



LJN's

# LEGAL TECH

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## PRACTICE TIP

### Managing Section Breaks in Word 2010

By Sue Hughes

Having a firm grasp on how to handle section breaks is crucial when composing legal documents. Section breaks are what allow you to set varying headers/footers, page numbering formats, paper orientation, vertical alignment, and more throughout a document.

This column provides an overview of section breaks, how to examine existing section breaks, and setting new section breaks.

#### WHAT EXACTLY ARE SECTION BREAKS?

A section break indicates to Microsoft Word that you are modifying the page layout from that point forward. You can think of section breaks as road signs telling Word where to change direction. For instance, court briefs do not generally have page numbering on the title page, but may have Roman numeral numbering in the Table of Contents and Table of Authorities, as well as Arabic numbering at the beginning of the brief. In this example, you would need to use section breaks to tell Word: "Place no page numbering in the Title section, use Roman Numeral numbering in the TOA and TOC section, and then use Arabic numbering in the brief section."

At the bottom of the page, just prior to the "change" in page

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### Google and the Social Media Law Firm

By Eric Hunter

In our profession, most law firms focus on social media access, the Internet, intranets and shared client portals separately: Knowledge-focused firms will look at organizational and behavioral change as separate drivers from technology, and will treat the likes of Lean Six Sigma management principles, legal project management and alternative fee arrangements (AFAs) as standalone projects. If, however, the legal industry moves the way of consumer-driven market forces — the merger of social media, Internet, intranet and shared client portals into a single seamless platform — then the "Facebook firm" driving organizational and behavioral change for legal evolves and becomes a realistic business model. [Editor's Note: We have already seen some tech companies push a Facebook-like client interface. For example, see our product review of MyCase in the April 2011 issue, <http://bit.ly/rKhWH>.]

#### MOVING IN THE RIGHT DIRECTION

Some firms with a knowledge management (KM)-driven value strategy have focused on, or are utilizing, client-shared portals with revenue generating potential and are providing value-added client benefits through AFA arrangements or with face-to-face marketing integrated "pitch" components promoting a greater revenue-generating interface. While these firms may have a leg up in achieving this client-share "nirvana," the legal profession should take a closer look at what's been happening (and working) on the consumer side. Since Facebook is the predominant consumer market tool of choice for connecting, why not leverage the likes of Google+ as the client portal, creating the enterprise driven interface and intersection between marketing, account management, clients and attorney-level work product.

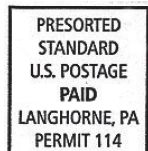
This is where Google+ is a fascinating bridge between the consumer and enterprise worlds — a destination where the firm can focus on pure social media integration, internally with clients and externally through marketing.

A different business model emerges in this scenario, with hosted IT and consumer-driven social media search and information sharing adapted through a combined KM, strategy and innovation department. A marketing driven reorganization is a natural byproduct in this scenario, in that from an identity perspective both the

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# Google

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corporate and the individual merge. As the interface is social media driven, personal marketing tendencies, behaviors and contacts are elicited from the users through both their individual and corporate preferences within the Google+ shared circles. The entire concept of personal and corporate branding, knowledge and innovation are driven through the evolving interactivity within this model.

## ENTER GOOGLE FOR BUSINESS AND GOOGLE+

For a full understanding of Google+ integration, we need a working knowledge of Google for business. The term "Google Apps" can be a misnomer in my opinion, and can create the wrong impression. I see Google Apps as a "Business Solutions Platform" that is built for integrating business solutions through a social media technology driven interface. Whether its chat, video calling, voice calling, e-mail, documents and presentations, analytics, project workflow, management and mapping, or team site building and client integration, the platform is built around a central login intranet interface. The Apps portion is truly about the Apps Marketplace — a medium where third-party vendors can integrate their platforms relative to their industry seamlessly into a hosted, shared, evolving path forward. The concept runs similar to mobile apps, and provides a potential revenue source for firms with unique practice areas and innovative development concepts.

Google+ adds a new dynamic to this interface, and the potential to re-

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shape an organization further through shared circles. Just as Facebook centers its landing page on an individual and that individual's shared contacts' interests, Google+ centers its landing page around a corporation's shared interest with its clients and customers, while still allowing the individual preference for networking. This is a completely new approach to shared client portals, shared video "hangouts," and streaming Twitter-like news bulletins relative to the specific circle focus.

