CASE MANAGEMENT SOFTWARE:
CAN IT REALLY TRANSFORM YOUR PRACTICE?

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If you're not sure exactly what Case Management Software ("CMS") is and what it could do for you, don't be embarrassed or intimidated by your peers or technologists into thinking you're the only one who doesn't know. As I travel around the state, I am very frequently asked, in a hushed tone, "What exactly is case management, and what might it do for me?"

Imagine for a moment that all information about your client's matter was centrally located, and just a couple of mouse clicks away. That means all your contact names, addresses and phone numbers, all the calendar items, all the to-do list items, all the notes of phone calls, theories, meetings and so forth, the documents and emails related to the case, and even time, billing, and account receivable information. All that information waiting for you just one or two mouse clicks away. To look at a document you don't have to open a separate application and navigate your way to the document. Just click on it in your CMS, and it automatically opens the application and the document. Sweet. Got the client on the phone and need to give them a status report? First, click on a pop-up timer to make sure you bill for the call. Then click the mouse to check case notes. Oh, and while you're at it, check the accounts receivable with another click or two to make sure you mention you need to know when a check will be forthcoming before you hang up. Add a narrative to the timer with a couple of activity codes, close the timer at the end of the call, and the billing information is sent to the client's ledger, ready and waiting for invoicing. Really sweet.

Virtually all firms have some sort of case management system. It may be nothing more than a series of procedures and processes done by a combination of pen, paper, and shoe leather to manage clients and files from intake, through conflict checking, docket control, calendar management and scheduling, document production, billing and collection, and so forth. Case management software has taken these various matter–related tasks and automated them in a shared environment.

Manual systems have some advantages. They tend to be fairly simplistic, and therefore are easily understood, taught, and followed. They tend to be very inexpensive, which puts them within reach of all practitioners. And they have been around “forever”, making them universally acceptable.

On the other hand, manual systems are somewhat inflexible in terms of ones ability to extract or rearrange the information contained in them. For example, the manual rolodex effectively keeps all contacts, witnesses etc organized. But if you want to pull out just those individuals from the rolodex who have been witnesses on a particular type of matter, that requires a lot of effort. Paper calendars effectively maintain ones schedule, but if you want to find out all the entries you’ve made for a particular matter, that requires a lot of effort. Conflict systems which depend on the old card files, or worse, memory, can be inaccurate for many reasons, including departure of key people, lateral hires, matters taken in when a partner who was involved in a conflicting matter is on vacation, or even a staff member’s failure to include all concerned parties on separate cards and file them appropriately.

Case management software has been around for quite some time. The early pioneers who embraced it were the brave souls who had a tolerance for the inconveniences of buggy software and new applications which were not yet mature. Yes, the software offered much in the way of practice management enhancement, but truth be told, the software wasn’t “there” yet. And when the software upgraded to Windows, it was a painful experience indeed for many firms for the first few releases. It is only in the past few years that this software has really matured, and become highly reliable. It is now “ready for prime time.” And lest your firm get caught in the dust as your competitors improve their operations, you should now take a serious look at this software.

Each CMS system is originally designed by an attorney who feels he or she can “build a better mouse trap”. As the software develops and becomes enhanced by input from other firms, it becomes more commercially appealing. However, the underlying flavor, that is, the original attorney’s view of the practice and how it should be organized, largely stays with the product. So while the leading CMS packages may perform the same functions, the touch, look and feel of them will be different. You may love one and hate another, even though they accomplish the same tasks. It’s just that one may “think” —be visually and logically organized— like you, and another may not. Basically, most CMS packages today handle docket/calendaring, conflict checking, (some much better than others), contact/rolodex management, tasks/to-do lists, and document management. Many now handle PDA interface/synchronization, and email management. Most integrate to word processing to provide the ability to quickly produce mailing labels and lists, form letters, and so forth. CMS enables everyone to share all the information, so that things like changes of name or address are made once, and are thereafter correct for everyone.

Most CMS have pop-up timers for recording your time as you take telephone calls, dictate documents and so forth. And because in real life you start and stop numerous matters in the course of the day, you can have multiple timers, and go back and forth between them, starting and stopping, as your work progresses. At the end of the day you add some activity codes and/or narrative and close them out, and the time is transported to your billing system, ready for billing.

I prefer the fully integrated CMS which provides both front office (the functions I have listed above) and back office (general ledger and time & billing) capability. It eliminates duplicate entry and ensures that all the information you want is at your fingertips. It eliminates the need to maintain "links" between software programs to get the data from one package to another. Highly regarded front-and-back-office packages include ProLaw (1-800-977-6529 or www.prolaw.com), Perfect Practice (1-407-843-8992 or www.adclegal.com), and TABS / Practice Master (1-800-487-7111 or www.stilegal.com). But if you don't like the look and feel of them, there are many others which are widely installed and well liked, as well those which "link" to popular time & billing and accounting packages. There are also some designed for specific areas of law. One such example is Needles (1-410-363-1976 or www.needpins.com), which is designed for personal injury firms.

Because CMS is a sophisticated and customizable database, I highly recommend you pay someone to professionally install and customize it for your firm, and then train and retrain your people in how to properly use it. Without the professional set-up and proper training, you will likely be one of those few who try CMS and quickly become disenchanted with it. I am often contacted by firms who say they are unhappy with their software and want me to recommend something else, because their software "won't do xx". Often, I know it does. In every single case I find out they did not pay for training on the software. You're going to have a long "marriage" to the software. Make it a happy union by building a solid foundation in proper set-up and training.

When you add up all the costs for software, installation, and training, you can get a quick case of sticker shock. Ok, let's do the math. Let's say that the case management software saves you just 15 wasted minutes per day. That's a VERY conservative estimate. Let's further assume that you can then turn those 15 minutes per day into billable time. Most of you tell me you have more work to do than hours to get it done, so it's a logical assumption. If you bill at a rate of $120/hour that translates into an additional $30 per day. That's an additional $150 per week. That's about $650 more per month. That comes to a whopping $7,800 more per attorney per year. And that's money that goes right to the bottom line after you've repaid the initial investment. So you can see how quickly the software pays for itself, and how dramatic the improvement in revenues can become.

Can CMS transform your practice? The various legal listservs I monitor indicate yes. In fact, this is the exact phrase attorneys use over and over again when referring to their use of CMS. This is a good time to consider whether this software can transform your practice as well, and turn your wasted time into productive billable time. But if you're going to do it, do it right. Invest the time to do the research to get the right package — one which intuitively has the look and feel which is logical for you and your firm. Don't just pick one because an attorney you respect says he loves it. It may be great for him because of the way he organizes his world and practice, and not at all logically organized for you. After you've picked the right package, spend the dollars to get the professional set-up and training which will ensure success. And don't forget to realistically plan on the amount of time it will take to get in existing information. Don't expect it to all happen overnight. And don't plan on going backward and putting in every matter you've ever handled. Just start with your active matters and move forward. Progress is usually achieved in a series of small determined steps, not in gigantic leaps. Remember, progress is a process, not an event.

A version of this article originally appeared in the November 5, 2001 issue of the Pennsylvania Bar News