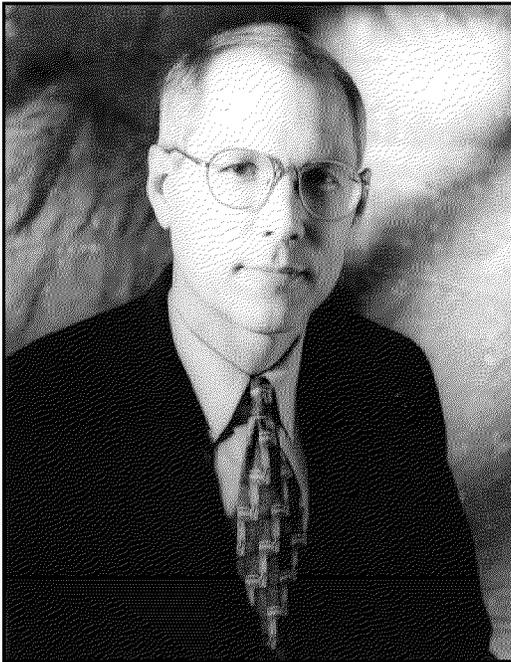


Don't Print That Email!



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Email can give you trouble enough in cyberspace. Why compound the problems by printing it?

I DON'T KNOW about your law office, but in mine email carries 90 percent of what comes in and 90 percent of what goes out. Paper in and paper out is just 10 percent. That means we no longer need to print out email onto paper and then file it in a paper file folder. Email has made us paperless. Nowadays, it actually takes more time to “go paper.”

The bad news is we are overwhelmed with email. Last month in one case I had 800 emails. That's way too much to print to a paper file. It's even worse due to our propensity to reply to a prior email instead of creating a new one, thus creating email scrolls ala the Romans.

The good news is that your email software is a built-in email filing system. My office uses Microsoft Outlook which has everything we want in a good filing system: folders and subfolders to separate email by client and matter; the ability to sort by date or person; and the ability to search the text. It's even easy to copy it onto an external hard drive as a backup.

You probably don't worry about this if your law office has more than a few lawyers since you have an IT person or department, computer servers, etc., that lay down rules for you to follow in order to harness the firm's email.

But if yours is a solo practice or a two-lawyer office like mine, then you are the one who must figure out what to do with all that email. After much trial and error, testing of software, and tearing of hair, here's what I found: There's no need to buy a formal document management system. All you need is to formalize your approach to email using your existing email software. Here's how.

1. File It, Don't Pile It

A large study of email practices identified "pil-ers" as persons who leave incoming email in their Inbox and outgoing email in their Sent box and "filers" as persons who move their email into folders and subfolders out of their Inbox and Sent box. The study results were a bell curve with one-third of email users divided equally on either end as pilers and filers and with two-thirds in the bell somewhere in between.

Now you can be whatever you want to be, but if you want to use your Microsoft Outlook or other email software as your filing system, then you better be a filer. If not, your email filing system is going to look like that paper filing system your ex-employee had where he or she opened a file cabinet drawer and dropped in papers willy nilly, mixing Client A's stuff with Client B, C, and D's stuff. Not so good in paper and not so good in email.

So how do you file it? You create folders and subfolders within your email software. In Outlook just click File | New | Folder and type in the folder name, and there it is. To create a subfolder of that file, just right click on the folder and click New Folder and enter the subfolder name, and there it is. The trick, of course, is in the naming. What they call taxonomy in the records management industry. Like the Dewey Decimal System, only simpler. Here are the folders in my Outlook:

- Bar (with a separate subfolder for the various bar associations);
- Civic (with a separate subfolder for each);

- Clients (with a separate subfolder for each client by last name, and separate subfolders for each client's matter);
- Inbox;
- Office;
- Outbox;
- Personal;
- Sent;
- Technology.

Once you create the folders, you are ready to use your new email filing system and play the filing game, which can really be quite fun.

2. Deal With It

The goal of the filing game is to keep the Inbox empty. You do this by reading then dealing with

each email in one of three ways: do it, delegate it, or delete it. If it's spam that got through your filter, you can delete it, but you may want to right click and add the sender to your junk mail list to avoid it happening again. If it's delegable, you can forward it to the delegatee and add it to your tasks list for follow up. Doing it might mean simply replying to it or it might mean copying (not moving) the email and its attachments to a separate work folder for that client in a data area outside of your email software.

All the usual rules, tips, and tricks of time and work management apply here. The fewer times you look at the email, the more efficient you will be. Don't keep going back to it over and over, musing over what to do. If you think it will take more than a minute to deal with, add it to your list of things to do and go on to the next email. But move it to the client/matter subfolder before you do. It's on your to-do list so you won't forget about it.

Once you're done dealing with the email by doing it or delegating it, then move it to one of your Outlook subfolders by left clicking it and dragging it over there (hold down the left mouse button).

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That's all there is to it. Your filing is done. No need to print to paper. No need to file paper in a filing cabinet. No need to hunt for it later. It's right there in your email filing system ready to be found whenever you need it by clicking on the client's subfolder and either browsing for it by date or person or by searching the full text.

By the way, the experts say email filing needs to be done by the lawyer. It's really not something to delegate to someone else. So, don't think just because you have a law degree you can be a piler and leave the email filing to someone else. It's your mess, and you need to be the filer, not the piler.

3. Copy It

Now that you've entrusted your email filing to Outlook or other email software, you need to restore that feeling of security that tons of paper tucked away in paper file after paper file of filing cabinet after filing cabinet (I had over 30 of them before going paperless) gave you when you used to print out your email onto paper. I assure you that it can be done very simply. All you need to do is copy the Outlook data file to an external hard drive, to a CD, to a network folder or to some other place that you want to keep as a backup.

