of Web Parts, ranging from simple lists to complex Key Perfor-

mance Indicators that extract real-time data from other sources. With a little effort and time, a site can be customized to the needs of the team. For example, if events need to be tracked, a calendar Web Part can be easily placed on a site page.

After the Web Parts and pages are customized, content can be loaded into the various sections. Documents can be uploaded into the document libraries, and lists can be populated easily by importing data from a spreadsheet.

ENHANCED CLIENT COLLABORATION

Extranet Sites

Law firm clients can benefit from SharePoint via the use of extranet sites, which enable firms to provide better client service, a faster recall of information and increased ease of communication and collaboration with clients. Like the intranet site capabilities, the extranet is highly customizable, and both clients and internal team members can make most changes to the extranet site on their own, without involving the IT experts.

SharePoint makes the process of collecting sensitive data from clients and suppliers relatively effortless. The data can be integrated directly into the system from the firm's billing software, which helps avoid redundancy and errors that normally result from the manual entry of the information. The customized extranet site also can include matter documents and agreements that both the firm and clients can access simultaneously, speeding up the process of review and approval time, and helping teams gain a holistic view of a particular client matter.

The extranet is a tremendous benefit for clients because it allows them to directly share information and ideas through a Web browser, creating a more personal experience and tighter client connectivity.

The process for setting up an extranet site is very similar to what is done to create any site. However, special considerations must be given to security and what data to publish:

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SharePoint

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- Policies and procedures become very important because technology alone cannot guarantee success.
- For a client-facing system, a secure connection using SSL through a Web browser is strongly recommended. The firm's IT experts will need to set up SharePoint for secure access.
- The firm's IT experts or outside consultants may have to do some specialized development that goes beyond what can be done with the out-of-the-box capabilities of SharePoint.

Dashboards

The term "dashboard" is not new, but SharePoint enables users to create and use dashboarding techniques in very innovative ways. Dashboards generally describe how a firm can display various related information on a single page, making it easy to see the big picture. SharePoint provides a way to create dashboards on whatever firms want by utilizing advanced Web Parts coupled with Web Part connections, which all allow for passing data between Web Parts.

Dashboards have many applications, such as helping with client matter coordination, project management or employee tracking. Firms can integrate back-end data, such as contact lists and client-billing information, in one place to get a full picture of what work is being done.

Setting up a dashboard in SharePoint is very easy by simply managing Web Parts on a site page as previously discussed. However, knowledge of the more advanced features is necessary in order to manipulate data through Web Part connections.

The goal in a dashboard is to gather and present data in a summarized fashion. Often times, additional Web Parts beyond what is provided in SharePoint are needed to access data from financial and document management systems. Many software vendors already have SharePoint Web Parts for their software, and so it becomes a matter of integrating these Web Parts into the firm's SharePoint environment. The IT experts can then get them up and running.

CONCLUSION

With SharePoint's powerful collaboration tools' ability to customize and easy integration with popular applications such as Microsoft Of-

fice, it is becoming more and more popular with all types of law firms — both large and small.

Many firms are already beginning to see direct benefits of SharePoint. For example, one Philadelphia law firm has improved its accounts receivables by making the information about clients who are 30 days overdue on their bills available to all attorneys via SharePoint. Clients that are 30 days overdue are prominently listed and brought to attorneys' attention immediately. The results have been to reduce the time to collect overdue bills. The firm tied its accounting system to SharePoint through third-party Web Parts and made SharePoint the initial Web site for attorneys when opening their Internet browser.

Additionally, more firms are choosing to use IT consultants and managed IT services providers to help them jumpstart SharePoint implementations and be able to deliver more complex intranet/extranet functions in less time. This enables them to deliver even higher quality service to clients, while continuing to focus on their key competencies. Sounds like a win-win for everyone.



e-Criminal

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2. **Anger.** As you continue to interrogate the person, he most likely will become angry, yelling things like he can't believe that you would suspect him of this because of all he does for the company. This is typically the longest and hardest stage because it is the individual's last effort to keep himself out of trouble.
3. **Bargaining.** The suspect will then begin bargaining with you, offering to pay the money back or expose another person involved.
4. **Depression.** The person will begin crying and doing other things as he goes through this stage to make you feel sorry for him.

5. **Acceptance.** Finally, he will accept the fact that he has nowhere to go and that your case is foolproof.

CASE STUDY

We once worked with an organization that suspected its CFO of embezzlement, as well as other potentially fraudulent activities, including insider trading.

Our company was contacted by the organization's legal department to perform covert forensics analysis of the CFO's computer system. Our team went on site in the middle of the night, cloned the CFO's entire system, and left without being detected.

