

Chapter 6 - Computer Concepts and Legal Applications

Document Assembly Systems

In the practice of law, the capability to automatically assemble documents can significantly

One of the first seminal document assembly systems was designed and implemented

impact profitability. Document assembly is a system designed to assemble documents automatically. If you prepare wills and trusts, corporate papers, litigation pleadings, retainer agreements, letters, or documents in any area of law, you will benefit by setting up a document assembly system for your specific area. By automating document assembly, you can reduce the need and wait for support staff to type and proofread documents. Time restraints no longer prevent documents from being completed.

Document assembly systems are systems designed to take variable or clause information from a user and generate completed or nearly completed legal documents. Variables are words, short phrases, data, or numbers that change from one document to another. The names of parties to a contract, the payment amounts, completion dates, and so on, are examples of variables that change for each contract. Also, clauses or alternative paragraphs can be inserted in a document the same as variables.

Document assembly systems are generally menu-driven question and answer systems that guide the user through the document assembly project. Some systems simply request the user to fill in the blanks and that data will be inserted in the proper place in the document. Some systems can manipulate the data by performing calculations or formatting it in a specific way. Clauses and the user's own forms or templates can generally be added, depending upon the features of the program. Document assembly systems are available for a wide range of law specialties - wills and trusts, litigation, contracts, incorporations, collections, evictions, and partnerships, among others.

When deciding upon what area would lend itself to document assembly, consider the following:

- Speed - Do you need a fast turn around for the documents? For example, is this a

business acquisition, an offer to purchase, or a TRO? If you need fast turn around time then document assembly should be considered.

- Volume - you must have a significant amount of similar business to justify investment of time and money.
- What type of legal document is being prepared - simple, difficult, or complex? Simple documents can be created with the mail merge features in your word processing software. If it is more difficult, then document assembly software should be considered.
- Control of Content - Is content similar for each transaction or are there a lot of changes per transaction?
- Revenue - Is the client being charged by the hour or by the case? Personal injury cases are excellent candidates for document assembly since the client is paying for your efficiency. In insurance defense cases, the client is generally not paying for your efficiency.
- Document intensive legal work - Is the practice area document intensive like estate planning, contracts, etc.?
- Document assembly systems can be purchased from a publisher, built in-house, or through the assistance of a consultant.
- Institutional knowledge needs to be captured - if the firm wants to capture the knowledge of a firm, this is an excellent method.

Implementing a document system is much easier with the new software on the market but certain steps should be followed:

1. Determine the specific practice area that you wish to automate. If your firm practices in several areas, you may want to choose a small practice area to implement the initial document assembly system. If you have only one or two practitioners in the area, it will be easier to agree upon the forms and clauses that will be automated.
2. Identity the process, documents to be automated and the shared common parts of the documents, such as headings, client information and other identical information. The automation of your practice area will require a review of the present manual workflow process to identify the most efficient way to streamline the workflow. It is also important to assemble all documents and determine their interrelationship with each other. This will be important in later determining the collection of variable information and the order of collection. Also, identify the users of the systems to assist in developing the system.
3. Choose your software package. Focus on what type of functions you wish to perform. Some of the software and forms available may be more appropriate for general practice, as opposed to the attorney who has his own set of forms and wants to automate those. Determine how well the software handles an attorney's own forms and clauses. Another consideration is the ease of installation, setup, and user interface. Does the software provide case management functions along with the document assembly features?
4. Prepare a final version of the documents and begin scripting. Make sure you have final forms of documents since subsequent changes will impact other related documents.

Scripting or setting up the conditions of a document depends upon the complexity of the document. This is tedious but important, since it impacts the variable information entered, the conditions, and final assembly of the documents.

