



AMERICAN  
BANKRUPTCY  
INSTITUTE

## 2022 Consumer Practice Extravaganza

# Your Paralegal + Technology = Acceleration!

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**YOUR PARALEGAL  
+ TECHNOLOGY  
= ACCELERATION!**



## PANELISTS

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**GOAL: Use staff and  
resources to aid and benefit  
your bottom line.**

**HIGHEST AND BEST USE!**

## **VIRTUAL PARALEGAL, LEGAL SECRETARY, AND REVIEW MANAGEMENT SERVICES**

**PARTNERS IN GROWING YOUR BUSINESS**



## **THE WINNING COMBINATION OUTSOURCING & AUTOMATION**

**Outsourcing is the process of using third-party service providers to handle certain business functions.**

**Automation is the use of technology to complete business processes with minimal human intervention.**



## HOW TO SELECT THE RIGHT FIT FOR YOUR LAW FIRM

### DETERMINE WHAT ARRANGEMENT WORKS BEST

- Employee
- Flat fees or Project based
- Retainer Agreements
- Subscriptions

### HAVE A MEETING OF THE MINDS

- Discuss expectations (turnaround time(s), etc.).
- Determine communication style.
- Specific examples of how they will help you (do they know how to use JubileePro, etc.).

### REVIEW WRITING SAMPLES

If you expect the anticipated Team Member to handle substantive written projects, review prior redacted work(s) of similar nature.

### CONDUCT A WORKING INTERVIEW

- Assign a sample project/task that they would customarily perform.
- Working interviews should be paid.



## HOW DOES ADDING A VIRTUAL PARALEGAL BENEFIT EXISTING IN-HOUSE STAFF?

### • AVOIDING BURNOUT

- TAKING OVER PROJECTS;
- EXAMPLE: ASSISTANCE OF 5 HOURS PER WEEK.

### • COVERAGE FOR EMPLOYEE TIME OFF

- EMERGENCIES;
- SICK LEAVE;
- MATERNITY LEAVE;
- VACATION TIME;
- OR BEREAVEMENT LEAVE.





## WHAT IS ASYNCHRONOUS, OR 'GOAL-ORIENTED' WORK?

A working style in which tasks, communication and processes are not time-bound in a linear way. Focused on goals rather than activity, and on contribution rather than presence.

- Use of technology provides more flexibility.
- It allows for different types of personalities to thrive in the workplace.
- It encourages longer periods of deep, concentrated work.



### “How do I adapt?!”

It's safe to say, adapting to the “new normal” or remote and hybrid environments is increasingly becoming more important for companies to retain talent and avoid churn.

The burning question many business owners' have is “how do I adapt?!” and that's why we are here today. We will be going over:



**Identify and adopt workplace policies that support a hybrid or truly remote workforce.**



**Develop communication skills to facilitate knowledge sharing and achievement measures.**



**Tools and resources to implement in the next 90 days.**



## DETERMINE YOUR GOALS

- What are your top business objectives with implementing technology?
- What are your top business objectives with creating a hybrid or remote workforce?
- What is currently more important, cutting costs or creating value?
- Do we need to improve operations or improve the business?
- Will you invest the time it needs to make a fundamental change to your business?








IDENTIFY AND ADOPT WORKPLACE POLICIES THAT SUPPORT A HYBRID OR TRULY REMOTE WORKFORCE.



## DEVELOPING YOUR REMOTE/HYBRID TEAM CULTURE, POLICIES, AND PROCEDURES.

- Set clear expectations;
- Build trust online;
- Clearly defined policies and procedures;
- Overcommunication;
- Social spaces and make connections.

DEVELOP COMMUNICATION SKILLS TO FACILITATE KNOWLEDGE SHARING AND ACHIEVEMENT MEASURES.

-  **RECRUITING - UTILIZE ONLINE SERVICES TO FIND THE MOST IDEAL CANDIDATES**
-  **COMMUNICATION AND COLLABORATION - STAYING CONNECTED**
-  **BUILDING LEGAL APPS - AUTOMATE YOUR BUSINESS**
-  **HUMAN RESOURCE TOOLS - MAKING HR A BREEZE**
-  **VIDEO CONFERENCING - PUTTING A FACE TO THE NAME**
-  **PROJECT MANAGEMENT - MAKE YOUR SYSTEMS STREAMLINED**
-  **CLIENT PORTAL - USEFUL FOR CLIENTS AND YOUR TEAM**

**TOOLS AND RESOURCES TO IMPLEMENT IN THE NEXT 90 DAYS.**



### **What are some of the benefits of using a virtual paralegal service?**

Virtual services mean attorneys are no longer limited to hiring only those who live within commuting distance from their office, which overcomes some hiring challenges.

