Recommind secure two more wins

Recommind has secured two further wins for its growing portfolio of 'information risk management' software. One of Canada's largest firms – Stikeman Elliott LLP – has selected Recommind Mindserver Search application to strengthen its knowledge management infrastructure. Stikeman Elliott director of KM (Toronto) Andrea Alliston said with the firm's eight domestic and international offices regularly working with US and international firms on cross-border transactions, it was essential to have a system that "enables us to leverage the investments we have made in our intellectual capital".

The second Recommind deal was placed by Covington & Burling LLP who have selected the Decisiv Email system to handle the firm's email filing needs across eight offices. Recommind say Decisiv's 'single instance' technology lowers storage costs by up to 80% over traditional email archiving systems.

Nuance acquires eCopy

Nuance Communications, a company probably best known in the legal IT market for its Dragon speech recognition business, has acquired eCopy, a leading provider of systems to integrate paper documents into business software applications. Nuance say the acquisition will combine Nuance's multifunction printer (MFP) desktop products with eCopy's server offerings to deliver network scanning solutions ⇨

⇨ that connect a wide range of MFPs to a wide set of business and content management applications.
• Under the terms of the deal, net consideration was approx $54 million in Nuance common stock.

VLP first to install new Smart Time system

Virtual Law Partners (VLP) has become the first US law firm to install the new Smart Time system from Smart WebParts LLC. Smart Time is a web-based on-demand time capture and entry system. Craig Wright of Smart WebParts describes Smart Time as a system that "finds missed or leaked time that may not otherwise get billed" by searching network applications (such as Exchange, document management systems and BES servers) to provide fee-earners with a detailed journal of their daily work activities and so help answer the question 'what did I do today and is it billable?'

A key feature of Smart Time is its 'relationship engine' which learns which phone numbers and email addresses belong to which clients and matters. VLP's VP of network operations Michael Ferrel adds "The Smart Time open connector allows firm administrators to connect Smart Time to virtually any database or email platform. The relationship engine helps an attorney relate email, events, people and phone numbers directly to a billable matter. The more you use Smart Time, the smarter the applications gets."
• Smart WebParts is running a webinar series to demonstrate the Smart Time product in action.
www.smart-webparts.com/events.html

News in brief

American LegalNet builds team and partnerships
Desktop-to-courthouse workflow technologies provider American LegalNet has recruited Ralph Barber, the former CTO at Holland & Knight, as an advisor to its executive team and board of directors.
• In other news, American LegalNet has formed partnerships with business process and efficiency consultancy Hyperion Global Partners and with Docstoc. The latter deal means ALN's forms will be available on the Docstoc website.
www.AmericanLegalNet.com

Total Attorneys acquires VLOTech
Total Attorneys Inc, a managed service provider for small firms and solos, has acquired Virtual Law Office Technology. VLOTech specialises in the development of secure extranets allowing attorneys to deliver legal services direct to their clients online.
www.totalattorneys.com + www.vlotech.com

3BView surveying market on mobile device use
3BView is conducting a survey to understand how mobile devices are being used by attorneys in their day-to-day practice. 3BView founder and V-P Cathy Brode said with mobile devices now used to access internal systems and business applications, as well as enable the review, edit and forwarding of documents, "we need to ensure attorneys are not putting their data or their practices at risk." The survey can be accessed until October 23, 2009 at
www.zoomerang.com/Survey/?p=WEB229PNSVQD9C
• All participants will be entered into a draw to win an upgraded phone, either a Blackberry Storm 9530 or an iPhone 3GS 32GB. The survey results will be available on request to all participants.

New wins

Three wins for new Microsystems product
Microsystems has clocked up three wins for its new Legal TemplatesPlus software. The orders came from Lang Michener LLP in Toronto plus the Bedell Group in the UK Channel Islands and London-based CMS Cameron McKenna. Lang Michener has also signed up for Microsystems Knowledge Partnership service, while Best Best & Krieger LLP (Riverside, CA) has licensed D3 for Marketing.
• Microsystems has just announced a strategic partnership with Practice Technologies Inc, that means its Legal TemplatesPlus software now integrates with PTI's SmartRules, a move that should enhance legal pleading document creation.

