



WHITE PAPER

Next-Gen Legal Efficiency: A Deep Dive Into Document Automation

Introduction

There's a lot of talk about legal precedent automation and its productivity benefits for law firms. But what exactly is document automation, and why is it so crucial?

With many players in the field, understanding the key attributes to look for in a solution is essential. This white paper is designed specifically for lawyers within legal firms, offering a comprehensive overview of how document automation can transform your practice.

By reading on, you will gain insights into the core features of effective automation tools and learn how to leverage these technologies to enhance efficiency, consistency, and compliance in your legal document management.

The Backbone of Legal Practice: Leveraging a Precedent Bank

We all understand the critical role a precedent bank plays within a law firm. It's not just a repository; it's the backbone of document management strategies, ensuring high standards across all legal documents. A well-maintained precedent bank houses a comprehensive collection of previous work — contracts, briefs, motions, and more.

These documents, refined and vetted through numerous cases, serve as reliable templates for future transactions and litigations. By leveraging these precedents, law firms can streamline their drafting processes, enhance consistency, and uphold compliance with the latest legal standards.

In essence, a precedent bank is a dynamic library that not only saves time and resources, but also enhances the quality and reliability of legal documents.



Key benefits of a well-maintained precedent bank include:



Consistency: By using a unified set of templates, firms ensure their documents are consistent across the board and reflect best practices.



Compliance: Vetted precedents help firms stay aligned with current legal standards and regulations, minimising the risk of oversight or non-compliance.



Standardisation: Standardised formatting makes documents look professional and cohesive, reinforcing the firm's brand.



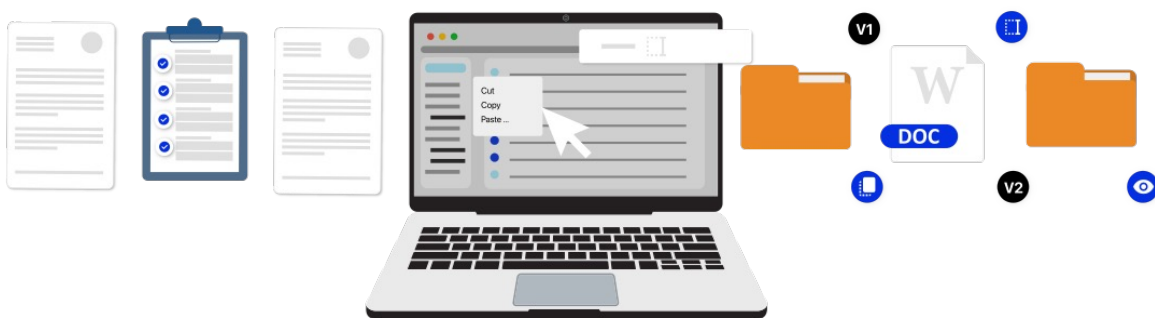
Efficiency: Ready access to trusted precedents reduces internal review time, allowing legal professionals to focus more on substantive legal analysis and client needs.



Knowledge Sharing: A precedent bank is also a valuable tool for mentoring. Junior lawyers benefit from the expertise embedded in these documents, learning from the work of more experienced colleagues.

Good But Not Great: Precedents Prior to Automation?

In the age before automation and document assembly tools, populating precedents with client details involved manual entry, copy and paste, and the use of mail merge features in word processing software like Microsoft Word.



Legal professionals would manually input client-specific information into the template documents, such as names, addresses, dates, and other relevant details. This process often required careful attention to detail to ensure accuracy and consistency throughout.

Once the template was populated with the necessary client information, the mail merge feature in Word allowed for the automatic insertion of these details into designated fields within the document.

With the client details entered, the legal professional would then need to manually exclude (delete) clauses that were not relevant to the matter and add new ones from a firm clause bank (generally stored in a Word document on Google Drive or stored locally on a thumb drive, or similar).

It was at this point that pronouns had to be manually updated, pluralisation would have to be checked (is there a single claimant or multiple claimants), grammar scrutinised and all the details of the matter checked and reviewed.

While this method worked, it was time-consuming and prone to human error, requiring rounds of meticulous proofreading and review to ensure the accuracy of the final document.

Despite its limitations, manual entry and mail merge were the only means by which precedents were customised to fit individual client needs before the advent of more advanced automation technologies.

Challenges to Remain Compliant

Maintaining precedents presents a significant challenge, due to the necessity of staying compliant with changes to legislative acts and court directions.

Legal regulations and judicial precedents are subject to frequent updates and revisions, reflecting evolving societal norms, interpretations of law, and judicial decisions. As a result, precedents require continual review and updates to ensure alignment with the latest legal standards and rulings.