Upon returning to our office, we began performing our analysis of the cloned system. We identified and reconstructed deleted records of wire transfer information that totaled more than \$2 million. The transfers were from the organiza-

tion's bank account to the CFO's personal offshore bank account.

We also discovered deleted e-mails where the CFO identified that he was upset with upper management and felt that the money belonged to him. Upon completion of our investigation, the organization contacted the FBI and began its interrogation efforts, during which he admitted to his wrongdoings. The CFO was convicted and is currently serving an 11-year jail sentence.

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Acrobat 9.0 Looks Quite the Same, But Feels Very Different

By Brett Burney

Who can dispute that the Portable Document Format has become the *lingua franca* of legal documents today? PDF is the standard for electronic filing, scanned documents, digital signatures, form distribution, and much more.

Even though Adobe has freely licensed the PDF standard, the company still maintains a sturdy foothold in the PDF world with their time-tested Acrobat suite of products (www.adobe.com/acrobat). Adobe has now released version 9 of its flagship application, and while there isn't much that is brand new, there are some noteworthy improvements for the legal community.

Adobe thrilled the legal world when Acrobat 8 was released in late 2006. That version offered built-in tools for redaction and Bates stamping — features that prior to Acrobat 8 required the use of multiple software plug-ins. Both of these features have matured in Acrobat 9.

When I first launched Acrobat 9, it didn't look all that different from Acrobat 8 — I actually had to double-check to make sure I was using the new version. Adobe has been known to add unnecessary sparkle to new versions of Acrobat in the past that frustrated users that had to adjust to a shuffle of buttons and menus. Fortunately, this is not the case with Acrobat 9.

I noticed that Acrobat launched a little quicker. It appears that Adobe has improved the overall performance of

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Acrobat with version 9, although this will most certainly depend upon the horsepower of the computer you're using (Adobe recommends 512MB of RAM, but I would at least double that for good measure).

ADOBE COURTS LAWYERS

So let's get to the features that only a lawyer could love. There are just a few minor, but essential, improvements in the "Bates Numbering" tool (found under the Advanced > Document Processing menu). Instead of just selecting individual files to be stamped, you can now point Acrobat to a whole folder. Once you select the folder or files for stamping, you can click "Output Options" to have Acrobat rename the files with their assigned Bates numbers, as well as copy the files to a different folder (which leaves your original files intact).

The Bates Numbering dialog box is very intuitive and provides plenty of options for customizing the look of your stamp(s). You can also add additional information to the header and/or footer of each PDF.

Acrobat 9 offers a handful of new options for redacting PDF files. For example, you can now tell Acrobat to redact an entire page or page range. When the redaction tool was introduced in version 8, you could search for words or phrases to redact. You can still do this piecemeal in Acrobat 9, but you now have the option of importing a list of words or phrases to save on typing time.

Version 9 also lets you comprehensively redact specific "patterns" of alphanumeric text-strings such as e-mail addresses, Social Security numbers, dates and phone numbers. This is very helpful for redacting a batch of personal medical records or the like.

All redactions are customizable — you can select the color of your redaction boxes and specify the font and color of any overlay text.

WHICH DOCUMENT IS NOT LIKE THE OTHER?

Comparing two documents can be a frustrating task, but Acrobat 9 can make the chore a little easier, as long as both documents are converted to PDF first. Once you select both documents to be compared, Acrobat 9 spits out a quick report

on the differences, and then lets you scan through the two documents where each change is highlighted according to a color code. Acrobat 9 can now even compare two photos side-by-side and pinpoint the differences between the two images.

I found the document compare feature to be useful, but honestly I prefer to use the improved built-in compare tools found in Microsoft Word 2007, mainly because most documents I'm comparing are drafts composed in Word before I export them as PDF files.

MAKING PDFS

Speaking of Microsoft Word, Adobe has notably improved the PDFMaker tool for Microsoft Office — that's the little PDF toolbar that appears in Office applications that allows you to convert a document to PDF with one click (you can always "print" to PDF if you don't install the PDFMaker toolbar).

The Microsoft Word PDFMaker now allows you to create a PDF file from just the text that you have selected within a Word document, as opposed to converting the entire file. In Microsoft Excel, you can choose to convert only a selection of text or cells, or individual worksheets to PDF, instead of the entire spreadsheet.

On a related note, Acrobat 9 also includes a menu option that will allow you to create a PDF file from the contents of your clipboard.