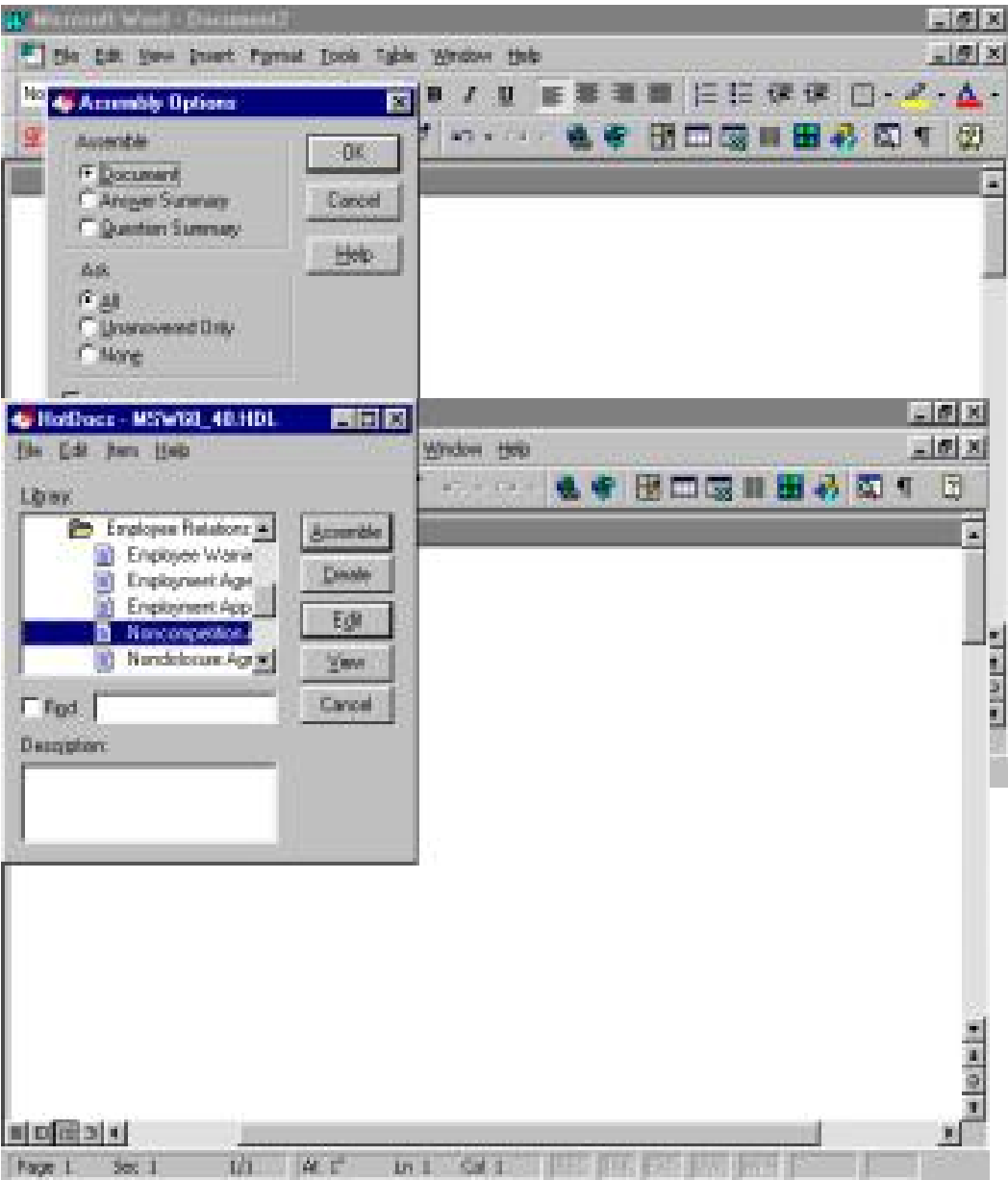
5. Create and design the user interface screens that will be used to obtain information from users. Depending upon the software you choose, you can create user friendly but powerful interface screens. The user screens do not have to follow the document layout, but can be tailored to how the information is accumulated or the thought processes of the user. It may be useful to develop written questionnaires for users if the information is not being entered directly into the computer.

6. Test and retest the document assembly system. Be sure to test the system before releasing it to the users. Input many different factual scenarios to check out the accuracy of the variable, scripting and the formatting.

7. Implement training and help systems. Set up individual and group training. Provide the opportunity for a resource person to help new legal professionals use the system.

Document assembly systems are an effective way to remain competitive with other lawyers and nonlawyers. Many states are unable to control the unauthorized practice of law, and “document preparers” are continuing to provide legal services. One way to effectively compete in this area is with document assembly software. If the client or someone other than the attorney would enter the data into the database, the attorney can then give final approval to the assembled document.

Below are a number of screens from the software program HotDocs showing the how document assembly is used to create a noncompetition agreement.