By leveraging Google Apps and Google+, the key to these investments can be in the collaborative nature of Docs/Sites/Groups/language translation/voice to docs and video and the circle interface. At Bradford & Barthel, we're using this to bridge attorneys and clients together, regardless of where they are. The collaborative social media features of Google+ will make the geographical disbursement of the attorneys and clients as immaterial as it is to consumers using Facebook.

## HOW TO INTEGRATE

Beginning with senior members of our Competitive Intelligence Committees (who look at strategic firm issues), we work with the assigned account managers, project managers and lead trainers on the collaborative features within the business solutions platform — client relations, messaging, research, pleadings, settlement negotiation, trial preparation, team brainstorming and project execution. Our goals in project management, client account management, workflow mapping, team building and AFAs are integrated with the potential touch and collaboration provided by Google+ integration.

Before rolling out Google+ to all attorneys and clients, we're deploying a targeted approach by training and assigning leads through our account managers and Competitive Intelligence Committee team. Weekly training organized through the team leads ensures quality assurance and a better understanding of the process and workflows. All knowledge is through the Google+ platform using internal circles within our test pilot group.

Future rollout and shared circles with our clients will begin with

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# How e-Discovery Applications Are Changing the Face Of Litigation Support

By Danny Thankachan

Bringing e-discovery software in-house can significantly reduce costs and improve efficiency. However, there are many needs related to e-discovery that go beyond simply managing discovery documents. At Thompson & Knight (TK), our litigation support team has found ways to use our e-discovery software for tasks ranging from project management to data analysis. These supplementary software functions have created new roles for litigation support, while improving attorney workflows throughout the firm.

## APP SUPPORT

As Litigation Support Manager, I've been receiving more and more projects recently from diverse practice areas such as real estate, bankruptcy and transactional practices. The ability to build applications for case management, contract comparison, data analysis, or even chain of custody means we have the flexibility to fulfill disparate needs. Using our installation of kCura's Relativity, we built a series of applications in the software to solve critical challenges.

Importantly, building applications in Relativity doesn't require any programming knowledge. We have found that the litigation support team can fill the shoes of IT, building applications in as little as an hour rather than stealing resources away from IT for half-a-day to build the same types of tracking and management applications in SharePoint.

Traditionally, our tracking and project management mechanisms would have been housed in Excel as spreadsheets, which were not accessible via the Web and did not have features such as granular security and the ability to create automated

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rules and workflows. Collaboration meant passing around these spreadsheets, meaning that the client could never interact with the case in real time. Clients would have to call their attorney and obtain the report. Now, if an attorney at TK sends me a spreadsheet, I can put it into Relativity — adding the necessary fields (such as custodian or date) and features (such as uploading capabilities) — within an hour. I can then sit down with the attorney and tweak the application on the fly. They get immediate feedback, I complete the project in a couple of hours, and we're finished with it, without ever requiring IT to become involved. Clients and attorneys can then access case information in real time.

Collaboration is key. We started a new project — a \$200 million appellate case involving 20 attorneys and three law firms — and were able to upload our appellate transcript into Relativity, allowing all of these attorneys to work on the appeals process together. If any of the attorneys needed to access the transcript and add notes, they could log into the system and review it.

We also realized that having applications integrated with an e-discovery solution meant we could incorporate universal search into our case management. It's advantageous to be able to search all of the discovery documents and transcripts in one index without leaving our case management tool.

## THE CAPITAL MARKETS GROUP

A prime example of the way we used applications for project management is in our Capital Markets practice group. At one point, we had an attorney join us from another firm, and he brought along several hundred cases involving five clients — all mortgage companies that handled multimillion-dollar commercial loans. When mortgagees didn't pay, these companies would undergo foreclosure proceedings and other litigation to resolve outstanding loan balances. In cases like these, we're looking at several thousand documents ranging from receiverships and service agreements to research materials, all to track the progress of each different matter.

Before Relativity, these cases would come in to our capital markets at-

torney, Senior Partner Mark Weibel, for case intake. Then, the case might need to be handled by bankruptcy attorneys or other practice groups, depending on the matter. Weibel, however, needs to know what's happening in all of these groups — a daunting task considering the complexity of the matters and the numerous, widely dispersed practice areas involved. For perspective, at any given time, Weibel may be managing a range of matters that total well over \$3 billion. Prior to building our own applications, he would have managed cases like these using custom applications in LotusNotes or our IT extranet. Either way, the task of building an effective project management dashboard would massively drain IT resources.

