Save Time, Avoid Errors, and Make More Money

How Proofreading Software Can Have a Big Impact for Solo and Small Firm Practices

by Ivy B. Grey

Introduction

The legal profession is noble, but must also be profitable. Solo and small firm practitioners are the honorable servants of the law. They represent individuals, and small and local businesses, providing access to justice for clients whose needs would otherwise go unmet. It is a worthy practice in a profession experiencing rapid changes that are eroding the financial stability that lawyers once enjoyed. Small and large law firms are similarly affected, but there is less room for cost-cutting in small practices.

What can solo and small firm practitioners do to respond to billing pressures, challenging deadlines, rising overhead costs, and the commodification of the practice of law? As with large firms, technology can help; however, for solos and small firms, the right technology will look different.

First, this paper shows that proofreading is a problem that extends to issues of profitability and reputation. Second, this paper addresses myths that keep many attorneys from experiencing the benefits that proofreading tools offer. Then this paper looks at currently available software and real-world law practices. Finally, it concludes with the impact that improving a single process like proofreading can have on profits and the practice as a whole.

What Can and Should Legal Technology Do?

The challenges for solo and small firm practices include: lower billing rates; inconsistent cash flow; lean or non-existent support staff; disproportionate risk of lost opportunity due to unavailability; and balancing the business and practice of law. These unique challenges mean that solo and small firms truly need technology to aid in their practice.

Nevertheless, solo and small practices have limited time and money to try new technology, so it is important to focus on tools that will:

- resolve problems that lawyers encounter every day in legal practice;
- require no training;
- be appropriately priced to match the problem solved; and
- assist, but not attempt to replace, a lawyer's thought process.

Good technology does not have to be life-changing. Rather, it has to help lawyers meet client needs and take on more matters. It should help to produce high quality work, protect your reputation as a careful and skillful lawyer, and increase profitability.

Good technology can and should be simple, accessible, and inexpensive so that solo and small firm lawyers can immediately experience the benefits.

Technology solutions need not be complex or expensive. In fact, good technology can and should be simple, accessible, and inexpensive so that solo and small firm lawyers can immediately experience the benefits.

Part I: Identifying Proofreading as the Issue

A Modest Proposal: Rethinking How Technology Relates to Writing

The written word is the foundation of the practice of law. Every day lawyers write and read the writing of other lawyers. What lawyers write and how it is written carries great weight and has significant impact. Because legal writing is so important, the process of writing, editing, and proofreading takes a great deal of time and is ripe for improvement—but which part of the process should be improved?

Proofreading software leaves the substantive work to lawyers, but speeds up the editing and proofreading process.

Document assembly is often seen as an answer to this question. However, document assembly requires highly standardized documents and produces cookie-cutter solutions to a client's unique problem. It's not a complete solution. And in many cases, it's not a desirable one for either the lawyer or the client.

Proofreading software, on the other hand, leaves the substantive work to lawyers, but speeds up the editing and proofreading process. It allows lawyers to provide personalized solutions to clients; and it helps them move on to the next matter, or the next client, faster without sacrificing customization or quality.

Shifting Focus: What Is Proofreading and Why Does It Matter?

Proofreading is the process of reviewing a completed written document for inconsistencies, spelling, grammar, punctuation errors, formatting mistakes, and typos. Editing is improving content, clarity, structure, and substance. Editing and proofreading are integral yet time-consuming parts of the drafting process. Though different, they are closely intertwined. So, this paper uses "proofreading" to refer to the entire review of the document.

Proofreading is a vital part of the practice of law, regardless of whether the practice focuses on litigation or transactions. Despite the time-consuming and mundane nature of proofreading, it is inescapable. As long as lawyers are writing, lawyers are proofreading.

Some drafting mistakes, such as inconsistent capitalization of defined terms in a transactional setting, can have dire consequences for clients and lead to malpractice suits for lawyers. However, most errors, such as inconsistent use of hyphens and Oxford commas, will not have legal ramifications. Instead, it is the lawyer's reputation and credibility with clients and in the profession that can be diminished. All it takes is one mistake to make an entire agreement or brief look sloppy.