A virtual paralegal company can quickly replace a paralegal if they have to leave the job, saving the firm added stress or lost work.

Working with a virtual paralegal company allows attorneys to utilize a team of paralegals or legal assistants with various areas of expertise without hiring different people for each needed area of law.

Virtual services have saved firms time, money, and stress. They allow attorneys to grow their practice, outsource much of their substantive legal work to highly skilled and competent individuals and take on more clients. Virtual paralegals offer a cost-effective way for small businesses to get legal help and are paid only for the time they provide their services.

Outsourcing your work to those who specialize in the applicable areas is an innovative and efficient way to work. We can all do what we do best and let our virtual team do what they do best, collaborating to create an optimal law office environment.

Utilizing our services, you can manage any project with the capability and talent of a big firm or legal department – all without the costs of recruiting, hiring, and managing staff.





**What challenges can you expect to encounter and need to overcome when working with an attorney virtually which might not be present in the office?**

How to maintain communication and cohesiveness in being a part of the firm's team, virtually.

Overcoming this obstacle requires effective and consistent check-ins, contact, and being integrated into the firm's existing software and systems. Staying in touch with the attorney, and their in-office staff, checking to see what you can do for all of them, and offering your services, resources, and connections to their entire team, helps remove the proverbial virtual wall and allows virtual staff to become a part of the team. Collaborating with the firm's whole team is a great way to overcome the feeling or idea that you, the virtual team member, aren't a part of the firm's team. It takes ongoing, consistent effort to maintain good working virtual relationships.

Not being able to be in the same physical space as the attorney you work with can create challenges in working together on a specific project.

Finding the time to meet via video conference, phone, or in a messaging platform can alleviate the difficulty of being in separate spaces while working together.

Getting on the same page with software systems, how to integrate the virtual paralegal into the firm so that they are a true part of the team.



**What should an attorney look for when hiring a virtual paralegal service?**

How they handle confidential information and documents. Ensure they have a handle on encrypted, secure, cloud-based services and a firewall on their system.

How many years of in-office or in-house experience the paralegal(s) had before working virtually? What level of education do they possess?

Ask about communication channels and availability. You need to ensure that the paralegal will be available and that you can contact them when needed for a task or project.

Make sure the virtual paralegal listens to your needs and learns about your firm's pain points. They should ask you about your tasks, systems, needs, etc., and how they can help.

Finally, it's important to hire the virtual paralegal service that you feel confident and comfortable with. Check references of other attorneys who have used the service.



**What steps and/or procedures have you implemented to ensure that privileged information and documents are secure while working virtually?**

Using online-based tools and platforms, such as Clio, Dropbox, Slack, etc., to securely share documents and information. Paralegals don't save files to their personal devices. All documents are deleted from systems once the case has been closed.

We ensure that software and security systems are updated regularly.

Utilizing firewalls, antivirus software and antimalware.

We have an established cybersecurity policy that all contractors must review and sign. Everyone in the company ensures that confidential data is protected.

Staying up to date on best practices, policies, and procedures for cybersecurity in the remote workplace by attending cybersecurity classes and webinars.



**How has being a virtual paralegal offered you opportunities that being an in-office paralegal did not, and vice versa? How has being a virtual paralegal hindered your job, where being an in-house paralegal did not?**

Being a virtual paralegal has allowed us to work with attorneys all over the country. It has given us the opportunity to meet and work with talented and amazing attorneys that we may have never met if not for the virtual work world.

Working virtually gives you the flexibility to work when you want to, not on a set schedule. For many people this has improved quality of life and work-life balance.

Working virtually allows convenience for both the contract paralegal and the attorney when it comes to handling emergency cases or projects. Virtual paralegals often work evenings or weekends to accommodate their own scheduling needs. Using a VP offers flexibility and convenience that an in-office paralegal often cannot.

Being in a separate space can be challenging when an attorney needs someone there physically to witness, notarize, etc., for a task. There are ways to overcome these challenges, such as using a nationwide, online service to achieve the necessary work.