Instead, with Relativity installed, Weibel came to litigation support with the need to compile an easy-to-use project management system — a centralized list of all ongoing matters and a means by which he could assign projects, or sections of a project, to different practice groups. He also wanted a central location where he could track information such as filings, pleadings, forms and templates, and where attorneys working on these matters could submit status updates. Finally, he required a place where he could merge the relevant closing documents for our clients into a single repository. All of this information was becoming increasingly challenging to track.

Weibel sat down with me and we discussed his needs, roughly outlining the design for an application to fulfill the requirements of his workflow. As we talked, Weibel, an associate and I built the main framework in an hour-and-a-half. We considered the information Weibel wanted to track and then figured out how to structure that data in Relativity with custom objects and forms. As we generated ideas, I modeled the functionality for him on the spot.

Along the top of the application, we built a series of tabs with related information that Weibel can drill into for more data, including status updates. For example, we created a tab called "Local Counsel" that contains a list of counsel with their locations and

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## Litigation Support

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contact information, all of which can be searched. We built this on the fly, determining which details would be important — such as name, location and phone number — and immediately creating fields for this information. There's also a library of templates for attorneys, a list of pleadings, and a list of orders that link to the matters to which they refer.

Since then, we've had two follow-up meetings to add new tabs or specific functionality. When Weibel needed a repository to upload closing binders, we simply built a field called Additional Documents. When you drill into a specific matter, that field has an upload option. Outside of those meetings, when Weibel wants something changed — such as adding a new user — he e-mails me and I'm able to make a quick adjustment.

In the final application, we were able to create a full commercial mortgage-backed securities database with a dashboard, using these customizable fields to indicate the matters in progress, the attorneys involved, client and trust information. When adding a matter to the database, Weibel can pull in property information, loan amounts and other information, as well as uploading service agreements, closing binders or other PDFs. This application now has 20-30 attorneys contributing to it at one time.

### MORE THAN REAL ESTATE

We've completed at least 15 other applications for practice groups,

including a recent contract review application for a case involving two airlines. There were a number of contracts with a long list of vendors, and we needed to compare these contracts. For instance, if airline A used food provider C and airline B used food provider D, we needed to determine which food provider had the better terms and conditions in their contract. In other words, we had to analyze hundreds of contracts and create a repository to capture all of that analysis.

We built an application to upload all of the contracts into Relativity, built fields to sort the contracts by anything from content to confidentiality, and created fields for the client and attorneys to add information, be it their own analysis or other points related to the contracts.

In another instance regarding a health insurance matter, we were able to manage 2,500 individual health plans within one application. We could upload documents for all of the individuals, sort by document or individual, and connect the dots. We were able to show which documents referred to particular patients, doctors, witnesses and user lists. Additionally, we tracked all of the health plans, treatments and amounts each individual paid — and at least \$30 million in collections were tracked in a single application.

Beyond these examples, we have used Relativity to organize pleadings, correspondence, legal research, case plans, budgets and other extensive collections of case-specific information. Applications can also be built for evidence and media manage-

ment, and tracking chain of custody by linking custodians. Nearly 80% of the matters we deal with have low e-discovery budgets, so building applications in-house to increase productivity is becoming a necessity. Attorneys are able to collaborate much more efficiently with clients, other attorneys and litigation support. We get the same functionality as we did with Excel, but without working through Citrix or finding other roundabout ways to collaborate on a single document.

### THE EMERGING ROLES OF LITIGATION SUPPORT

The process currently evolving at TK — litigation support's new emerging roles during litigation — is a change that's occurring in many firms across the country. The ability to sit down with a team of attorneys and build an application for them while they watch is a valuable asset. It opens up opportunities that law firms may not have thought were possible in-house.

TK's practice groups are increasingly turning to litigation support to help build workflows, rather than simply to get work out the door. Litigation support teams are becoming more collaborative regarding the analysis that attorneys need to accomplish. The role of litigation support teams continues to transform as these applications become ubiquitous. And while litigation support can now field requests for applications directly, IT can focus on support and operations. It's a better use of time for those of us who are attorney-facing.



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## Google

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account managers. Each layer of client integration will preclude quality control using a combination of shared documents, revision collaboration, automation, assembly and group postings. By encouraging comment sharing on messaging forums through shared sites, we're looking to build a workflow process that evolves over time.