This process demands a considerable investment of time and resources from law firms, as legal professionals had to meticulously track and analyse changes in legislation and case law to determine the impact on existing precedents. Once the changes are identified and understood, they then have to be implemented into the firm precedent bank.

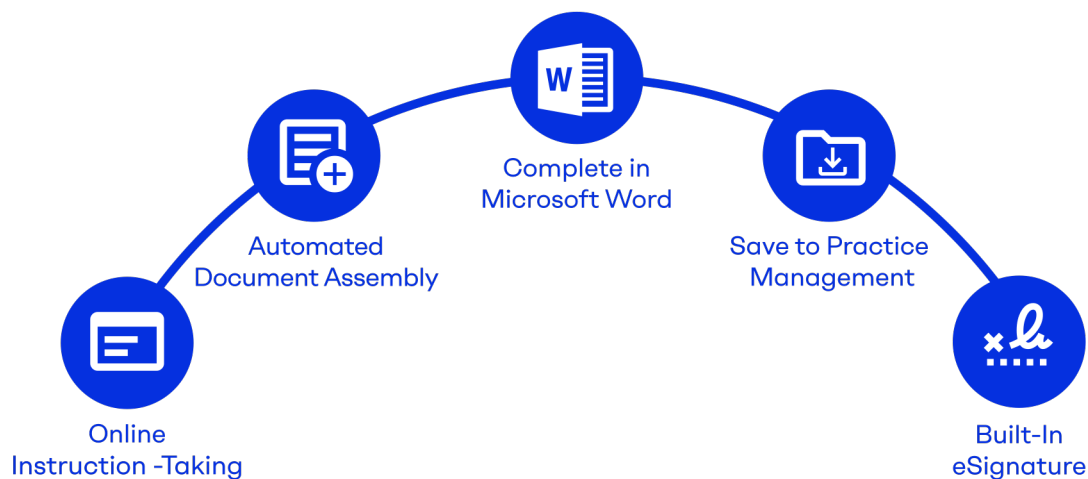
Failure to promptly update precedents could lead to non-compliance with current legal requirements, potentially exposing clients and the firm to legal risks and liabilities. Thus, the dynamic nature of the legal landscape poses a significant challenge to the maintenance of precedents, necessitating vigilant monitoring and adaptation to ensure ongoing compliance and relevance.



The next generation – document automation

Document automation, is much more than assembling a final client document; it marks a pivotal advancement in how legal professionals optimise and streamline document creation and management.

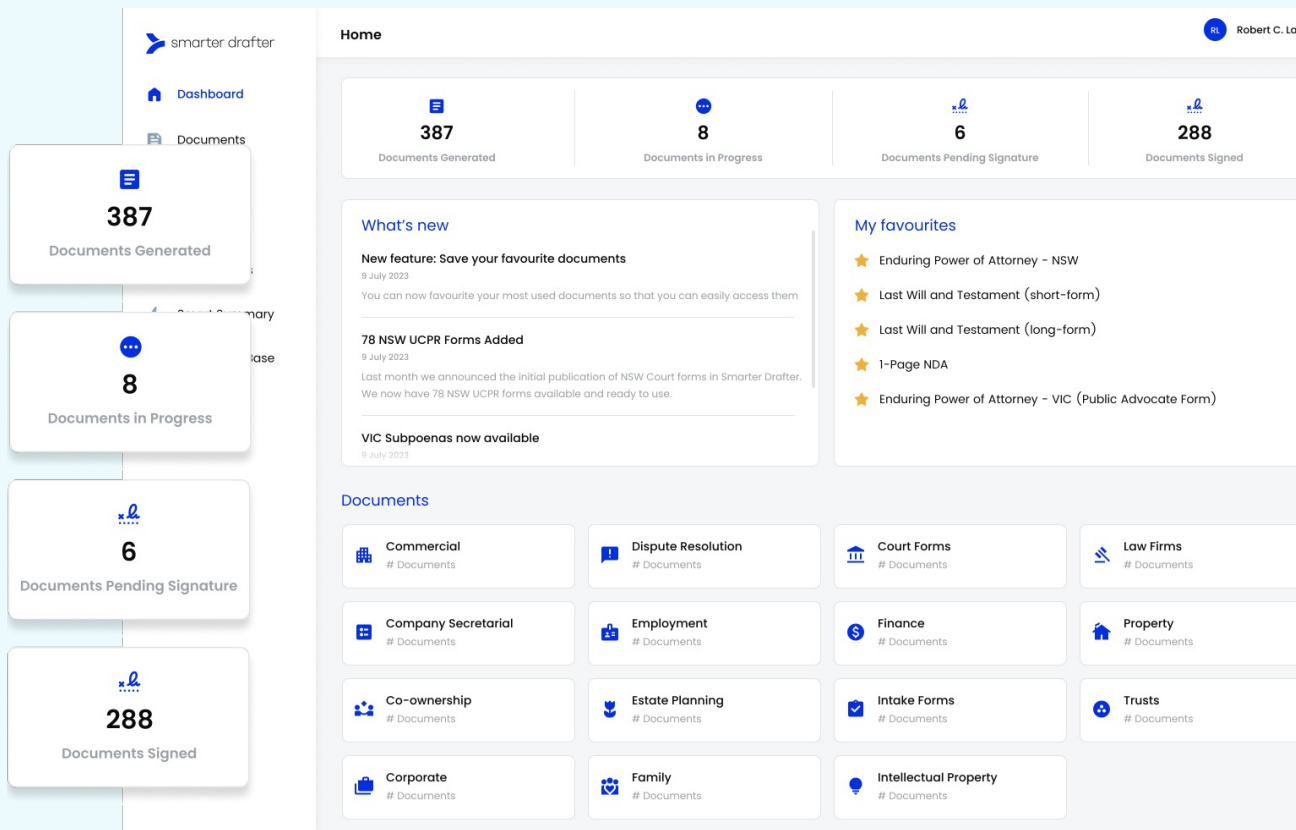
Unlike manual methods, basic mail merge or rudimentary assembly functions, document automation software combines sophisticated variable data capture with powerful conditional logic to produce accurate and beautiful client documents. This technology allows legal teams to construct documents swiftly and accurately by leveraging a repository of pre-designed templates and clauses.