Working as a virtual paralegal means not having benefits such as paid sick days, vacations, insurance or a 401k, as well as paying your own taxes.



## Does an in-house Paralegal do the same work as a Virtual Paralegal?



## What is a Paralegal?



A Paralegal is a professional. They get paid hourly, but their work is all billable to the client at a healthy rate per hour. The more legal work they perform, and the more experience they get, the rate they can be billed out at can increase. So, the more work the law firm takes in, the more revenue the firm can make and the more that is available for benefits, pay raises and recognition. *A paralegal's time is best spent ONLY doing work that can be billed out at their hourly rate.*



## Should YOU train your own Paralegal?



Many Paralegals do not get much training in Bankruptcy Law. Because of that, they do need to learn the nuances of the law so that they can learn how to spot problems well before filing.

Paralegals need to be educated about local rules or trustee requests for information on how to ensure compliance.

Some of the very best knowledge that you can give to them are short video recordings or screen recordings explaining the processes in your office and how to complete them. Setting them off on the right foot with a knowledge library will be key to them being successful. Plus, you will have a training tools already made. If you change a process, you will simply need to update your video and keep it in the library. It does take some time up front, but it will save you so much time moving forward.



Remember: a great way for your Paralegal to get experience is to have them shadow you for a day or two, all them to listen in on your 341 meetings and take them to court to experience the motion calendar. That is where a lot of information is learned.



## Should you be tracking your Paralegal's time?



Every "billable" employee should be recording their time.

A record of time allows you to keep track of how much time is spent on the average case. Are you charging enough?

It allows you and the Paralegal to see what tasks are done during the day and which aren't. It is a great way to find "time leaks" and make corrections to those items.



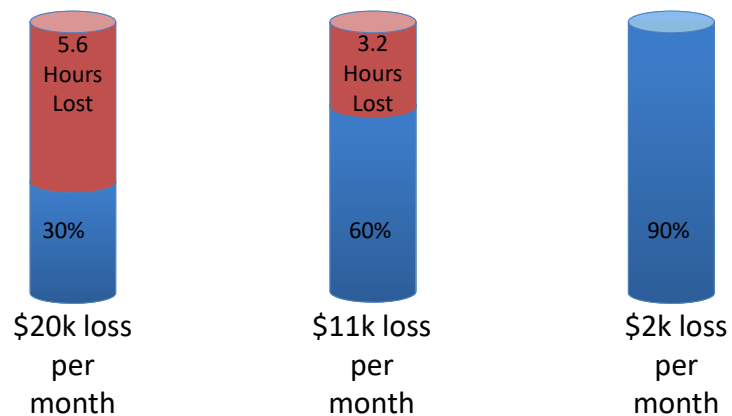




## What tasks should you NOT give your Paralegal?



When you take yourself or your Paralegal out of billable work time, you are losing time and money.





## Psychological Obstruction

When you pay an employee an hourly wage, but they are a billable professional, you tend to lose sight of their true value.

Cost is what you are paying your professional, but their value is in the additional revenue they generate for the firm.



When and why should I raise my Paralegal's billable hourly rate?





## Annually, without fail!



Based on some of the following criteria:

Work Product


Continued Education

Conferences attended (virtual or in-person)

Case Count

Billable Hours Recorded

Independence Software  
Justin Crone  
*President*



BANKRUPTCY DOCUMENTS

Formerly 13 Documents



# WHAT IS BANKRUPTCY DOCUMENTS

My Trustee requires me to use Bankruptcy Documents!

## What is Bankruptcy Documents

### A portal?

- Bankruptcy Documents is **NOT** a *Portal*.
  - A portal would allow you to view and download documents you've uploaded. Once uploaded, documents are encrypted and unavailable to upload.
  - A portal would also store documents for a determined or indefinite time. Documents are deleted after the Trustee has downloaded successfully.
- Bankruptcy Documents **IS** a *File Transfer Service*.
  - A file transfer service is a "middle-man", a means to securely send your sensitive files to the Trustee.
- Is Bankruptcy Documents safe?
  - Our software uses the highest levels of encryption leveraged against speed.