Moving forward, B&B would like to further engage Google Analytics by applying usage through Google+

to track attorney and client behavior through the shared portals.

By leveraging Google+, the firm can continue to engage clients through the same level of behavioral change being realized and executed upon by B&B itself. Nowhere is behavioral driven change via technology more prevalent than through professional networking, marketing and messaging environments like Twitter, or personal networking environments like Facebook. The identity merge between the consumer as an individual through individual shared connections and through corporate

and business-driven connections within the social media knowledge sharing space leads to 100% Web social media driven organizations.

### CONCLUSION

The concept of social media and search-driven innovators like Google as inter-arching entities — with their client and customer base connecting

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# Mobilize Your Legal Firm's Marketing Strategy with QR Codes

By James Alexander

QR (quick response) codes are a hot trend in marketing. The compact squares with contrasting-color patterns are showing up everywhere, including print ads, packaging, business cards, signs, art — even tombstones!

Social news blog Mashable says over 14 million people in the U.S. used QR codes in June (<http://on.mash.to/vBDknz>). QR code users tend to be demographically desirable customers — younger and relatively affluent — which is another reason the codes are becoming a ubiquitous marketing tool.

## WHAT IS A QR CODE?

QR codes began as a modern twist on the Universal Product Code (UPC) barcode, the familiar black and white bars that appear on products to help retailers track inventory and prices. They were developed by Toyota subsidiary Denso Wave in 1994 to track auto parts.

Whereas UPC barcodes can only handle 12 numbers, QR codes can handle over 7,000 data points, including letters. They can be scanned by virtually all smartphones and tablet devices, including iPads and Android tablets.

## FAD OR FOR REAL?

The marketing landscape is littered with attempts to use new technologies to help organizations achieve business objectives. Novelty and utility are valuable marketing aspects of new technologies, but only those that are truly useful have a chance of surviving when the novelty fades. The CueCat bar-

code scanner released in 1999 was widely viewed as a commercial failure and is often cited as a cautionary tale for QR codes. The CueCat was novel but not useful.

The durability of QR code technology is unclear, but there are early indications that it is a useful technology, in part because the tool required to scan QR codes, the smartphone, already has deep, growing penetration, and the content being shared via QR codes is often valuable and timely. To illustrate the point, the CueCat had about one million users as compared to approximately 143 million smartphone users in the U.S. (Nielsen).

## ARE LAW FIRMS ADOPTING THE TECHNOLOGY?

Mainstream marketers are spending hundreds of millions of dollars exposing people to QR codes, and companies such as Google and Microsoft are aggressively pushing the technology (Microsoft has a similar technology called Tags). These activities reduce the risk of trying QR codes, and as a result, QR codes are making their way into professional services marketing too. In legal marketing, QR code use is rising. Vizibility recently conducted a survey of legal professionals from top firms, including Legal Marketing Association (LMA) members. The survey revealed that 35% of legal marketers already use QR codes, while 80% plan to start using them within 12 months (*see*, “Infographic: QR Code Usage in Legal Marketing,” <http://infographics.vizibility.com>).

Professionals use QR codes on business cards, presentations and marketing collateral to link customers and prospects with additional information online. With the right marketing strategy and administrative tools, QR codes can be a valuable addition to a firm's marketing toolkit.

## EARLY ADOPTERS GET THE EARLY BENEFIT

Technology innovator Loeb & Loeb was one of the first law firms to adopt social media tools to engage with clients and prospects. They are one of the few AmLaw 200 firms with a truly mobile-optimized website. And soon they will have

the distinction of being one of the first to have a large-scale rollout of personal QR codes for the attorneys practicing in the firm's Advanced Media & Technology Department. QR codes will appear on business cards and in marketing collateral, including on printed bios. Jennifer Manton, the chief marketing officer of the 300+ attorney firm, explained that “QR codes are another extension of the firm's ability to engage clients, and Loeb considers them to be an important ingredient that communicates technical savviness and leadership. They do have a coolness factor that will help set our firm apart in practice areas like media, technology and IP.” According to Manton, the content that is delivered by the QR code is useful. It includes links to partner bios, curated Google search results, thought leadership and other unique content. The QR code experience will also enable someone to download the attorney's vCard, including the date and location of when they met, and there will be a feature that makes it possible to see with whom a prospect and a Loeb & Loeb attorney have a common connection.