By inputting client-specific details into the software, from basics such as names and dates, to intricacies of the client matter, documents are automatically populated with the requisite information, eliminating the need for laborious manual entry.

Moreover, document automation provides the ability to centralise control of precedents. Whether the precedents are provided by a third party or, for larger more established firms, maintained internally by a knowledge lawyer(s), a document automation solution ensures adherence to compliance standards and legal updates, automatically integrating changes to legislation or court directives into the templates.

This contrast with manual methods highlights the efficiency and precision that document automation brings to legal document management, liberating professionals to focus on strategic aspects of their practice.



Introducing Smarter Drafter

Smarter Drafter, a SaaS document automation solution designed specifically for law firms, transforms the production of legal precedents from online instruction-taking to eSignatures.

By automating the document creation process, lawyers dramatically reduce drafting time as they are taken step-by-step through the document creation process, with data seamlessly integrated from practice management, and validated against sources such as the ABR and Google Maps.

Whether the precedents are provided by Smarter Drafter (Australia Only), through a third-party specialist content partner (such as FLENA) or curated by a firm using our 'Build Your Own' capability, the time spent drafting is dramatically reduced when using Smarter Drafter.

Smarter Drafter is uniquely a complete end-to-end solution. From online instruction-taking that populates client data into precedents, to the ability to finalise and add additional bespoke clauses in Microsoft Word, to a fully integrated eSignature capability, Smarter Drafter can effectively eliminate up to 5 systems that have traditionally been daisy-chained together to deliver the same outcome.

Delivered via the cloud, Smarter Drafter can be embedded into existing digital environments, such as iManage, to provide a seamless workspace for lawyers, minimising change management and app fatigue. The integration of client and matter data from leading practice management solutions also reduces and, in some cases, eliminates the need to rekey data that has already been captured within a firm.

A Smarter Approach to Document Automation



Solution Access

Accessing the Automation Solution:

Smarter Drafter can be accessed as a standalone web app via a browser. This means that Smarter Drafter can be accessed anywhere, anytime, on any device with the appropriate user credentials.

Smarter Drafter can also be embedded in a firm's existing legal tech stack. For example, firms who run iManage can trigger the creation of a client document from a precedent, right within a client matter. The experience is seamless, removing any need to 'fire up' another application. By accessing Smarter Drafter in this manner, specific matter and client attributes can be applied to the document before drafting has even begun.



Precedent Selection

Directory View:

Precedents are listed in a directory view that can be searched, sorted, and filtered. Using tags such as jurisdiction, practice area, and matter stage, plus short and long descriptions, users are able to rapidly identify the correct precedent to use for the matter at hand.

Favourites can also be employed for lawyers regularly working on specific matter types. For larger firms, the directory can also be predefined so their team members only see precedents relevant to their specialisation.



Assembly

Dynamic Questionnaire:

By using an online Q+A form, users are taken step-by-step through every precedent. The online Q+A form dynamically adapts to the answers provided and prompts for the information required to complete the client document:

- If the user answers 'yes' to a specific question, further details will be prompted to be entered
- If the user answers 'no' the system can then ask an alternate set of questions or simply skip ahead.