To avoid these pitfalls, lawyers proofread their work again and again until it is perfect. An online survey of legal professionals conducted for this white paper found that lawyers who proofread
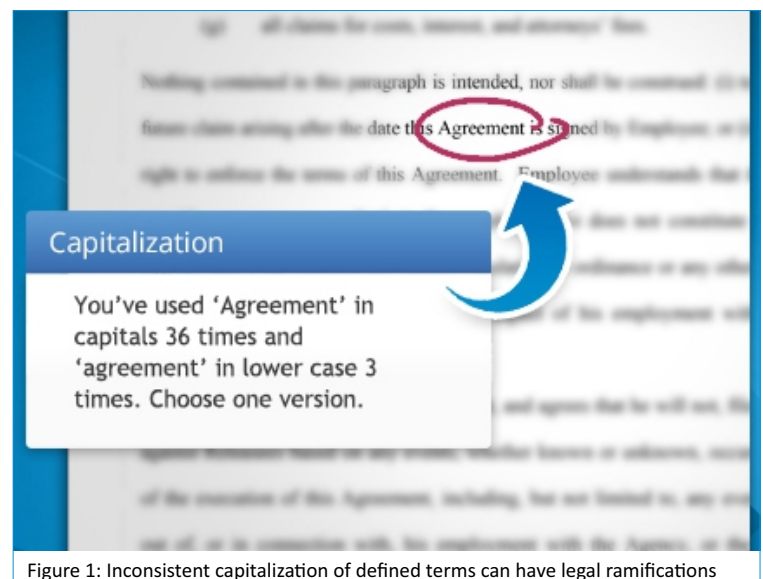

Figure 1: Inconsistent capitalization of defined terms can have legal ramifications

spend an average of 3.5 hours per week on it.[1] On an annual basis, that time adds up to over fifteen days per lawyer per year. Moreover, since that figure is an average, it conceals how some lawyers spend more time than that. The survey found that 20% of those lawyers spend over five hours per week on proofreading, and 10% spend over ten hours proofreading per week.

Those 3.5 hours are worth exploring for a moment. Consider the cost of that time, and think about what proportion of it is actually passed on to the client as billable work. Despite the importance of proofreading, much of that time is not actually billed to clients.

It's clear that reading, re-reading, and cross-checking a document manually takes too much time. However, it cannot be skipped. That makes proofreading software an appropriate technology because it can increase law firm profitability by helping to produce a better product in less time.

Part II: Debunking Myths About Proofreading

Myths About Existing Technology

While MS Word's built-in spelling and grammar check has improved substantially over the years, it lacks the capability to significantly reduce the amount of time that lawyers spend proofreading. Specialist software designed for professionals is the only technology that can do that.

Much of the specialist software designed for proofreading in legal firms is expensive, complex, or difficult to learn. That makes it a poor fit for solo and small firm lawyers. However, some proofreading software solutions are appropriate for firms of any size. In particular, PerfectIt with American Legal Style and WordRake are two solutions that are inexpensive and easy to learn. They work together to dramatically cut proofreading time in legal settings.

The Mythical Choice Between Software and People

Proofreading is often seen as work that cannot be automated. Some law firms have legions of junior attorneys, secretaries, client service managers, and word processing teams on hand to help with proofreading. Still, a senior partner re-checks everything. In a solo or small firm setting, the solo plays every role. In both cases, mistakes slip through because no one is perfect.

Proofreading software is not the competition; it is the support.

Proofreading software is often met with resistance because it's seen as a binary choice: use software or do it manually. Or it's seen as a condemnation of the lawyer's skills. Both are false.

Proofreading software is not the competition; it is the support. It lets lawyers make decisions that bring their uniquely-developed skills, thought process, and experience to documents more quickly and accurately than any human being can do on their own. It empowers lawyers and support staff to work faster, but still leaves a human being responsible for all editing and writing choices.

With that in mind, a reasonable objective is to use technology, not to eliminate costs, but rather to cut average time spent proofreading from 3.5 hours per week to just one hour per week. In that way, improving the document review process will boost profits and increase efficiency.

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[1] This statistic does not include any substantive cite checking or drafting and does not include any proofreading time spent by support staff.

Part III: Examining Real Proofreading Solutions

This section looks in depth at one software program that is particularly relevant for small and solo practitioners: PerfectIt with American Legal Style. Most PerfectIt users in the legal sector combine it with WordRake (an unaffiliated proofreading program that is also well priced for solo and small firms). PerfectIt and WordRake can each be used separately, but their role in the proofreading process is complementary, so to achieve the biggest time savings, it's best to use them together.

> *"After running WordRake on our document, PerfectIt scours it like a professional legal secretary. The American Legal Style Sheet finds all the technical punctuation and legal style issues that would excite a law review editor."*
> Nick Critelli, Barrister and Attorney at Law, CritelliLaw, P.C.

