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Document management systems

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Document Management Systems (“DMS”)

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Those who have played ball games will know that, initially, it feels more like the ball is dribbling you than the other way around. Managing legal documents is similar. Whether the documents in question are submissions, affidavits, client briefs, contracts, or corporate announcements, managing your documents well (and not letting your documents manage you) will help you score points for clients.

A. THE IMPORTANCE OF DOCUMENT MANAGEMENT

Two benefits arise from good document management. First, good document management avoids unnecessary costs. Every lawyer’s worst nightmares: filing the wrong version of the document in court, accidentally disclosing commercially-sensitive information by emailing the wrong document to the wrong party, bringing an outdated contract to the negotiation table, etc. This is akin to losing the ball in your own penalty area. Usually a price will be paid for sub-par defence.

Second, good document management facilitates quality work. Every lawyer, seasoned or new, should have access to and use the firm’s best and latest templates. Teams should be able to collaborate on large files without worrying about losing time to merge conflicts and formatting inconsistencies. A well-structured document and precedent base allows quicker drafting and sharper analysis. Imagine if the Halsbury’s were organised randomly and not organised topically and alphabetically. Looking something up would be tedious and severely interrupt one’s research and thought processes.

There are firms taking this further by enriching their knowledge base into weapons-grade documents that can be packaged as a client-facing product in itself. Keeping possession is nine-tenths of a good soccer offence while good document management nine-tenths of a strong legal team.

B. IS SPECIALISED DOCUMENT MANAGEMENT SOFTWARE (“DMS”) NECESSARY?

The key to all this is a good document management system (“DMS”). Plainly, a DMS is a system for managing documents. A system is just an organised and principled way of managing tasks. In theory, software is neither necessary nor sufficient. A determined practitioner who enforces strict document management practices on his associates can achieve this. He may dictate that every file is to be named, filed, and stored according to certain conventions. Deviators could be punished by the usual means of censure, or exclusion from happy hour privileges.

In practice, document discipline is a rare commodity that tends to diminish as documents pile up and client or court deadlines loom. After some time, the determined practitioner may find that filing practices have not been followed. The database has become disorganised and unhelpful. Multiple versions of seemingly identical documents are filed in various folders boasting subtly differing names. Where and who is Waldo?

Not every firm can afford to outsource document discipline to dedicated knowledge managers. Even amongst those who do, there is scope for software to further reduce document discipline overheads on its lawyers. At the time of this writing, computers do what they are programmed to do, deadlines or otherwise, and will unquestioningly take on any number of documents they are told to file.

Furthermore, DMSs allow one to enforce strict document compliance rules. One could lock a document to allow only selected users from editing it. More important documents could be immobilised by the software to prevent exfiltration or data theft.

C. WHAT DMS CAN DO FOR THE FIRM

Common features of DMSs include the following:

- document security allows the user to specify who may do what with which documents. Some versions are equipped with encryption functions.

- version control allows tracking changes in a document and prevents or resolves merge conflicts.
- shared access allows files to be accessed across devices and users.
- organisation which helps catalogue and storage of documents neatly.
- search which helps the user find what is needed quickly and intelligently.
- customised workflows enables routing of documents to certain users for specified purposes.
- document automation helps in quick generation of new documents based on the user's own templates.

Even more cutting-edge solutions are being developed that widens the range of inconveniences that DMSs can relieve lawyers of. DMS provider iManage recently purchased RAVN Systems, a UK-based startup which developed an artificial intelligence engine for extracting information from and classifying legal documents. Local startup Intelllex has also created an “AI-powered knowledge bank” that categorises 120 legal concepts and document types. This is an area of fertile research and one may expect further developments soon.

D. CHOOSING THE RIGHT DMF

As with any software, there is no one-size-fits-all solution. Specific requirements of your practice should dictate which DMS you choose. A firm specialising in high-volume, standard-form contracting may prefer a DMS that facilitates quick document generation and distribution over one which enforces tight version control – Clio's document automation capabilities as well as Worldox's automated document workflows may be of interest here. Tight version control and tracing, however, may well appeal to a firm that drafts long investment prospectuses and contracts that run into hundreds of pages. Netdocs' document lifecycle and audit trail features could then prove useful. Meanwhile, litigation departments may prioritise how accurately their DMS can catalogue legal concepts and document types as well as how intelligent its search function is, so AI-powered search tools from iManage RAVN or Intelllex may be preferable.

Personal preferences matter too. Some may prefer having one comprehensive software that takes care of everything, beyond just document management. A comprehensive practice

management software like Clio that also takes care of billing and matter management may be more suitable for this group. Others may prefer having specialized software for each aspect, and dedicated DMSs would be more suitable here.

E. CONCLUSION

Good document management empowers lawyers to complete tasks quicker and more efficiently. DMSs can greatly catalyse the need to enforce document discipline. Document management solutions are evolving alongside the changing requirements of legal practice. If you have not procured a DMS, now is a good time to consider one. Firms not bound by legacy software will find it easier to jump straight to the latest technologies, provided these technologies fit their practice requirements. If your firm already has a DMS, now is a good time to explore if any new features have been or are being developed, as well as consider alternatives.

The ball is in your court.

(Disclosure: The author has no financial interest, direct or indirect, in any of the above-mentioned software providers.)

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