New York firm save $100k on email storage alone
New York law firm Graubard Miller reports that since switching to Proofpoint Inc's Archive SaaS based email archiving platform, it "has saved approximately $100,000" by reducing its mail store by 75%. The firm's CTO Steven Heller said Archive addressed the three key challenges of email storage management, legal discovery and regulatory compliance "without the headaches of managing an email archive inhouse". The move to Archive also resolved the problem of one individual lawyer who had 38 gigabytes of messages stored in his inbox.
www.proofpoint.com

Townsends buy Levit & James best authority
San Francisco law firm Townsend & Townsend & Crew LLP has purchased Levit & James' Best Authority software to help staff speed up the production of tables of authorities.
www.levitjames.com

Hildebrandt launches LawVision services

Thomson Reuters' consultancy business Hildebrandt has launched a new service – called LawVision– that aims to help law firms adapt their business models to changing market conditions. Hildebrant managing director Jim Jones said many firms were now looking at alternative business models but "a key question is whether this experimentation will end once the economy recovers or whether we are at the start of a fundamental structural change." Within LawVision services, Hildebrandt is working with firms to modify structural and operational models, including alternative pricing and new financial metrics; staffing models to align legal service delivery with client perceptions of value; talent management and new compensation models; plus business process redesign to reduce overheads and operating costs.
www.HildebrandtLawVision.com

Digital dictation news

Minnesota firm pick Winscribe over Bighand
Minnesota law firm Hellmuth & Johnson has selected Winscribe to provide its new digital dictation platform, to replace its old analog tape equipment. Commenting on the deal, the firm's COO Susan Marsh said that after comparing vendors Winscribe and Bighand "We simply liked the Winscribe solution better than Bighand's." The system is being implemented and supported by local Winscribe supplier MacTek Inc.

Grundig launch 'easy mode'
Grundig has launched a re-engineered version of its Digta 420 handheld digital dictation recorder. The key new feature is an 'easy mode' setting that simplifies the menu settings, so users new to ⇨

⇨ digital dictation can concentrate on dictation rather than be distracted by the device's full menu of advanced settings and options.
www.grundig-gbs.com

New hires

Kazeon fallout starts
Last month's announcement that EMC is about to acquire Kazeon Systems Inc (the deal is expected to be concluded later this Fall) is already starting to have repercussions, with the news that Kazeon's former head of sales development David Dickman has joined Nuix as director of professional services. Along with managing pre-sales systems engineering, training and consulting services staff, Dickman will also have input in shaping Nuix's product strategy in the e-discovery marketplace.

SuperiorGlacier adds McVey to e-discovery team
Sean McVey has joined the computer forensics and e-discovery team at SuperiorGlacier. McVey, who was most recently with Strotz Friedberg where he led an investigation into the theft of credit card data from a major retailer, has been appointed manager of SuperiorGlacier's New York office.

Jay Koza joins IDS Legal
Legal process outsourcing (LPO) specialist IDS Legal has appointed legal support services industry veteran Jay Koza as president. Koza's 30-year track record in the litigation support industry includes holding senior positions at Huron Consulting, Merrill Corporation, Aspens Systems and Uniscribe.

Iris hires Ryan Rhodes for Texas role
Iris Data Services has hired Ryan Rhodes as regional director for Texas. Based out of Houston, Rhodes will lead sales of Iris e-discovery services across the state, including Dallas/Ft, Worth, San Antonio and Austin. Prior to joining Iris, Rhodes was with Benchmark Legal Solutions.

ABA release 2009 tech survey results

American Bar Association's Legal Technology Resource Center has just released the results of its survey of ABA lawyer members in private practice from January through May 2009 on their use of technology. Topics run the gamut from budgets and purchasing habits to the use of smart phones in the courtroom. The findings of the survey are released serially in six volumes: Technology Basics, Law Office Technology, Litigation & Courtroom Technology, Web & Communication Technology, Online Research, and Mobile Lawyers. The survey concentrates on issues relating to technology use, not product use. Survey reports are segmented by technology rather than firm size, and rely on the number of lawyers in a firm as an additional metric on most questions. Among the results...

• Leaving the office doesn't mean leaving work behind, with 82% of respondents saying they use a PDA, smart phone or Blackberry while out of the office, compared to 67% in 2008. Of respondents that provided brand names, the Blackberry/RIM (64%) was cited most often, followed by the iPhone (14%), then the Palm Treo (13%) in 2009.

• While more than three-fourths of respondents report that they telecommute (77%), only 6% of all respondents report having a virtual law office. Solo respondents are the most likely to report using a virtual law office (12%), followed by respondents from firms of two-to-nine attorneys (7%).