PerfectIt is focused on one simple goal: improving the process of proofreading. It is immediately useful. It takes less than six minutes to set up, and it requires no training. It does not attempt to replace a lawyer's thinking, drafting, or editing process. And, at $70 per year for a single license, it meets the need for a low-cost solution.
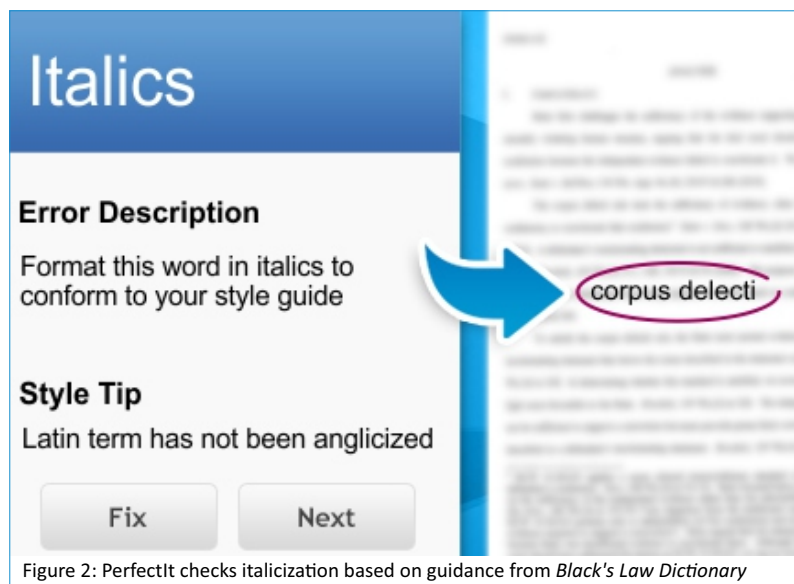
A Targeted Tool: PerfectIt with American Legal Style

PerfectIt is an add-in for MS Word that has been on the market for over five years. It has thousands of users across the world, and around half of its users are professional editors and other communications professionals. The program has been refined based on years of input from professional proofreaders and editors who are trained to catch even the smallest mistakes.

American Legal Style is a style sheet developed specifically for lawyers that comes with PerfectIt. The style sheet draws from the *Bluebook: A Uniform System of Citation; The Red Book: A Manual On Legal Style* by Bryan Garner; *The Elements of Style* by Strunk & White; and *Black's Law Dictionary*, among others. American Legal Style helps to ensure that all documents checked with PerfectIt are in line with legal writing guidance.

Figure 2: PerfectIt checks italicization based on guidance from *Black's Law Dictionary*

PerfectIt with American Legal Style improves the process of writing and editing any type of legal document, ranging from memos and briefs to asset purchase agreements and corporate documents. PerfectIt checks for:

- **Capitalization:** Consistent capitalization of defined terms;
- **Hyphenation:** Uniform treatment of words as open, hyphenated, or closed, following preferences in *Black's Law Dictionary;*
- **Punctuation:** Use of the Oxford comma as well as consistent punctuation after bullets;
- **Parentheses & Quotation Marks:** Find unclosed parentheses and quotes;

- **Spelling:** Correct misspellings in terms of art and incorrect use of properly spelled words such as "statue" for "statute";
- **Formatting:** Enforce italicization rules of the legal profession as set out in *The Red Book: A Manual On Legal Style and Black's Law Dictionary*;
- **Abbreviations & Acronyms:** Call out abbreviations that have not been defined and that are used before they are defined;
- **Business Idioms and Homonyms:** Catch commonly mangled business idioms and address homonyms that may arise in the context of legal dictation; and
- **Citations:** Correct common errors in case citations such as misplaced periods, transposed letters in court names, and extra spaces.

It acts as a second set of eyes, but won't make any changes until the lawyer approves them.

PerfectIt requires no changes to the writing or editing process to experience its benefits. Simply run it near the end of the drafting or editing process. It's intuitive and easy to use. It acts as a second set of eyes, but won't make any changes until the lawyer approves them. In that way, hours of proofreading can be reduced to minutes.

Case Study: How Cascadia Cross-Border Law Saves Time and Money with Proofreading Software

Cascadia Cross-Border Law is a leading U.S. immigration law firm. Based in Bellingham, Washington; this boutique practice of four attorneys has associated offices in Anchorage, Alaska and Vancouver, British Columbia. Its attorneys possess extensive experience in all aspects of United States immigration law, with a focus on employment-based immigration. Its clients include a broad range of established businesses and persons of talent; including world class athletes, entertainers, physicians, scientists, businesspersons, and other professionals of extraordinary ability.

"I'm a perfectionist, so I run PerfectIt at the end of every letter and every other document that I create. I find it saves me an hour or more each time that I use it."
Heather Fathali, Immigration Attorney, Cascadia Cross-Border Law

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Cascadia attorneys routinely draft detailed support letters for immigration applications that address intricate legal concepts and include numerous supporting appendices. Because of the inherent complexities of U.S. immigration law, all of Cascadia's attorneys take pride crafting letters that expedite positive treatment of their submissions—each letter must be professional, clear and easy to understand, and consistent.

