

■ Product Overview

Proactive Compliance to the Life of the Matter

Open Text Legal Solutions

The Business Challenge

Today's legal practice is driven to move fast – more new business, more billable hours, and more client satisfaction. While practice management systems typically center on efficiency gains and business value, firms must also meet compliance mandates that are threaded through a multitude of daily matter activities. Failure is not an option, as penalties across local and global jurisdictions, loss of reputation, and lost business can follow.

As the visibility of loss prevention, risk management, records, and other administrative departments grows, methods of ensuring compliance with evolving laws, regulations and firm policies are needed. Practical methods enable lawyers and support staff to focus on matter-centric tasks while proactive compliance tools centralize and automate governance processes to manage work product throughout the matter lifecycle.

How Can IT Help Lawyers Open New Business Faster While Addressing Compliance and Risk Issues?

Firms need to ensure sufficient control over the conflicts clearing process in order to mitigate risk, adhering to due diligence standards before and during client activities. Proactive compliance with privacy, security, and business relationship conflict management mandates require ongoing, automated integration with businesses that monitor the various government and commercial sources for changes. Conflict compliancy is not found in a static, one-time query but in an ongoing, repeatable, and auditable process whereby firms can responsibly act to resolve identified conflicts by waiver or by disengagement.

- **Privacy** — Avoiding conflicts of interest includes respecting jurisdictional mandates as outlined by government agencies and legal societies. Firms must adhere to the provisions of global privacy legislation in their conflict research. The European Union requires approval from registered data protection agency databases working in tandem with U.S. Safe Harbor, and personal privacy laws such as HIPAA and PIPEDA guide client operations.
- **Security Lists** — Global legislation on anti-money laundering and the avoidance of known criminals as new clients continues to emerge, and firms are mandated to vet new and ongoing business opportunities against published lists of registered entities. These include the U.S. Treasury Department Office of Foreign Asset Control Specially Designated Nationals List (OFAC/SDN), the U.S.A. Patriot Act, the Canadian Government's Office of the Superintendent of Financial Institutions (OSFI), and the UK Financial Services and Markets Act of 2000.
- **Business Entity Tracking and Third-Party Databases** — Firms must also vigilantly search internal and external client intelligence systems – including Dun & Bradstreet, LexisNexis, Thomson Elite, time and billing systems, and other third-party information providers – to identify corporate linkages and business-to-business conflicts on potential and existing clients regardless of industry.

LegalKEY® New Business Intake™ and LegalKEY Conflicts Management,™ integral components of Open Text Legal Solutions, enable firms to strike the perfect balance between the need to take on new business as quickly as possible and the mandate to mitigate the firm's risk, ensuring that only the right business is undertaken.

Its comprehensive integration with financial watch lists and databases, security lists, and corporate family-tree systems combined with tailored workflows shields firms from the consequences of compliance failure in the conflicts process. Malpractice claims, loss of business and reputation, and federal sanctions can be prevented through the electronic detection of potential infringement of client interests.

Lawyers Want Records Compliance Without Being Records Managers — How Can IT Help?

Firms have never been more challenged in managing the overwhelming flood of document resources. Physical files, images, discovery data, and matter-related electronic documents, not to mention e-mail, must be managed in a fashion that keeps knowledge value and legally compliant records in equilibrium.

“Legal protection and business value will result from taking a formal, disciplined, visible, funded, and sustained approach to Information Management Compliance.”

Randolph A. Kahn, Esq. and
Barclay T. Blair,
Information Nation

Product Overview

- **Clients** — and often, in partnership on their behalf, firms — must comply with a myriad of jurisdictional mandates on record keeping and organizational process. From regulations on accounting practices such as Sarbanes-Oxley to guidelines on financial communication preservation as outlined by the SEC and NASD to patient and personal privacy laws such as HIPAA and PIPEDA, matter activities require that diligent record practices be followed.

LegalKEY Records Management™ improves the authenticity and reliability of firm records by extending the document management, imaging, and workflow process elements of Open Text Legal Solutions, enabling firms to uniformly apply records management policies automatically without requiring attorney training. Simple capture of work in progress, e-mail communications, and records via drag-and-drop to matter folders automatically applies records retention policies.

This automated, silent declaration empowers records administration staff to efficiently manage the lifecycle process for matter records, regardless of source of origin or media type. Work product can therefore be consistently managed for retrieval, movement, transfer, and destruction in accordance with industry best practices throughout the matter lifecycle.

How Can IT Help Avoid Malpractice Losses While Improving Docketing Efficiencies?

Court calendar-related errors are cited by the American Bar Association as the leading cause of legal administrative malpractice claims. Manual calendaring combined with fluctuating court dates make it difficult to synchronize cascading updates, relying on the scheduler and their familiarity with varying and competing federal, state, or local jurisdictional court rules. All of these factors put the firm at unnecessary risk.

LegalKEY Critical Dates Management,™ a key element of Open Text Legal Solutions, enables proactive subscription and update to court rules databases for all jurisdictions in which the firm practices. Changes in court calendar dates are automatically propagated, saving time and helping to ensure compliance. Lawyers can focus on serving client needs surrounding critical dates throughout the matter lifecycle, while risk managers can rely on firm policies being consistently applied.

How Can IT Let Lawyers Work The Way They Want to Work In Tandem With Practical Compliance?

Lawyers and support staff need technology to get out of the way and let them focus on client issues. Training for complex practice management interfaces can thwart firm efficiency, taking time and money away from billable client activity.

Open Text Legal Solutions provides an end-to-end matter lifecycle management environment within Microsoft® Outlook® and Web browsers that let lawyers work the way they want, with simplified insight into work product, conflicts, records, e-mail, and docketing systems.

IT answers efficiency, risk, and compliance questions with Open Text Legal Solutions — a solution for matter-centric knowledge that simplifies access



Solution Highlights

Open Text Legal Solutions helps law firms comply with a multitude of regulations, laws, governances, and procedural firm best practices throughout the matter lifecycle — from client intake to final disposition.

By taking a holistic view to managing practice processes, firms enable lawyers and support staff to nimbly navigate compliance complexities, for optimal firm and client protection.

- New Business Intake
- Conflicts Management
- Work in process
- Document Management
- Critical Dates Management
- Business Intelligence Reporting/Auditing

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