This is easy to do because Outlook stores all your emails, all their attachments, all your email folders, and even all your contacts and tasks and calendar in a single file on your computer. It's called a PST file and it's probably named Outlook.pst. The trick is finding it. The easiest way to find it is to open Outlook then click File | Open | Outlook Data File and a window will probably pop up showing you the file. If it does not, search your computer for a file named Outlook.pst by clicking Start | Search | For Files or Folders.

I suggest making a copy of the Outlook data file every day to a different external drive, CD, or

other media, and storing it off site. Redundancy (multiple backups) is a key concept in data security. Storing one at the office, one at home, and one in a bank safe deposit box is a good start. Having multiple backups that are rotated at each location is the next step in redundancy. You can further protect the data by uploading it to an online backup service, such as IDrive or Connected, that encrypts the data for further protection while stored on their server. Finally, you may consider sending an encrypted hard drive for storage in an underground salt mine, such as Underground Vaults. Now I bet you're getting that feeling of security coming back,

and we did it without paper.

4. Archive It

Now we need to think about archives. Since this is your email filing system, this is your email records system. You need to preserve your records for professional, business

and tax purposes. One way to do this is to burn a CD with your PST data file on it from time to time. A CD will hold 700 megabytes of data. In my practice, my PST data file reaches that in about three months, so burning a CD at the beginning of each quarter makes sense. (Of course, you may want to burn multiple CDs for redundancy and keep them onsite and offsite.)

After the CD is burned, all of the email can be deleted by highlighting each folder and hitting the delete key. The PST file can be compacted by clicking File | Data File Management | Settings | Compact Now. This will reduce the size of the PST file to under 100 megabytes, allowing room for your email to grow.

But before doing that, make a copy of the PST file and name it something like "Outlook Betty's Archive 3-31-08". Then you will be able to open

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that file in Outlook in the future by selecting it (click File | Open | Outlook Data File) and read its email contents. But you should not keep it open because it will have duplicate entries for contacts, calendars and tasks. To close it, just right click and select Close.

You can repeat this whole process in a few months when the file size approaches 700 megabytes. But here is something to avoid: Do not let Outlook do the archiving for you. I recommend setting Outlook so that it does not archive anything on its own. The settings are found in Tools | Options | Other | AutoArchive. Be sure there is no check in the box that says Run AutoArchive. And if you see anything that says “archive,” don’t click on it. This is something you want to retain manual control over. Putting email archiving on autopilot is not a good idea, unless you have an IT department that manages your email, in which case you have read way too much of this article.

One final note on archiving: Consider whether you want to also save your emails in PDF/A format. The above procedures save them in PST file format, which has been around a number of years and which Microsoft seems inclined to continue to support. But for archiving purposes, converting the emails to an image format such as TIFF or PDF/A is something that records managers like to have us do because these formats are not proprietary to a single company, which means the formats may be around longer and not subject to the whim of a

company that decides to discontinue them. The PDF/A format is Adobe’s PDF format for archiving and is the subject of ISO standard 19005-1:2005. Sounds a lot like the Dewey Decimal System, doesn’t it? (For further information about formats, see my earlier article, *Going Paperless—Or Not*, which appeared in the October 2007 issue of The Practical Lawyer.)

5. Make It A Policy

You want your emails to be your business records, your office file, your client file, your evidence. To avoid any dispute about this, you need to make it your standard practice by putting in writing, as an office policy, that your email folder is your official file. If you already have an electronic file policy, you can amend it. If you don’t have one yet, you can adopt one. (For a sample, see my article, *A Model Electronic File Policy for the Law Office*, from the April 2007 issue of The Practical Lawyer.)

CONCLUSION • A wonderful side benefit to this email filing approach is that it is good for the planet, it saves trees, it’s green, and it comports with the adage “If it ain’t broke, don’t fix it.” If it ain’t paper, don’t print it. That’s good old, simple, money-saving advice. Just what we need in the world today. Just don’t forget to make those backup copies.

PRACTICE CHECKLIST FOR Don't Print That Email!

There's no reason to print email when all of the tools you need to keep it in order are at your fingertips. Taking a five-step approach to the matter will help you to keep even the busiest inbox under control.

- **File it, don't pile it.** Create folders and subfolders within your email software. In Outlook just click File | New | Folder and type in the folder name. To create a subfolder of that file, just right click on the folder and click New Folder and enter the subfolder name, and there it is. The trick is in the naming. Keep it simple.
- **Deal with it.** Read and then deal with each email in one of three ways: do it, delegate it, or delete it. If it's spam that got through your filter, you can delete it, but you may want to right click and add the sender to your junk mail list to avoid it happening again. If it's delegable, you can forward it to the delegatee and add it to your tasks list for follow up. Doing it might mean simply replying to it or it might mean copying (not moving) the email and its attachments to a separate work folder for that client in a data area outside of your email software.
- **Copy it.** All you need to do is copy the Outlook data file to an external hard drive, to a CD, to a network folder or to some other place that you want to keep as a backup. Redundancy (multiple backups) is a key concept in data security.
- **Archive it.** Now we need to think about archives. Since this is your email filing system, this is your email records system. One way to do this is to burn a CD with your PST data file on it from time to time. A CD will hold 700 megabytes of data. The PST file can be compacted by clicking File | Data File Management | Settings | Compact Now. This will reduce the size of the PST file to under 100 megabytes, allowing room for your email to grow.
- **Make it a policy.** You want your emails to be your business records, your office file, your client file, your evidence. If you already have an electronic file policy, you can amend it. If you don't have one yet, you can adopt one.

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