• Social networking for personal use is gaining popularity among lawyers with 43% of respondents saying they maintain a personal social networking presence. That's up from 15% last year.

• When asked if their firms maintain a presence in an online community/social network such as ⇨

⇨ Facebook, LinkedIn, LawLink or Legal OnRamp, overall 12% of respondents report affirmatively, up from 4% in the 2008 survey.

• Most respondents (74%) use Windows XP for their primary operating system, 9% use Windows Vista, 6% have Windows 2000 and 4% use Mac OS.

• Metadata removal software is available at nearly half of respondents' firms (46%). Large firm respondents report highest availability (86%), with solo respondents (27%) and those from firms of two-to-nine lawyers (31%) reporting least availability.

• Virtually all respondents (98%) report having enrolled in a Continuing Legal Education course, most often attending traditional live seminars (93%). However lawyers are increasingly logging on for CLE with utilization of live webcasts reported by 64% of respondents compared with 53% in the 2008 survey and 51% in 2007.

For more details, including methodology and indices, see **www.lawtechnology.org/survstat.html**.

News in brief

DocAuto enhance OutiM Server
DocAuto this week announced enhancements to its OutiM Server email management application. They include the ability to use pattern matching in subject and content filters, with support for a broader set of wildcards.
www.docauto.com

Orange County select Mimosa
The Orange County Sheriff-Coroner Department has automated its email retention and e-discovery processes by implementing a Mimosa NearPoint email archiving system. The Department says the move has reduced e-discovery response times by around 70% without any adverse impact on Exchange Server performance.

Malpractice claims: is calendaring a safety net?

by Joseph C Scott, JD

During the last economic downturn, legal malpractice claims increased up to 60% compared to better times. There are many reasons why clients sue their attorneys but the court calendar can represent an area of increased risk during a recession. Managing the court calendar can be an error-prone process under the best of circumstances, but it can be much more difficult now, as law firms lay off attorneys and staff. When attorneys or staff are let go, their critical knowledge of court dates and upcoming deadlines may walk out the door with them. The attorneys and staff left behind often find themselves swamped with cases, and they may lose track of urgent deadlines and court appearances.

According to the ABA, calendar/deadline-related errors are traditionally one of the leading causes of malpractice claims. The ABA has identified three key areas that can lead to missing crucial deadlines: failing to know or ascertain the calendar; failing to calendar properly; and failing to react to the calendar. By recognizing where the pitfalls are, attorneys can help minimize the chance of making an error and finding themselves on the receiving end of a lawsuit from a disgruntled client.

While accurately determining and recording crucial court and deadline-related dates seems like a straightforward process, it is one of those items that is more easily said than done. Court deadlines must be researched, which can take a great deal of time and focus. For large firms with many attorneys working in multiple jurisdictions, the process can be even more difficult. Court deadlines can vary dramatically from one jurisdiction to the next, and courthouses also close during local holidays, which must be taken into account.

Technology can help eliminate much of the risk while improving calendaring efficiencies. Law firms can now take advantage of rules-based calendaring programs that can automatically calculate ⇨ court dates, eliminating the chances of incorrectly determining deadlines. These types of technology run the gamut from comprehensive software systems with court rules in jurisdictions and practice areas around the country to pay-per-use internet-based deadline calculation services that require no software and minimal training.

Once a court date or deadline is accurately determined, it must then be precisely recorded on the court calendar. If any information is inverted or miscalculated, the resulting dates will not be correct and the mistake can cascade throughout the life of the matter. Once the information is properly recorded on the firm-wide calendar, it must be communicated to each relevant attorney and staff member. If each attorney uses his or her own calendar, the chance of errors increases, since calendars must be updated individually. If a firm utilizes a standardized calendaring program or a deadline calculation service that can input and update deadlines automatically, the chance of mistakes is significantly reduced.

As stress levels increase, attorneys are more likely to miss court dates, even if those dates have been properly determined and recorded. Clear communication and proper delegation of roles to attorneys and staff can help ensure that a date does not fall through the cracks. Calendaring programs that provide automatic updates and reminders can also help ensure that every deadline is met.

