**Where Are My Files?**

by Jeffrey S. Lisson
Carter & Boyd, P.C.
jlisson@lissonlaw.com
jlisson@carterboyd.com

Remember the "sneaker net?"

Every desk had a stack of floppy disks, with files randomly saved to various disks. If you wanted to work on a document written by a colleague, or use it as a form, someone had to walk the disk to your office, or to your secretary's office.

We don't use floppy disks anymore. In fact, with modern networks, most collaborative files aren't even saved on a local hard drive. They're all on a network drive on a server. This allows the entire firm to access, edit, and reuse the firm's work product.

How do you find those files on the network?

Law offices have invested in fast computers and fast networks. But they still can't find their files. The explosion in size of hard drives has led to an exponential increase in the amount of data stored. It's like having a basement – the amount of stuff saved expands to fill the space provided.

Now, the problem is finding files, and culling the wheat from the chaff. Locating data – documents, spreadsheets, scanned images – has become a science.

For the first year of my solo practice, I didn't need organization (I had nothing to organize). But as I gained clients and sophistication, I realized that I needed a system to find documents related to each client, and a way to avoid reinventing the wheel with each new case. I grew tired of asking my secretary, "Who was it we drafted those interrogatories for in the bad faith failure to settle case?"

What follows are systems that I've seen used in law firms, and the system I recommend. I developed my system over several years of trial and error, with the input of other attorneys and experts on various technology listservs. I don't take credit for developing my system, only for writing it down and sharing it with others.

In this article, I do not discuss the expensive, commercial file-management software. I don't use them, and I don't think many solos or small firms have or need these programs. I also do not discuss data backup alternatives, although all firms should make daily backups of client and firm data.

The best thing about my system, aside from the ability to find files: It's absolutely, positively, 100% FREE.

## How Operating Systems Organize Hard Drives

First, a quick lesson in computer data storage. Computers store information in different places on hard drives. Pieces of your files – even the same file – may be in different places. The computer keeps an index of where the pieces are stored, so it can recreate what you've saved. The computer has its own "organization," so it can find data. But if you want files organized so you can find them, you have to do it yourself.

DOS, the first computer operating system many of us learned to use, allowed data to be placed in "directories." Those directories were for our benefit, not the computer's. Directories helped us find stuff on the hard drive. To find a document, you had to go to the right drive (usually the "C:" drive), then the right directory (such as "C:\Docs\"), then the right combination of subdirectories (like "C:\Docs\Jones\Mary\Letters\letter1.wpd").

Windows and other graphic-based operating systems substituted folder symbols for directory trees. Instead of typing a directory name, you click on a folder icon, and the computer displays the folder contents.

The folder metaphor is an easy way to envision what's where, because it mimics the filing systems we use for paper. But writing about data storage is no easier. So when you see below something like "F:\Client Docs\Jones, Henry\Jones v Smith\Pleadings\petition, second amended.wpd", it means you'll find the document "petition, second amended" in the "Pleadings" folder, which is in the "Jones v Smith" folder, which is in the "Jones, Henry" folder, which is in the "Client Docs" folder, which is on the "F:" drive.

## The Bad Alternatives

In my work consulting with other practitioners, I've seen some really interesting file-management systems. Most of them grew without thought or plan. They just happened, generally as variations of one of the two "bad alternatives" below.

Assume for all of these examples that files are saved on a central network drive called "F," which is accessed by attorneys and staff. And yes, client files should be kept on a shared network drive, not on individual computers. Why? First, it's easier to search for a lost file on a shared network drive than 10 separate computers. Second, there are fewer problems with security than if files are stored on separate hard drives. Finally, everyone can access and find the files without worrying if a particular computer is on, or a staffer/lawyer is out sick or on vacation.

(This does not mean files should be created on a network. Create and save your files initially on your local computer as you work on them. When you're done, save them to the network, and delete the file on your local hard drive. That way, if the network crashes, you don't lose the work. It also reduces network traffic. If the file is critically important, keep the copy on your local hard drive, too.)

If you use a peer-to-peer network without a server, designate one computer for central storage.

### Bad Alternative 1: By Lawyer

Some firms segregate their files by the attorney who brought in the case. For example, the three-lawyer firm of Abell, Ball and Chin may have three main folders: "F:\Abell\", "F:\Ball\", and "F:\Chin\". Each attorney would then have subfolders for his or her individual clients; e.g., "F:\Abell\Mary Smith\" or "F:\Ball\XYZ Corp\".

The benefit of this system is that I know where files are for my clients. But the obvious problem is that if you don't know which lawyer brought in the client, you can't find quickly the client's files. And God forbid a lawyer leave the firm, or the firm hires new staff!