## SEVEN STRATEGIES FOR MAXIMIZING QR CODE EFFECTIVENESS

QR codes can be a terrific marketing tool, but to get the most out of your QR code strategy, it's important to keep some key points in mind. Here are seven tips:

**1. Remember that QR codes are a mobile tool.** iPad2 and Android tablets have QR code capabilities, but for the present, you should count on users scanning codes with smartphones and viewing information on small screens. Make sure you optimize your QR code-landing page for mobile viewing. This is especially important if your goal is to communicate that your firm is tech-savvy: Taking users to a screen that is not optimized for mobile viewing will send the opposite message.

**2. Use only one QR code.** Occasionally marketers get carried away and use multiple QR

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## Practice Tip

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numbering, you would need to place a **Next Page Section Break**. In the example mentioned above, place the break at the bottom of your title page, and again at the bottom of the final page in your Tables of Contents and Table of Authorities. This creates a three-section document.

The Next Page Section Break is most commonly used in legal documents, and contains not only a section break, but a page break as well. The built-in page break is required so the next page/section can begin a different page layout feature. This is the only type of section break we will delve into in this column.

The **Continuous Section Break** is most often used when creating columns. This break does not contain a page break.

**Odd and Even Section Breaks** are often used in a book layout, where the chapter name may be located on even pages and the page numbering on the odd pages. This break does contain a page break.

### REVIEWING A DOCUMENT WITH SECTION BREAKS

1. Determine which section your cursor is currently resting in, right-click Word's status bar and click Section. At the far left of the status bar you will see the section number.

2. Turn on the Show/Hide feature (non-printing characters). Word dis-

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## QR Codes

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codes on their collateral. This can be confusing. Make sure the QR code delivers on user expectations. A QR code on a business card implies that the user will get more information about the indi-

vidual where the section break was set and what type of break it is.

3. Rather than scrolling through a document to determine where the section breaks have been set, use Word's handy **Select Browse Object** feature. This is located at the bottom of the Vertical Scroll Bar and changes the functionality of the Previous and Next Page navigational arrows. Click the round button and choose **Browse by Section**.

**Hint:** To change the navigational arrows back to the default *page*, simply choose the **Browse by Page** icon.

4. When changing headers and footers, whether it is the text or page numbering, there are two very important pieces of information of which to be aware: 1) in which header or footer section is the cursor resting?; and 2) will this header or footer section contain the same data as the previous section?

**Hint:** To view the next or previous section while working in a header or footer, simply click the Next or Previous buttons. This saves time so you will not need to scroll through the document.

### SETTING NEW SECTION BREAKS

In an ideal world, you would have a final paragraph marker below the last line of text on the page where you plan to insert the **Next Page Section Break**. This gives you a nice clear visual of where the section break lives. However, there are times when you are lucky just to get all of your text to fit on one page, and pressing Enter for a final paragraph is not in the cards. You can still insert the section break at the end of the line of text, but it will be more difficult to see the section break marker than if you had inserted it on a line by itself. Here are some other tips for using the Section Break feature.

**Set the break.** Click at the bottom of the page, and from the Page

Layout tab, choose Breaks from the Page Setup group and click Next Page under Section Breaks. Now you should see the section break mark, and a new page has been created to begin a new type of page layout.

Layout tab, choose Breaks from the Page Setup group and click Next Page under Section Breaks. Now you should see the section break mark, and a new page has been created to begin a new type of page layout.

**Change data in the next header or footer section.** Double click in the header or footer where your new text or page numbering begins. (Note the important pieces of information mentioned above.) Click the **Link to Previous** button in the Design tab of your headers and footers. This will "unlink" the data between sections and you will no longer see Same as Previous like you did prior to clicking the Link to Previous button. Make the appropriate changes for this section.

**Hint:** Headers and footers function independently from each other. For example, by unlinking your footer, your header will still be linked until you unlink it.

**Delete a section break.** Deleting a section break is as easy as clicking on the section break mark and pressing Delete.

**Know this.** When you delete a section break, the deleted break's data moves into the previous section. So if Section 1 contained the word "Draft," and Section 2 contained the word "Final," deleting the section break between them will cause everything in Section 1 to read "Final."