And lastly, a new "Select" button installed in the Internet Explorer Web browser lets you select specific pieces of a Web page to convert to PDF. This means you don't have to always PDF an entire Web page with all the advertisements and extraneous information — you can use the "Select" button to choose only the text or specific images you want.

WON'T YOU COLLABORATE WITH ME?

In my opinion, one of the most exciting improvements found in Acrobat 9 is the ability to collaborate on documents, mostly handled by the tight integration with the new, free service located at Acrobat.com.

While Acrobat 8 gave users the ability to collaborate, I found it to

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Acrobat 9.0

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be clunky. But with Acrobat 9's direct tie-in with Acrobat.com, sharing your document, and even your computer screen, with someone over the Internet is literally a click away.

I know the idea of sharing your screen may be uncomfortable to many, but the Acrobat.com service has proven to be secure and reliable. You're not going to be collaborating all the time, but when you're working on a document with co-counsel located in another state, for example, you could simply click "Send & Collaborate Live" to invite them to view and work on the PDF you have up on your screen (your recipient must have a full version of Acrobat 9 or the free Adobe Reader 9). This is much more efficient than burdening an e-mail message with a hefty attachment and waiting on a reply.

The "Share My Screen" function is self-explanatory and also works through the Acrobat.com service — even going so far as to provide a customizable URL for your online collaboration sessions. Everything in Acrobat.com is built on top of Flash technology (now owned by Adobe) which is so pervasive across the Web today that everyone already has the necessary tools to use the service (no need to download any new software).

If you can't work out a time to collaborate over the Internet, the free Acrobat.com service offers 5 GB of online storage where you can upload and share your documents with others.

e-Criminal

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CONCLUSION

Of course, most instances of employee theft are not as grandiose as this example, but the bottom line is that members of law firms and in-house legal departments have access to all kinds of essential electronic data. Having a pre-planned mecha-

FLASH AND PIZZAZZ

The flashiest improvements included in Acrobat 9 probably won't immediately appeal to the legal world, but they can add a professional level of flair to PDFs for those that care to learn the simple tricks.

Acrobat 9 now fully embeds Flash technology within the application, meaning that video and interactive elements can run natively within a PDF file. This may not mean much until you realize that you can now embed videos into a PDF file without having to worry about your recipient having to download a codec or other software for viewing the video.

The built-in Flash functionality also powers the new Portfolio features that replace the now-historical "PDF Package."

Think of Acrobat's Portfolio as a snazzy way to create a digital "binder" of PDF files, documents, pictures and now video. Let's say you need to send several files (Word documents, pictures, diagrams, etc.) to a client for their review. You can bundle all those files into a PDF Portfolio that you can brand with your logo and customize as you see fit.

PDF Portfolios have a built-in set of navigational features so the recipient can jump to a particular file and then "back" to the "home page" as necessary. You can include a welcome screen for the Portfolio with any necessary instructions or disclaimers branded with your firm's logo. The possibilities are limited only by your imagination and the comfort level you achieve when working with PDF Portfolios (which doesn't require much).

If you're not interested in the additional functionality of PDF Port-

folios, Acrobat 9 can obviously still simply "merge" multiple files into a single PDF for easier transport.

While Acrobat 9 hardly boasts any brand new capabilities, the improvements on the features from Acrobat 8 are worth the price of an upgrade. Acrobat 9 is more efficient and mature, especially on features like Bates stamping, redaction, and collaboration.

WHAT TO BUY?

You already know that the Adobe Reader (www.adobe.com/reader) is a free download. Anyone on any operating system can install Adobe Reader that will let them view PDF files and do some very limited interactivity with specific types of PDFs.

Next up the chain is Acrobat 9 Standard (upgrade \$99, full \$299) that adds basic functionality for creating and modifying PDF files. However, it's not until Acrobat 9 Pro (upgrade \$159, full \$449) that you get the legal-specific tools such as redaction and Bates Numbering. I would recommend that most lawyers go for the Pro version.

If you really want to explore the possibilities of PDF Portfolios and the embedding of Flash videos into PDF files, then you should invest in Acrobat 9 Pro Extended (upgrade \$229, full \$699; also includes a slick add-on to Microsoft PowerPoint called Adobe Presenter). Not everyone in your office would need Pro Extended, but a single copy would probably suffice for the one person that would be responsible for creating your firm's PDF Portfolios.



nism to protect this data is critical in the event that you suspect that it is being handled inappropriately. Simply firing an employee suspected of wrongdoing is not appropriate on a variety of levels, most significantly you will likely not recover your data or your funds and the opportunity to do so may be lost forever. For this reason, it is essential to prepare a tactical response plan in advance to

address potential problems — instead of trying to play catch-up after the fact.



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