

By Benjamin Sotelo and James A. Flanagan

The Emergence of PDFs as the New Standard for E-documents

**As the practice
of law moves
online, the PDF
is becoming
indispensable**

Because of broadband communication and a whirlwind of law office technology advances, the practice of law and the management of the law office are becoming more automated and more tied to the Internet. One problem with these developments is the lack of standardization. For example, if one attorney has a document with heavy formatting in Microsoft Word, it can be quite difficult for the attorney to share that document with a cocounsel who uses WordPerfect. When members of the legal community need to collaborate over the Internet, obstacles such as these create significant logistical hurdles.

No less an authority than the federal judiciary has recognized the need for a standard for electronic documents, and, as a result, in bankruptcy, district, and appellate courts, PDF has become the chosen standard. Practitioners may recognize PDFs as the documents that require the Adobe Acrobat reader to be opened and read. PDF documents get their name from what is called their exten-

sion. Computers that are running Windows operating systems use these extensions, which appear at the end of the document's name. Some examples include the .doc extension for Microsoft Word documents and the .exe extension for applications. The .pdf extension stands for "portable document format." PDFs are portable because they can be copied and moved from one computer to another without additional files such as fonts or images. Fonts and images are embedded in PDFs.

Developed by Adobe Corporation, PDF files provide for the distribution of formatted documents—and that includes legal documents—over the Internet. PDFs are becoming the standard for practitioners sending documents as e-mail attachments and for electronic filings with courts. Lawyers who are with a firm that will be filing with any of the federal courts should consider further research about the PDF stan-

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dard by examining the new Case Management/Electronic Case Files system, which is now the standard for the federal courts. Users may find more information about the CM/ECF standard by visiting the informational page at www.uscourts.gov/cmecf/cmecf.html. (Click on User Information to see how often PDF documents are mentioned as the standard!) The PDF standard offers several advantages for members of the legal community.

The foremost advantage is that there is a standard at all. Users no longer have to waste time and resources figuring out ways to convert documents from WordPerfect to Microsoft Word or from Apple to PC versions of these programs. Now, when a document is completed, it needs to be converted only once—to a PDF. The second advantage is that this is not difficult. Any document created with any word processing program on any type of hardware can be converted to a PDF with the Adobe Acrobat program. Third, Adobe Acrobat is simply a good program. It can handle text, images, optical character recognition (OCR), HTML, and more with aplomb.

Another advantage is that the PDF copy of any document has some advanced features associated with it that may be of considerable use in, for example, multiparty litigation. A PDF is an exact copy of the original, preserving all formats, hyperlinks, and other information, and it offers password security, interactive forms, digital signatures, electronic markups, and searchability. Attorneys who want to secure an e-mail communication with a client, for example, can use the digital signature feature. (Attorneys should be aware, however, of possible security problems—visit, for example, <http://www.planetpdf.com/mainpage.asp?webpageid=1976> for more information.)

The Price of PDFs

The Adobe Acrobat reader is free, and users who do not already have it can download it from Adobe's Web site. Adobe

offers the program that reads PDFs for free but stays in business by charging for the program that creates PDFs. In this way, casual users are allowed the advantage of not having to pay to read, for example, various documents on a government Web site. This convenience, in turn, helps raise demand for the PDF creation program among computer users who publish PDFs.

Many new widgets do not prove to be absolutely necessary in the daily practice of law, but PDFs already have proven their usefulness. Attorneys who are able to resist participating in the federal judiciary's use of PDFs, for example, may nevertheless have to deal with the Los Angeles Superior Court's Web pages, which make heavy use of PDFs (visit <http://www.lasuperiorcourt.org/dietdrug/casemgmtorder.htm> for an example), or, finally, be obliged to comply with law firm ethics committees that require the use of PDFs on the firm's Web pages.

A Web site is considered "communication and advertisement" by the Committee on Professional Responsibility and Conduct (COPRAC). Law firms must retain a copy of every electronic communication with their Web site and have a copy available to the State Bar if requested. The best practical way to comply with this requirement is to preserve the copies as PDFs and to burn those PDFs onto CDs.

