



Giving smaller firms a leg up

Small businesses in every industry face a challenge whenever they go up against larger competitors: the big boys always have more resources to throw at a project. And nowadays, that invariably means better computer systems. As a result, they typically look more polished, organized, and professional. Appearances can be crucial, of course, but it's often more than just appearances.

New case management options

Michael D. Smitiuch and his partner Stephen A. Young, Toronto-based personal injury lawyers in the two-person firm of Smitiuch & Young LLP, bit the bullet last year and invested in Primafact 2.0, the new version of a case management system from Sandcat Software Inc., also of Toronto.

Primafact, first launched in 2001, helps lawyers capture, organize, distribute and quickly access documents related to a case. The new version, which Smitiuch & Young helped beta test, adds some important new functions, including the ability to import, store, and view PDF (Adobe Acrobat) documents and create PDFs from Primafact document image files. Notably, Sandcat has also broadened its line-up with new editions that make the product more affordable for smaller firms.

Smitiuch and Young, who represent plaintiffs and frequently face defense counsel from big firms and insurance companies, had seen other lawyers using Primafact and were impressed. But even with the new small firm editions, the investment required is not trivial.

In the end, the firm paid \$9,000 for the software license and training. The license allows both partners and their four support staff to use the program. It will also pay an annual fee for maintenance, though in recognition of the firm's help in the beta testing, this amount will be less than the standard \$1,200.

Smitiuch & Young spent another \$30,000 for a network server required to run the program, a high-speed scanner and other upgrades to its office systems. It's all worth it, Smitiuch says. "For a smaller firm like ours, Primafact levels the playing field," he says.

"When we're dealing with the bigger defense firms, they always have way more resources. But with Primafact, we can look and be every bit as organized and professional as they are. That's the biggest benefit to us really: it levels the playing field."

When Smitiuch first meets with a client to begin a new case, he sets up a file in Primafact. The program features a familiar user interface with a hierarchical folder-and-sub-folder arrangement similar to Windows Explorer and Microsoft Office Outlook.

The Primafact template for his practice automatically sets up

them into the appropriate Primafact folder.

The benefits are many. Not least is the convenience of having the documents in electronic format in one place. "I can now download thousands of pages onto my laptop [from the server] and take home an entire case to work on," Smitiuch marvels. "It means I don't have to haul around boxes and boxes of documents anymore."

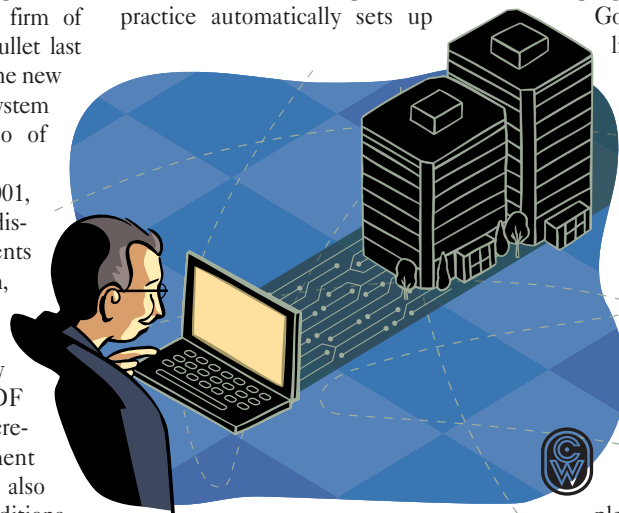
More important is having documents easily and quickly accessible using Primafact's powerful search functions. The program indexes documents much the way Google indexes Web pages, so searches are lightning fast.

"Once they're all scanned, I have every document in the case instantly at my fingertips," he points out. "When I'm talking to insurance adjusters, defense counsel or clients, everything is right there. It makes you extremely efficient – and it makes you look way more organized." In fact, you are more organized.

It's also useful to be able to search documents exhaustively when preparing clients for examination. For example, if the injury resulted in back problems, Smitiuch will check medical records to see if the plaintiff ever complained of back problems before the accident. The last thing he wants is a client saying under oath that he's never had back problems, and the opposing counsel presenting medical records contradicting him. "It completely blows your client's credibility," he says. Now Primafact makes it much easier for him to check this kind of small but critical detail because the document database is complete and can be searched so quickly.

Smitiuch and Young had for some time been using laptops and even took them into examinations and court to take notes. Now with Primafact they can carry the entire case with them into hearings. "While others are floundering around trying to find documents, we find them in seconds because of the search mechanism [in Primafact]," Smitiuch says.

The other huge benefit is being able to distribute documents more easily – to doctors, insurance adjusters or anyone else involved in a case. If the recipient must have the documents in hard copy, it's a simple mat-



needed sub-folders such as affidavits, mediation briefs, medical reports, trial binder, trial documents. Under each sub-folder, there are sub-sub-folders. Under trial binder, for example, the list includes authorities, client documents, correspondence, evidence, pleadings, transcripts.

At that first meeting, and as the case progresses, he typically receives hundreds of documents, almost all in hard copy. On average, his cases involve about 3,000 documents. The firm hired a part-time student to do the scanning and indexing. When documents come in, they're placed in a scanner in-box with notes attached instructing the employee how to index.

Smitiuch almost never deals with paper anymore. Once documents are scanned, indexed and converted into computer-readable text using the optical character recognition (OCR) technology in Primafact, they end up in his online in-box. From there, he moves

ter to print from Primafact. This can save hours of photocopying. That's another key benefit of the system, Smitiuch says; it frees paralegals from administrivia so they can focus on more important tasks.

In addition, the enhancements in Version 2.0 let users generate PDFs from native Primafact TIFF (image bit map) files, which can then be e-mailed; if there are too many to email, they can be burned to a CD or DVD and couriered to the recipient.

The PDF capability is just one of several important new features in the program, says Sandcat general manager Peter Forint. The new version also lets users "print to"

Primafact from any Windows application, making it easier to add electronic documents to a file. Instead of printing a word processing or spreadsheet document on paper and then scanning it – the old way – they can now generate a TIFF file (and its linked text file) and add them to Primafact with a few mouse clicks.

Users of CaseMap, the popular case analysis software from CaseSoft, will welcome the new ability to export a document from Primafact to CaseMap, to be entered as a new "fact" or to amend an existing "fact." Primafact Version 2.0 also now lets users take old cases out of the database and archive them

to CD or DVD. This is a crucial enhancement for small-firm users, since with smaller licenses, they're limited on the number of pages the program can store.

The new features are clearly important; Smitiuch, a novice user, is routinely using many of them. But then Smitiuch is already a Primafact enthusiast. "I couldn't live without this program now," he says. **□**

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