STATE BAR OF ARIZONA

Checklist for Selecting Practice Management Software

General Considerations

Pay attention to the look and feel of the product. They are not all the same – some are cleaner, some are “clunkier.” This is a product that you will be using all day, every day. Make sure you feel comfortable with it, how it works and the ease of navigation.

Cost

- ✓ What is the cost of the service?
- ✓ Is the cost calculated monthly, annually, or is it a one-time fee?
- ✓ Is there a per-user cost?
- ✓ Are there any discounts available? (it never hurts to ask!)
- ✓ Is there are fee for “onboarding” your data?

Implementation

- ✓ Does the vendor provide assistance with on-boarding your data?
- ✓ Does the vendor offer assistance in creating or customizing templates?
- ✓ What kind of training is available and is there a cost for that training?
- ✓ If the vendor provides assistance, is it unlimited or limited?
    - Is there a cost for any “help desk” type of services?

Special Considerations for Cloud Based Practice Management Software

Most all practice management software is cloud based. In this section, we provide a list of considerations for cloud based practice management software.

Security

- ✓ Does the practice management software offer multi-factor authentication?
- ✓ Does the practice management software have a firewall?
- ✓ What precautions have been taken in case the practice management provider has an outage or worse goes out of business?
- ✓ What is the back-up method?
  - How often is data backed up?
  - What is the time to restore your files if there is an outage, etc.
- ✓ When was their last security breach?
  - What data was compromised?
  - What did they do about it?
  - What changes have they made moving forward?
- ✓ What is their policy on informing users if there has been a security breach?
  - How long will they wait to inform you?
  - Is this policy written somewhere and available for your review?
- ✓ Does the provider have security audits regularly conducted by a third party?
- ✓ When was the last audit?
- ✓ What were the results?
- ✓ Are the results made available to users?

- ✓ Does the provider commit to regular third party security audits in the Terms of Service or somewhere else?

Data Storage

- ✓ Where are the servers storing your data physically located?
- ✓ If the data is stored outside of the United States, have you examined that country's laws as they relate to the storage and security of your data?

Encryption

- ✓ Is your data encrypted in transit?
- ✓ Is your data encrypted at rest?
- ✓ Who can decrypt the data?
- ✓ If there is insufficient encryption, are you able to add your own using a third-party vendor?

Familiarity with Lawyers

- ✓ Has your practice management provider worked with lawyers?
- ✓ How long have they been operational/providing service to lawyers?
- ✓ How many law firms use this software?
- ✓ How are requests for data by the government and by third parties handled?
- ✓ Is each user's data stored separately meaning that if a user's data is requested, is the cloud provider able to only provide that user's data or do they provide all of the data?

Monitoring

- ✓ Can you determine who logged in to view your data?
- ✓ Can you determine when the log in occurred?

- ✓ Can you determine what changes were made?
- ✓ Can you grant permissions to control access to folders, files, etc.?
  - Can you grant permissions to limit who has authority to edit or alter existing data?

Data Ownership

- ✓ Who owns your data?
- ✓ Can they read your data?
- ✓ Do the Terms of Service or other agreements that you sign with the provider grant them ownership of your data or the ability to use it to market to you?
- ✓ Are you notified if there is a change in the Terms of Service?
- ✓ Is your data mined or otherwise scanned by the provider?

Access

- ✓ Does your provider share your data with third parties?
- ✓ Who has access to your data?
- ✓ If you grant someone access to your data, are you able to revoke that access, e.g. former employees?
- ✓ What additional methods are there to access your data, e.g. smartphone app, client portal, etc.?
- ✓ Are those alternate access methods secure?
  - If there is a client portal:
    - Have you informed your clients about appropriately safeguarding their log-in credentials?
    - Have you informed your clients about multi-factor authentication (if available from the provider?)

        - Do your clients need to download any software to be able to access information in the client portal?
    - If the data that you store on the cloud is accessible through a smartphone app
        - Do you have a password on your phone?
        - Can you remotely erase your phone if it is lost or stolen?
- ✓ What level of customer support is provided, i.e. free support, phone, live chat, webinars, online support, etc.?

Termination of Service

- ✓ If you terminate your service, can the provider give you a copy of all of your data?
    - In what form is your data returned to you?
- ✓ If you terminate your service, what does the provider do with the data?
- ✓ What rights does the provider maintain over your data upon termination?

<u>Product Features</u>

Email

- ✓ Does the system have built-in email?
- ✓ If not, does it integrate with the email product you currently use (i.e. Outlook, Google, etc.)?
- ✓ How does email related to specific matters get associated with those matters?
    - Is this a manual process or does the system have a built-in utility for doing that?
- ✓ Can you send a case-related email from anywhere in the system?

Document automation, creation and management

- ✓ Can you create documents using templates?
    - Can you create your own templates?

- Do they provide templates as part of the product?
    - If so, can you customize their templates?

- ✓ Does the system include document automation?
- ✓ Is a document automatically associated with the relevant matter?
- ✓ Integration with Word? Office 365? GSuite? (whatever word processing application you use)

Contact Management and Conflicts Check

- ✓ Does the system enable you to enter in all of your contacts?
- ✓ Can you enter a contact's roles
    - Client
    - Third party
    - Opposing party
    - Witness
    - Attorney
    - Spouse
    - Child
    - Employer
    - Executor
    - Beneficiary
    - Expert witness
    - Fact witness
- ✓ Can you link each contact to a file or a matter?
- ✓ Can you link contacts to one another?

- ✓ Is there an integrated conflicts check system?
- ✓ If there is not an integrated conflicts check system, can you download a list of all of your contacts to a spreadsheet for conflicts checking purposes?
- ✓ Can you import existing contacts in your preferred format?
  - Outlook
  - Mac address book
  - Web based email platforms
- ✓ How will you enter contact information from old cases that you have worked on in the past?

Timekeeping

- ✓ Is there a timer to keep track of your time with?
- ✓ Is the timer linked to an individual matter?
- ✓ Where is the timer accessible?
  - Phone
  - Tablet
  - Computer
- ✓ Can you create time entries from your calendar?
- ✓ Can you create time entries from your tasks?
- ✓ Can you create time entries from your documents?
- ✓ Can you flag calendared events as billable?
- ✓ Are there pre-loaded billing descriptions that you can edit and use as a basis for accurate description of the task performed?
- ✓ Can you track time for non-billable tasks?
- ✓ Can you look at the time entries for other attorneys and staff in your firm?

Reminders and Task Management

- ✓ Is there a calendar?
- ✓ Does it integrate with other services?
- ✓ Does it have rules based calendaring?
- ✓ Can you assign a task to another user?
- ✓ How do you ensure follow-up is completed on a task?
- ✓ How are reminders received?

File and Matter Management

- ✓ Can you store client documents in the system?
- ✓ Can you create document templates?
- ✓ Can you securely share documents within the system?
- ✓ Can a client have more than one open matter?
- ✓ Can you assign permissions to an individual matter?
- ✓ Can you indicate whether the file is open or closed?

Integrations

- ✓ Office 365
- ✓ MS Outlook
- ✓ QuickBooks
- ✓ Other platforms that you use

Work Flow

- ✓ Can you create workflows within the product or by using other software such as Zapier?

Free Trial

- ✓ Is a free trial offered?
- ✓ For how long?

Onboarding

- ✓ Will the service upload your existing client/matter information?
- ✓ What is the cost to do so?