WordRake: Better Writing and the Ideal Addition to Checking with PerfectIt

While PerfectIt improves the final proofread, WordRake focuses on the quality and clarity of legal writing. It simplifies language, making text easier to understand. With a single button, WordRake edits a document and provides suggestions to streamline writing. Because WordRake uses MS Word's track changes to display its edits, there is no new software to learn. Lawyers simply review each edit and accept those that improve the message.

WordRake costs less than a billable hour per year, making it ideal for both the solo practitioner and the AMLaw-100 attorney. WordRake is used in over 7000 law firms.

WordRake and PerfectIt are complementary; they focus on different aspects for improving the document. Together, they pay for themselves many times over in time-savings alone.

Having already used WordRake for three years, Cascadia added PerfectIt with American Legal Style to its proofreading process. Cascadia initially tried PerfectIt for one lawyer, and then quickly deployed it to all attorneys and support staff at the firm. Lawyers and staff at Cascadia find that PerfectIt is a key tool in enforcing consistency. They use it to ensure consistent spacing, use of Oxford commas, punctuation in lists, and consistency of hyphens and en dashes. PerfectIt with American Legal Style helps Cascadia's attorneys to feel confident that letters are presented as consistently and clearly as possible. By helping to produce high quality, clean work, PerfectIt supports Cascadia's reputation as an internationally-recognized law firm.

Big Firms Opt for the Same Proofreading Solutions

Saving time on the proofreading process is an issue for law firms of all sizes. PerfectIt and WordRake pricing is suited both for small and solo practitioners and lawyers in large firms. PerfectIt's customers range from the solo attorney, to the Council of Europe. WordRake's customers include some of the biggest legal firms in the United States.

Part IV: Conclusions
The Benefits of Successful Implementation

Proofreading seems simultaneously boring and obscure, yet the significance and pervasiveness of the problem demonstrates just how important it is. It is a task that solo and small firm lawyers encounter every day. The benefits of reducing time spent proofreading vastly outweigh the costs.

Proofreading software cannot eliminate all time spent proofreading. But it does simplify proofreading by targeting issues to be addressed so that the lawyer can make informed decisions quickly. Each proofreading program typically saves an hour or more. So an average lawyer spending 3.5 hours per week on proofreading who adopts both PerfectIt and WordRake can bring that time down to one hour.

Successfully implementing proofreading software improves:

- profitability and realization rates;
- turnaround time; and
- quality and accuracy.

Proofreading software also addresses the:

Calculating the Benefit of Proofreading Software

Saving 2-3 hours per week may not sound like much, but the difference in annual profits is significant. Billed at $200 per hour, an additional 2.5 hours per week is around $25,000 per year. That's more than 100 times the $228 combined cost of PerfectIt and WordRake. Still, the biggest benefit to lawyers might be from their increased confidence in their writing. A better writer is a better lawyer.

- downward pressure on billing rates because legal work is completed faster, so clients are more satisfied with the overall bill;
- issue of lean staff since it allows solo and small practitioners to deliver on schedules that can compete with large law firms;
- tension between spending time on current matters to the exclusion of potential new matters; and
- demands to reduce legal costs, which often results in outsourcing law-related work to non-law organizations, and makes legal representation more accessible to a broader population.

Time is the limiting factor in a solo or small practice. By accelerating the proofreading process, lawyers are freed to address the other, more substantive challenges they face. The time saved can be reallocated to additional legal research, building client relationships, or bringing in new business that adds to the bottom line.

"PerfectIt is blazingly fast. Without it, we would have had to continue as before, attempting to correct and proofread all patent applications and incurring the time and money costs involved in correcting errors."
Jeff Auerbach, Partner, AuerbachSchrot

Proofreading is not an obscure issue. It's one that lawyers encounter every day. So when the process is improved, it means better realization rates, better outputs, and more time to grow the business and its bottom line. For solo and small firm practices, PerfectIt with American Legal Style is a simple, low-cost, focused solution that lawyers will find intuitive, inexpensive, and immediately effective.

About the Author

Ivy B. Grey is an accomplished lawyer and writer. Ivy focuses her practice on bankruptcy, which includes distressed transactions and some litigation. She has been named a Rising Star in the New York Metro Area three years in a row and has published numerous articles on bankruptcy and commercial law topics. Her significant representations include *In re Filmed Entertainment, Inc., In re AMR Corp. (American Airlines), In re Dewey & LeBoeuf LLP, In re Eastman Kodak Company,* and *In re Nortel Networks Inc*. She was also Chief Notes & Comments Editor of the Houston Business & Tax Law Journal. Prior to becoming a lawyer, Ivy spent about 10 years working in public relations and advertising. She is a Senior Attorney at Griffin Hamersky, P.C. and the author of American Legal Style for PerfectIt.