# How does organizing your documents improve workflow?

## **Good document naming practices increase efficiency!**

- Using standard file naming practices will simplify your Bankruptcy Documents experience.
  - Our software will read the filename and pre-fill the upload information.
  - Fields which can be inferred from the filename are:
    - Case Number
    - Document Type (using the Document Type number in square brackets).
  - Filename fields separated by an underscore ( \_ ).
  - An example:
    - 01-23456\_700\_Smith\_Taxes\_2022.pdf
- Helps your office by creating an easy to navigate folder of files.
- Do you have your own naming scheme? Maybe we can incorporate it!

# Is redaction universally required?

## **ALL Trustees using Bankruptcy Documents implement social security number scanning!**

- Bankruptcy Documents scans all uploaded documents for social security numbers! Certain documents undergo additional OCR scanning (image recognition) to find social security number in pictures.
- Since the beginning of the pandemic (COVID-19), many Trustees have accepted unredacted documents for verification purposes.
- It's **YOUR RESPONSIBILITY** to follow the rules and procedures in your vicinage regarding redaction, regardless of the capabilities of our software!

# How to properly redact documents?

## **Properly redacting a document is essential and easy!**

- Most commercial PDF software packages provide a redaction tool.
- The redaction tool in your PDF software will remove the visible social security number **AND** the hidden social security number.
  - PDF files often contain the text of the document embedded in the file for accessibility purposes.
- Using other techniques for redaction will not work and software can extract the social security number(s).
  - Using a “black box” will not remove the number from the document.
- Properly using redaction tools will save money!
  - Using software redaction tools will eliminate the need to: print-redact-scan the document. Saving supplies and employee time.

# What on-going training should I be doing?

## **It is critical to continually keep your training and procedures updated!**

- Annual reviews should be conducted of all forms, letters or miscellaneous documents which have previously contained social security numbers.
- Identify locations of social security numbers and note changes.
- Review your redaction procedures to ensure procedures are current with software techniques.
- Update procedures with changes to forms and impacts on redaction.
- Require affected staff to read, understand and **sign-off on changes!**



## QUESTIONS?

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# Faculty

**Justin Crone** is the founder, owner and president of Independence Software, LLC in Alexandria, Va., which develops software and solutions for the bankruptcy trustee community. He previously was a director of MIS for the Office of the Standing Trustee and a senior Unix administrator for Adelphia Business Communications. Mr. Crone is a Microsoft Certified System Engineer, Certified IT Professional: Enterprise Administrator and Certified Solutions Associate: Windows Server 2008. He also is an IBM eServer Certified Specialist: pSeries AIX System Administrator.

**Kathryn Jump** is a co-founder and COO of BK Attorney Services, LLC, a.k.a. CertificateOfService.com, in Pasco, Wash. She has two decades of bankruptcy practice and practice management experience. Previously, she was a paralegal with The Junp Law Group. Ms. Jump received her A.A. from Community Colleges of Spokane.

**Stacey M. Lake** is the founder of Lawfecta in Victorville, Calif., a virtual paralegal, legal secretary and review management support agency offering remote services to attorneys, law firms and other small businesses throughout the U.S. She also founded 3 other legal-based businesses, including LawWurk. Prior to venturing into entrepreneurship in 2017, Ms. Lake was a paralegal for more than 10 years and witnesses first-hand the challenges faced by attorneys in their line of work. In 2017, she transitioned from the traditional law firm setting and began offering independent contract services to solo attorneys. In addition to her legal work, she is a frequent speaker on various platforms, including before legal associations, ABA TechShow and the Lorman Education Services. Ms. Lake received her B.S. in technological entrepreneurship and management from Arizona State University and her paralegal certification from Victor Valley College.

**Heather Pickett** is the owner and founder of Propel Paralegal Services, LLC in Frederick, Md., and has worked in multiple areas of law, including bankruptcy, estate, personal injury, business, real estate and civil litigation. She also has volunteered for the Conflict Resolution Center for Montgomery County in Maryland since 2019 and was a volunteer for the NCSF from 2014-21. Ms. Pickett is a member of the National Federation of Paralegal Associations ethics board and the Maryland State Bar Associations Paralegal Task Force. She has worked in small and large firms and as a freelance paralegal. Ms. Pickett received her A.A.S. in paralegal studies from Frederick Community College.

**Carlos Sarmiento, Jr.** is a senior software developer with LegalPRO Systems, Inc. in San Antonio. He received his undergraduate degree in business administration and management from the University of Texas at San Antonio.