### CONCLUSION

Take the time to get some training or a brief tutorial on how to set section breaks; or maybe this column has already provided you with the information you need to manage the types of legal documents you produce. Section breaks are a very core feature of Word that do not need to be a mystery to the beginner. And finally, don't put the "break" in section breaks — be sure to make a copy of your file prior to tinkering with it.

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However, it's important to make sure your QR code URL makes the subject clear. Be sure it names the firm or individual for whom it's been established.

4. **Optimize QR code size.** QR code size varies according to how much data is embedded in

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# How Employing e-Discovery Counsel Can Pay Dividends

By Beth A. Koehler

e-Discovery issues are becoming increasingly more complex while associated review costs keep rising dramatically — often threatening to overshadow the substantive issues of the litigation or investigation at hand. Because of this, more and more corporations are turning to a two-tiered model when it comes to new matters: one law firm (or separate group within the law firm) that will focus on preservation, collection and review; and a separate team of lawyers that will focus on the actual merits of the case. This model is proving to be cost-effective for e-discovery because efficient and repeatable practices can be implemented. In addition, this approach allows merits counsel to focus on what it is they do best — handling the underlying complex substantive issues of the matter, rather than getting bogged down or distracted by what can often be a lengthy and technical process.

## E-DISCOVERY COUNSEL VS. MERITS COUNSEL

Given the complex nature of modern litigation, parties should consider hiring separate, dedicated merits and e-discovery counsel. Although retaining separate merits and e-discovery counsel may seem more costly and complicated, e-discovery has essentially become its own legal field that requires a significant amount of attention and expertise. Counsel specializing in the underlying substantive issues may not have the skills, experience and time necessary to navigate the e-discovery process in a zealous and cost-effective manner. Retaining separate e-discovery counsel allows for more efficient preservations, collections, Rule 26(f) meet-and-confer confer-

ences, keyword negotiations, deposition practice, processing decisions, document review and motion practice when disputes arise. This ultimately results in better representation, lower costs, reduced risk and allows the merits counsel to focus on the substantive issues and provide better representation in settlement discussions or at trial.

## BENEFITS OF E-DISCOVERY COUNSEL

Fundamentally, e-discovery is a procedural process. Rule 26(f) meet-and-confer conferences, ESI protocols, keyword negotiations for collection and the associated motion practice are all part of the complex e-discovery framework that requires significant time, experience, knowledge and skill to navigate. In particular, well-qualified e-discovery counsel can ensure that negotiable elements of the process, such as ESI preservation, collection protocols and keyword filtering parameters, are drafted to in turn produce the most efficient, cost-effective and beneficial results. A substantial driver of e-discovery costs is the sheer scope of the process — from collection to document review — so effectively limiting the scope of discovery from the beginning and troubleshooting possible future complications such as metadata preservation and production will ultimately pay dividends in the long run. Further, because so many parties continue to neglect the importance of retaining knowledgeable and experienced counsel for the e-discovery process, the party with e-discovery counsel often enjoys a strategic advantage when it comes to settlement or substantive issues down the road.

From an organizational perspective, the most challenging aspect of e-discovery is the actual management, collection and processing of ESI. Qualified e-discovery counsel can not only help guide an organization through this complex process, but can also help parties to convert reactive, risk-laden fire drill-style responses into an efficient, repeatable system based upon the prevailing information management best practices. For example, the largest (and most expensive) problem most corporations face today is the sheer vol-

ume of information being preserved. Most corporations are saving far too much data, including redundant sets of data in response to litigation holds, possible litigation, industry-specific regulations or even emergency back-up plans. e-Discovery counsel is adept at examining all these areas and coming up with a specific plan regarding what data or sets of data need to be retained and for how long. The smaller the set of data being preserved, the smaller the e-discovery costs down the road. An added benefit to a well-constructed preservation plan is a lessened fear of e-discovery sanctions down the road.

The document review process is undoubtedly the most expensive aspect of e-discovery, but retaining dedicated e-discovery counsel can help ensure that the process is carried out in the most efficient manner possible. The document review process is rapidly changing, and knowledgeable e-discovery counsel can provide invaluable expertise selecting the most cost-effective and efficient blend of options from the myriad of available methods and technologies. To illustrate, there are situations where it makes more sense to sample a small subset of the data or cull all of the data in a native review platform — at a fraction of the cost of a traditional review. In other instances — such as a negotiated filter list — it makes little sense to start in a native review platform unless there is a limited need for redactions or productions. Finally, there are a variety of sophisticated review technologies available, such as automated workflow, intelligent prioritization and intelligent categorization that greatly reduce review costs. Partnering with experienced e-discovery counsel provides clients with expert assistance in sorting through the different technologies to not only ensure the right tools are selected, but that review teams are trained on how to use them.