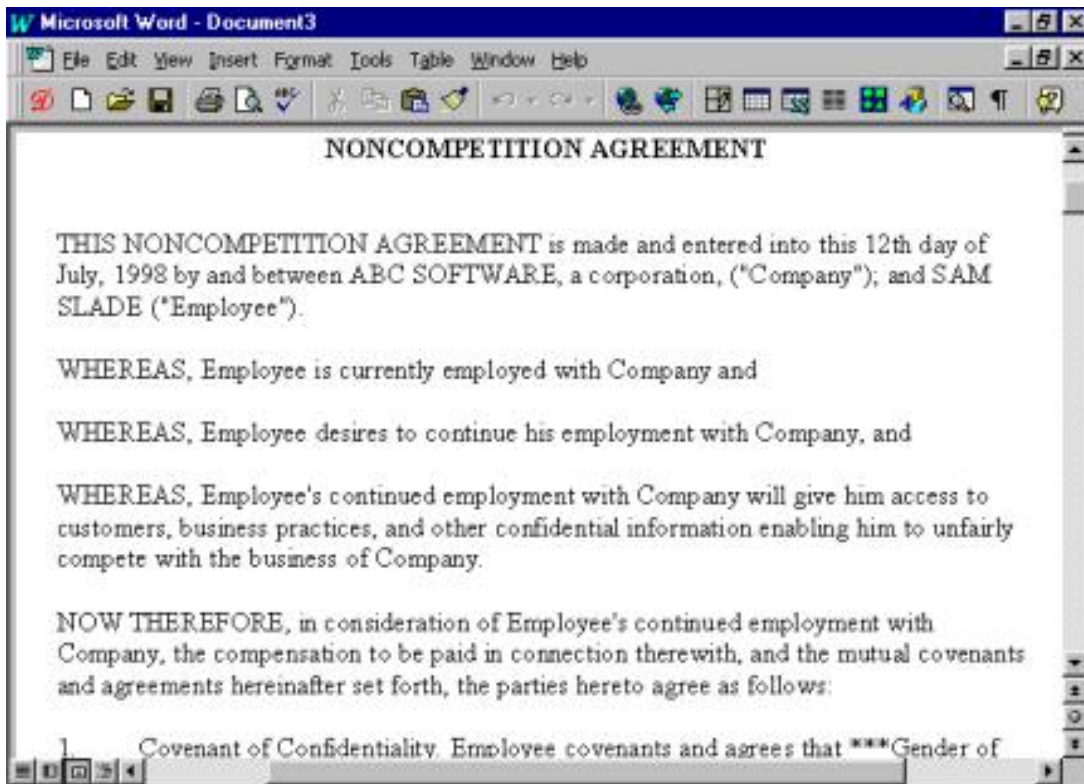
The image displays two screenshots of a Microsoft Word document, each with a dialog box open. The first screenshot shows the 'Non-Complete Information' dialog box, which contains the following fields and options:

- Name of Employee:
- Gender of Employee: ☐ Male, ☐ Female
- Date of Noncompetition Agreement:
- Noncompetition Duration:
- Geographic Area:

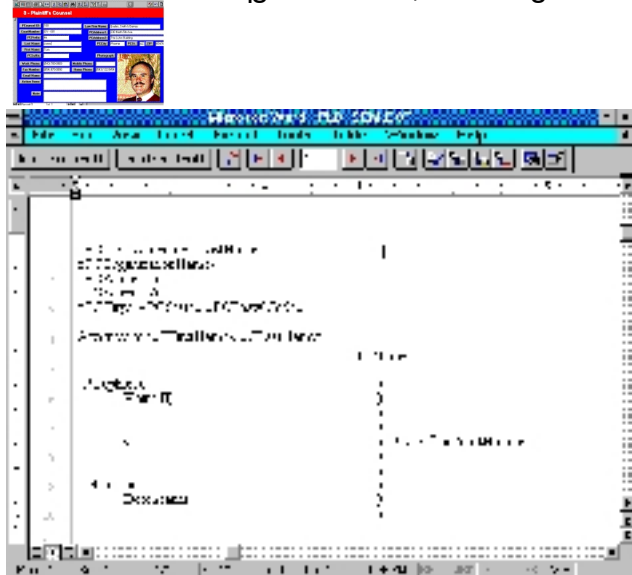
The second screenshot shows the 'Business Information' dialog box, which contains the following fields and options:

- Name of Business:
- County of Venue:
- State of Governing Law:
- Is Business a Corporation?: ☒ Yes, ☐ No

Both dialog boxes have 'Next', 'Previous', 'Finish', and 'Cancel' buttons. The background shows a Microsoft Word window with a menu bar (File, Edit, View, Insert, Format, Tools, Table, Window, Help) and a toolbar. The status bar at the bottom of each window indicates 'Page 1', 'Sec 1', 'Lit', 'At 1"', 'Ln 1', 'Col 1'.



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