### Bad Alternative 2: By Practice Area

To prevent confusion caused by not knowing which attorney brought in the client, some firms segregate files by practice area. There may be 10 to 20 folders named “Bankruptcy,” “Civil Litigation,” “Corporate,” “Criminal,” “Family Law,” “Probate,” “Real Estate,” etc.

Some firms dump all documents for all clients into each practice-area folder. Others create subfolders for each client in that practice area. Examples: “F:\Corporate\ABC Corp\”, or “F:\Real Estate\Evans, Frank\”.

The practice-area system make a little more sense, and has superficial appeal. If you know the legal area to which a document pertains, and you know the client name, you can find the documents. Sounds easy, right?

Wrong. Consider what happens if ABC Corp. contracts for an option to buy a piece of property. Will the documents be under “Corporate?” “Real Estate?” “Contracts?” No two staff people will save the documents in the same place.

Bad Alternative 3: Combinations of Bad Alternatives 1 and 2

Some firms decide that they need to make things really confusing, so they combine the best (worst) of each bad alternative. Folders for the firm of Abell, Baker and Chin look like this: “F:\Probate\Abell\Smtih, Mary\”. So you have to know the practice area and the lawyer who brought in the case to find anything. This is the worst of all worlds.

My System

I decided I’m not as smart as the experts at law office organization. Lawyers have had centuries to develop a system to organize paper files. Most firms organize files by client, then by matter, then by the type of documents within each matter. In other words, each client has a file. Within that file are subfiles for discrete matters. If a matter’s file gets too thick, papers are placed into folders, such as “Correspondence” and “Pleadings.”

The best electronic file system should mimic the paper file, so no one has to learn a new way of doing things. The goal is simplicity and ease of use. So each client would have his or her own folder. Each folder would have subfolders for discrete matters. Each matter would have subfolders for the documents involved.

Sound complicated? It’s not. Here’s how it works:

The “F:\” network drive gets a folder called “Client Docs,” or something similar. Within the “F:\Client Docs\” folder are subfolders for each client. As new clients come in, new subfolders are created. Examples: “F:\Client Docs\ABC Corp\”; “F:\Client Docs\Evans, Martha\”.

If ABC Corp. gets sued by Sam Smith, the files would be in the “F:\Client Docs\ABC Corp\Smith v ABC\” folder.

When a matter’s folder gets too big, break the matter into subfolders. Those subfolders can mimic the folders in the paper file: Correspondence, Pleadings, Orders, Motions, Depositions, Photos, etc.

An important part of this system is to use descriptive names for files. Those of us who used computers years ago were used to the DOS file name structure, which allowed and eight-letter file name, with a three-letter extension. So you could have a file called “petition.wpd,” but not “complaint.doc,” because “complaint” has nine letters.

Letters got names like, “letter1.wpd,” “letter2.wpd,” etc. This DOS limitation made it impossible to name documents so you could tell the contents without opening them, a time-consuming and tedious process.

Modern operating systems removed this limitation. Now, you can name a file, “letter to counsel with first settlement offer.wpd,” or “letter to client re settlement offer.wpd.”

For my system to work well, you should use these long file names. I suggest that the type of document be the first word in the file name, with a description afterwards. So motions, for example, start with the word “motion.” Second and subsequent motions are designated by number within the name: “motion to show cause.wpd,” “motion to compel answers to interrogatories.wpd,” “motion2 to show cause for failure to pay child support.wpd.” This way, if you don’t need subfolders for a client matter, you can easily find all letters, motions, etc.

I recommend you let your word processor or other program choose the three-digit file “extension,” such as “wpd” or “doc.” If you have to search for documents, you can limit the search to documents with those extension.

This system has another advantage: easy backup. All you have to do is copy the “Client Docs” folder to back up all work product for all clients. (Don’t forget to back up your case management and financial data, too.)

I also recommend creating a “Forms” folder on the “F:\” drive, organized by folders for each practice area and type of form (corporate, probate, discovery, etc.). When you generate a new type of document or improve a form, drop it into the proper practice-area folder within the “F:\Forms\” folder. Customize this for the way you work.

## Conclusion

With my system, it’s easy to find the letter to counsel regarding deposition dates. It’s on the “F:\” drive, “Client Docs” folder, “ABC Corp” client folder, “Jones v ABC” matter folder, “Letters” documents folder: “F:\Client Docs\ABC Corp\Jones v ABC\Letters\letter to counsel re deposition dates.wpd”.

Any system is better than no system; a well thought-out system is best. With my method, you can easily answer the question, “Where are my files?”

**About the Author:**

Jeffrey S. Lisson is the civil litigator in the three-attorney firm of Carter & Boyd, P.C., in San Angelo, Texas. He was a sole practitioner for 10 years in Winston-Salem, North Carolina. He has lectured nationally on legal technology, and his writings have been appeared in bar journals and legal technology publications across the country. This and other articles are available on his web site, www.lissonlaw.com.