Learning to Use PDFs

Many Web sites that use PDFs (including www.lacba.org) feature clearly marked links to the Adobe Web site, where the

reader program can be downloaded for free. Once the program that is appropriate for your computer is selected, follow the installation wizard until the program is installed. Then you can delete the installation program from your desktop without causing any harm to the reader. Once you have downloaded and installed the reader, it will automatically boot and allow you to read PDF documents, whether they are on your computer or online. You do not have to do anything to make the reader work.

The reader is free to download and use, but it does not allow users the ability to turn a document into a PDF. Document conversion requires Adobe Acrobat (or Adobe Distiller, which is now included in the current edition of Acrobat). Acrobat version 5.0 for Windows has a retail price of about \$250. An update, version 5.0.5, may be downloaded from the Adobe site (at www.adobe.com/products/acrobat/main.html).

Once Acrobat is installed, users have two ways to create a PDF. The program can be set to place a quick-launch button at the top of other programs, for example Microsoft Word. The installation wizard will ask if you would like to use this setting. A firm's technical support personnel may help with this step. When this feature is activated, users will also need to set their commonly used programs to display the new PDF buttons. For example, while in Word (or whatever program you want to use to create PDFs), right-click on an open gray space at the top of the document window, where the shortcut buttons are. A menu should appear that offers the option PDFMaker 5.0. Selecting this option places two red Adobe buttons among the others already there. One button converts the document to a PDF.

When this button (the one on the left) is installed and enabled, any document you have open is one click away from being converted to a PDF. By clicking on this button and using the conventional Save dialog box, you can convert the document to a PDF and save it as such. This does not affect your ability to continue to alter and save the document in its original word processing program, although of course any changes made in the word processing program after the PDF is created and saved will not appear in the PDF. The other button converts the document and sends it via e-mail. Users may also send PDFs via e-mail in the conventional way—by saving them to a local disk and then attaching them to an e-mail message.

The second way to create PDFs is by using the Print command. Choose File, Print at the top left of the window. A Print dialog box will appear. Click on the Printer Name menu list at the top of the dialog box and choose

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Acrobat Distiller. Then click OK, and the program will convert the document to a PDF version and print it, offering you the chance to save the PDF along the way. Whether using the red button or the Print dialog box option, the process is simple and intuitive.

It is easy to read and create PDFs, but what about receiving and altering a PDF? A PDF that is open in Acrobat looks more like an image than a word processing document, and users who have recently acquired the program may think that they will need to convert the PDF back to a word processing document before they can modify it. This is not the case. To modify any PDF document, click the big "T" button at the top of the Acrobat program. The text will open for editing. Of course, this text-editing feature does not appear on documents that are merely being read, for example on an Internet site. But users who have Acrobat installed can right-click and use the Save As or Save Target As command to download files, and then open the downloaded files in Acrobat in order to alter them. The modified document may be saved in the conventional way.

Advanced Functions

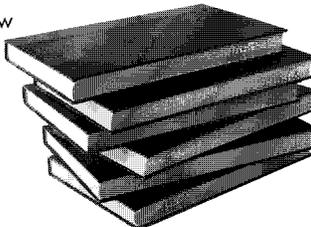
Adobe Acrobat has two powerful document management features. First, the program will convert text documents into optical characters to allow for full-text searchability. Second, the program will capture graphics and save them as .tif documents. Adobe Distiller allows users to merge these two formats in a searchable document depository. In the never-ending quest to reduce paper clutter and avoid reinvention of the wheel, it also helps to have a copier that can scan a document and save it as a PDF. Look for the Scan to .pdf File option on your copier if you are not sure if it has this feature. Alternately, a scanner with Adobe Paper Capture software can apply this technology, allowing users to create searchable PDFs from paper copies of documents. Adobe Paper Capture has a retail price of about \$700 for the personal edition.

Finally, if court adoption, ethics committees, and the Internet do not offer enough reasons to use Adobe PDF software, one more reason is the arms race. According to the American Bar Association, since 1995, litigation has increased more than twice as fast as the population. Most law firms still use the same document storage and retrieval system that they used in 1995. That may only seem a moment ago, but since then content management has improved dramatically, helping some firms adapt to increasing caseloads. Can your firm afford not to keep pace? A case can turn upon one document, but only if that document is found, and computers are better than humans at finding it. ■

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