## TIPS FOR WORKING WITH E-DISCOVERY COUNSEL

Partnering with e-discovery counsel can substantially reduce the burden on in-house and merits counsel to address the complex e-discovery

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## *e-Discovery Counsel*

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issues, but there are a few important considerations that in-house counsel should make on the front-end to ensure e-discovery counsel can perform as needed:

- Familiarize e-discovery counsel with your organization's IT infrastructures and data maps;
- Understand e-discovery counsel's depth and experience regarding document requests, discovery productions, meet-and-confer

negotiations and motions practice associated with ESI; and

- Provide a collaborative environment by establishing a dedicated point person(s) or streamlined communication network between IT, litigation support, in-house counsel, e-discovery counsel, merits counsel, service providers and consultants.

### **CONCLUSION**

e-Discovery is often the lengthiest and most expensive part of any litigation or investigation, so it should be handled by attorneys who are ex-

perts in that field. While it was traditionally prudent to hire counsel based solely upon the nature of the underlying dispute and trust that they possessed the requisite capacity to handle the underlying discovery, this approach is now as obsolete as paper discovery. Partnering with dedicated e-discovery counsel ensures that the complex and expensive e-discovery process is managed in the most efficient, cost-effective and competent manner possible.



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## *Google*

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through traditional shared social media — is only just beginning to resonate.

Vendors like Google, Apple, and Facebook all have in common evolving behavioral driven search and knowledge platforms whose benefits are either best derived from total immersion within their respective plat-

forms, or in using the social media driven enterprise interface as connectivity in reshaping internal organizations and strategically forming client partnerships.



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## *QR Codes*

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the code. Smaller QR codes are preferable for two reasons. First, they take up less space. Second, large QR codes that contain comprehensive information quickly become obsolete. A small QR code is a living code that can be updated.

**5. Brand your QR codes carefully, if at all.** QR codes don't have to be black and white: Any contrasting color on a lighter background that can be read by a scanner will work. You can introduce branding elements, firm logos, etc., into a QR code. However, QR code branding can be cumbersome if you're administering branding for the firm and multiple individuals. It may make more sense to brand the firm's main QR code and use simpler codes for individuals. And remember, if you choose to brand your firm's QR code, try it on multiple scanning devices and apps to make sure it works.

**6. Think about the call to action.** What do you want the user to do when he or she scans your QR code? Since the information on

your QR code URL is dynamic, you can keep the call to action up-to-date. But before you create the URL content, think carefully about what the call to action should be.

**7. Make sure users will have an Internet connection.** If embedding a URL, it's important to ensure QR code users will have an Internet connection when they scan the code. Connectivity generally isn't a problem in metropolitan areas. But if you produce marketing signage that appears on a subway where connectivity is tenuous, it can be problematic.

### **QR CODE PLANNING**

Today, about 50% of online searches originate on smartphones. However, the Vizibility survey of legal industry QR code use found that only 12% of the top 100 law firm websites are optimized for mobile viewing. It's extremely important to make sure you have a mobile-optimized URL to link to the QR code.

QR codes sometimes also appear on websites, where users may encounter them on a PC or tablet device. If you're going to embed a code on your site, make the code image a hot link rather than expecting the user to scan it on the screen. The eas-

ier you make it for the user, the more likely they will engage.

Speaking of easy, you'll want to make your QR code strategy easy on yourself too. It can be challenging to administer codes and information for multiple attorneys. Make sure the firm you partner with for QR code generation simplifies administration.

It's also crucial to use metrics so you can gauge effectiveness. If you plan to use QR codes and/or links to professional Web pages that can be accessed from mobile or non-mobile devices, it's a great idea to have a tracking mechanism in place so that you can find out when people access your codes or site and measure campaign effectiveness.

### **CONCLUSION**

When you're ready to develop your QR code strategy, keep the seven tips for successful QR code use in mind to maximize effectiveness. And when you evaluate QR code generation and online identity management partners, make sure the companies you consider offer ease of administration and tracking tools to help you measure success. With the right strategy and partner, QR codes can be an incredibly powerful marketing tool.



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