The concerns over malpractice claims have become so serious that California, for example, has recently passed a professional conduct rule that requires lawyers to disclose to most of their clients if they do not carry malpractice insurance. In these difficult economic times, rules-based calendaring programs have proven so reliable that many insurance carriers are now offering a discount or other financial consideration to firms that use them. However, by taking advantage of the latest technology and implementing sound calendaring practices, firms can help ensure that their malpractice insurance is not ever used, even though attorneys carry it.

• *Joseph C Scott is an attorney & V-P/General Manager of Deadlines On Demand LLC and CompuLaw LLC*

Litigation support news

SuperiorGlacier announce new portal
SuperiorGacier has launched a new web-based customer portal. Called ESI Spy, it is designed to give customers an insight into data earlier in a case, allowing them to make more informed decisions and manage e-discovery projects better.
www.superiorglacier.com

Mimosa and IGC partner to offer redaction
Mimosa Systems has partnered with Informative Graphics to expand its e-discovery and data privacy capabilities. The combination of Mimosa NearPoint and IGC's Redact-It Enterprise Server gives users redaction facilities to remain in compliance with privacy regulations, while simultaneously delivering information transparency and streamlining e-discovery processes for litigation readiness.
www.mimosasystems.com + **www.infograph.com**

Iris launch new version of Unity e-discovery
Iris Data Services this week launched a new version (2x) of its Unity e-discovery processing platform. New feature include enhanced Unicode support and the ability to process in more than 150 different languages, including Chinese, Japanese and Korean. It can also automatically detect the language of origin and index the document accordingly, allowing for more efficient searching and more effective assigning of documents.
www.irisds.com

Epiq add IQ prioritization to DocuMatrix
Epiq Systems has added a new 'prioritization' capability to its DocuMatrix document review platform. Called IQ Review, it is designed to address the challenge of locating documents that are responsive to a matter – typically less than 20% – within increasing volumes of data and mandated short timeframes. The way it works is a legal expert assigned to a case 'teaches' the software to identify documents as 'responsive' or 'non-responsive'. ⇨

⇨ Learning from the expert, the technology then determines patterns in content across all data, rates each document, and fast tracks the most responsive to the beginning of the review, creating what Epiq call an intelligent 'Prioritized Review'. Early adopters include Allen & Overy, where litigation support manager Vince Neicho said the firm's experience of integrating the new prioritize phase into their legal review processes "creates an infrastructure that allows our team to zero in on information relevant to our matters faster."
www.epiqsystems.com

American Legal Technology Insider

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Editor-in-Chief: Charles Christian
Phone: 1-866-782-4709 (toll-free)
             +441986-788666
Fax: +441986-788808
Email: **altinews@legaltechnology.com**
Office hours: 8:00am to 2:00pm EST

The Backpage

Out-of-hours activity
We've had many reports of people within the legal technology and e-discovery world doing interesting out-of-hours stuff, so here's a quick run-down...

• There's a new non-profit body for litigation support and e-discovery professionals. Its called the Organization of Legal Professionals for e-Discovery (OLP) and aims to establish global standards and certification through collaboration and education. OLP cite this comment in the 2009 *Socha-Gelbmann Report* "in a crowded, noisy market, too many providers are making unsubstantiated claims and creating consumer confusion, while consumers lack effective means to compare technologies and methods" as one their inspirations. Founding members include Browning Marean of DLA Piper, Ron Friedmann of Integreon and the consultant Tom O'Connor. For details visit **www.theolp.org**

• In other news... ACT Litigation Services' account manager Sandra Bast has been named state chair for Ohio by the Council on Litigation Management. ⇨

⇨ And, Pro Bono Net has added Edward J Walters, CEO of Fastcase, and David A Heiner, V-P & deputy general counsel at Microsoft, to its board.

On the road with The Frayman Group
The Frayman Group is going on the road next month with its new seminar series *The New World of Conflicts Management*. Frayman Group CEO & president Yuri Frayman said the seminar had been developed "to ensure that firms are aware of the changing face of conflicts management and the myriad strategies and technologies available to help them address these needs". The sessions are free to law firm professionals. The locations are NYC (Skadden Arps) 13 November, Washington DC (Akin Gump) 16 November, and Chicago (Katten Muchin) 17 November. For details visit **www.fraymangroup.com/seminar**

Next issue...

The next issue of ALTi (No.16) will be published on Thursday 5 November, 2009. The editorial deadline is 3 November – 6:00pm EST. Keep up with latest news on our blog **www.theorangerag.com**