

# Designing a Successful Approach to Document Retention and Retrieval

## Document Retention and Retrieval is an Ethical Obligation

Lawyers have a longstanding ethical obligation to preserve and deliver upon request all client documents and communications. As the world has moved to electronic documents, these obligations remain despite any growing difficulties lawyers may face in meeting this professional responsibility. *See e.g., New York City Bar Association Ethical Opinion 2008-1.*<sup>1</sup> An effective and comprehensive electronic document retention and retrieval system is not only critical to the efficient operation of a law firm or a corporate legal department; it is a fundamental professional obligation.

## First Generation Document Management Systems: the Virtual File Room

Before personal computers, law firms and legal departments employed clerical staff to manage their document storage and retention requirements. While this made sense when lawyers depended on secretaries to type their documents, the move to electronic systems brought about a dramatic change, shifting work-product creation from staff to lawyers and other legal professionals. At the same time, email and other electronic communications vastly expanded the amount and types of documents that needed to be managed. But while there has been an explosion in the number and types of documents created by attorneys and their support staff, the tools and systems needed to manage them have lagged behind in terms of usability, reliability and functionality.

For better or worse, current document management systems were designed as virtual file rooms, that is, dedicated network repositories into which users manually move their electronic documents. This approach, however, has proven to have a number of distinct disadvantages:

1. **Shifting the burden to the lawyers:** Although enabling attorneys to create documents and other electronic communications has been a boon to productivity, the same cannot be said for storage systems. Virtual file rooms – whether behind a firewall or in the Cloud – have made the professionals whose time is most valuable into virtual file clerks.
2. **Hidden costs:** Worse, the accuracy of document management systems depends on users manually typing additional tags, fields and profiling information in order to find documents in the future—a process that can take as long as five minutes per document.
3. **Unreliable retrieval:** By their nature, the accuracy and completeness of these first-generation document management systems wholly depend on users being consistent, diligent and accurate. While these systems are useful for storing certain categories of documents (e.g., filed pleadings), users can never be certain that they have found all relevant documents or information.
4. **Incomplete systems:** The final nail in the coffin of document management as a single solution is the fact that these systems do not accommodate many important document and electronic communication types at all. A system that does not encompass email, electronic research, client provided documents or the myriad of other file types that users often keep on their personal computers is not a system that today's law firms and legal departments can rely upon to meet their retention and retrieval obligations.

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<sup>1</sup> A lawyer's ethical obligation to retain client documents extends to email and other electronic documents. A law firm may elect to store electronic client documents as it sees fit, provided that the "manner of organization and storage does not (a) detract from the competence of the representation or (b) result in the loss of documents that the client may later need and may reasonably expect the lawyer to preserve." Subject to narrow exceptions, a client has a presumptive right to the lawyer's entire electronic file in connection with a representation and the lawyer may not charge the client for retrieval costs that the lawyer could reasonably have avoided. *Id.*

## A Breakthrough Approach: MetaJure Smart DMS

MetaJure was created by lawyers who experienced the failures of first-generation electronic document management first hand in their law firms and corporate legal departments. At the same time, working for some of the world's leading software and IT companies showed the founders how technology could solve these problems. If Google could find, index, and retrieve almost any information in the vastness of the World Wide Web, why couldn't legal professionals adapt this approach to preserve and place all of their information at the fingertips of their lawyers and staff?

At the heart of MetaJure's patented technology is a simple but powerful approach: **automate the collection process and then enable users to easily locate any document or information regardless of location within their organization, all without imposing additional tasks, costs, or learning requirements.**

MetaJure Smart Document Management System (DMS) works by automatically crawling, indexing, and tagging all of the documents, folders, and email within a law firm or corporate legal department, whether on personal computers, network drives, or other dedicated storage sites such as Microsoft® SharePoint®, Worldox®, and NetDocuments®. Documents and email stored on vulnerable locations such as individual PCs are copied and centrally stored for secure retrieval. Just as Google transformed the Web, MetaJure is transforming how law firms and legal departments meet their document retention and retrieval obligations, while at the same time delivering important benefits to the organization including: improving firm-wide or department-wide efficiencies, strengthening the working relationships between lawyers and their assistants, and promoting best practices by putting all of the firm's or department's knowledge at its professionals' fingertips.

## Why MetaJure Smart DMS Makes Sense

Law firms and corporate legal departments around the country have quickly discovered the benefits of starting with MetaJure Smart DMS, or upgrading to MetaJure from their first-generation document systems. Benefits of MetaJure include:

Process	First Generation Manual DMS	MetaJure Smart Document Management
Setup	Weeks to months	<b>8-10 Hours</b>
User training	At least four hours	<b>Under 30 minutes</b>
Taxonomy	Fixed, difficult to change	<b>Self-generated and auto-updated</b>
Filing process	Manual, up to 5 minutes per document	<b>Automated</b>
Completeness	Typically <50% of firm's documents	<b>100% of firm's documents and email</b>
Expandability	Limited, new documents must be manually uploaded and tagged	<b>Unlimited, new data sources are automatically integrated and indexed</b>
Retrieval	Only as accurate as users' tagging and manual uploading	<b>Powerful, evolving, smart search based on full text &amp; native metadata</b>
Ease of use	Steep learning curve, complex interface	<b>Simple and as intuitive as searching the Web</b>

## Intuitive and Familiar Interface

Many MetaJure users need no training to use the product because the real work of the system is done in the background without user action, and the search/retrieval interface is intuitive and familiar. Compare the MetaJure interface (below) to your current document management system:



## Hear From Users How MetaJure Transformed their Firms, Legal Departments and Work Product

MetaJure's biggest fans are its dedicated, enthusiastic users. Lawyers and their professional colleagues are saving up to an hour a day by not having to manually tag and file documents. Retrieval, once a challenging task of remembering client numbers, matter numbers and a host of other document property fields, has given way to simple keyword searching—just like on the Web—with first page results typically being “spot-on.”

Administrators no longer need to worry that documents do not make it into the document management system, and can rest assured that lawyers and staff have immediate access to all of their firm's or department's knowledge on a given topic— not just what has made it into the system. And MetaJure can quickly integrate the work product of new attorneys, new clients or businesses without costly data conversion, which can greatly simplify the process of merging law firms, hiring laterals and completing corporate acquisitions.

## What Our Customers Are Saying

- *MetaJure is really user friendly. There was nothing to transition. It was installed over the weekend and we were up and running on Monday morning. Everybody loves it. Even the people who wanted a traditional search system love the technology.*

**Herring Law Group**

- *We liked MetaJure because it doesn't care how users conduct their work. Our users are pretty tech savvy but they vary in their use of technology, yet MetaJure's solution works for everyone.*

**Deeth Williams Wall**

- *I'm becoming dependent upon MetaJure! I was able to instantly find internal information on Cambodia customs matter that might have taken me a month to find through normal methods!*

**PATH**

- *I just want to let you know that I use MetaJure just about every day, sometimes several times a day. It has been a God-send for me!*

**Vulcan Materials Company**

- *Simply wonderful!*

**Husqvarna**

- *Last evening I had to find something that I hoped might exist in my associate's PC after she had gone home for the evening. MetaJure was the perfect solution. I found it, made some updates and sent it out within 20 minutes.*

**PPL Electric Utilities**

## Finally: the perfect software for a less-than-perfect world

Isn't it time you entered the world of Smart DMS?

**Contact us to learn more:** Tel: 206.812.8750 | [sales@metajure.com](mailto:sales@metajure.com)

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