Assembly continued...

Built-in Guidance:

At every stage, the lawyer is continually supported with on-screen prompts, tips and definitions that are relevant to the section of the precedent being completed. This makes Smarter Drafter extremely easy to use, enabling even paralegals or junior lawyers to create first drafts of the client document.

Clause Inclusion/Exclusion:

Depending on the answers given in the Q+A form, the client document is assembled including or excluding specific clauses and paragraphs. As each clause is included, it is formatted and numbered accordingly. Data variables are automatically populated within the included clause (e.g. client or matter details).

Pluralisation:

The Q+A form will automatically detect the pluralisation required, instantly applying it throughout the client document. Examples of pluralisation include:

- Claimant to Claimants
- Defendant to Defendants
- Witness to Witnesses
- Child to Children

Pronouns:

Similarly, depending on the pronoun selected, it will again be applied throughout the client document automatically.

Repeating Content:

Repeating data efficiently involves recognising and processing an unknown amount of information while ensuring correct formatting. This means that regardless of the quantity of data being entered, from a few instances to a few hundred, Smarter Drafter intelligently identifies where the data needs to be inserted within the document and ensures it adheres to the specified formatting rules (including numbering) (e.g. when listing beneficiaries or multiple securityholders).

Document Inclusion:

Often a precedent can actually be two or more documents bundled together. Through automation, Smarter Drafter can have a single Q+A form that produces multiple documents (e.g. cover letters or letters of successful/unsuccessful probation).

Calculations:

If a date or amount is entered, another date/amount can be calculated and inserted, removing the need for manual calculations. E.g. when entering an exchange date on a property, the settlement date can be automatically calculated to be 6 weeks after the exchange.

Snippets:

Ability to store commonly reused text in a separate document and have it inserted into documents during the docgen process as required. Reduces maintenance to only have to change the source document and know the updated version will then automatically be used.

Assembly continued...

Branding:

The firm's logos and company info can be automatically applied to match your firm's branding. Additionally, the document formatting can be set for heading styles, paragraphs, lists and cross references.

Preferred Styles and Fonts:

Ability to set preferred styles and fonts which are automatically applied during the document assembly process. The in-built controls within Smarter Drafter ensure prescribed forms don't allow the conversion of formatting when not permitted.



Conditionality

The law and the myriad individual facts and circumstances of matters can be complex in a way that simple 'if this, then that' statements simply will not do. An overarching concept within Smarter Drafter is conditionality, which underpins all stages of the assembly process, ensuring that complex scenarios (e.g., if this and this OR this and this BUT not that) can be built directly into the automation:

- **Questionnaire:** Based on the answers provided, the conditionality can change the next set of questions that are or are not asked. The conditionality can then be applied down to the values within a dropdown field, the radio buttons that can be selected, the minimum dollar amount entered, or the earliest date that can be entered.
- **Guidance:** Similarly, the guidance delivered on screen can also be conditionally updated based on the scenario.
- **Document and content output:** The conditionality within Smarter Drafter can drive the drafting outcome, ensuring that the correct documents are produced and the appropriate content is included or excluded.

The goal of this conditionality is to ensure that the documents automated by Smarter Drafter meet the client's unique needs while maintaining both legal compliance and firm brand.



Data Validation

Practice Management - Matter Details:

Smarter Drafter integrates key matter data directly from leading practice management providers. Name and address details automatically populate the forms, and accurate data ensures that client information added to a client document is always accurate.

Data Validation continued...

Third Party Checks:

To eliminate keying errors, street addresses entered during the production process are cross referenced with Google Maps. Similarly, ABN and ACN details are validated with the Australian Business Registry.

Calculated Fields:

Contracts and financial agreements often require complex calculations. Smarter Drafter has the ability to complete these calculations based on the data entered, again eliminating errors. When related to currency, the currency formatting can also be prescribed.

Dates and Times:

Dates can be configured to comply with the terms of the precedent. For example, a date cannot be set before the time of writing or an exclusion period cannot be set shorter than a specified period (e.g. weeks, months, years). Additionally, the formatting of the date field can also be prescribed.



Workflow

Start, Stop, Resume and Clone:

With the number of communication channels a lawyer needs to wrangle with on a daily basis, there will always be constant interruptions; phone, email, SMS, Teams / Slack, WhatsApp, LinkedIn and the pop-in from a colleague all mean that the drafting process continually stops and starts. Smarter Drafter takes care of that for you, building a dynamic contents page as a document is assembled. If you get interrupted, simply click on the last step in the contents and start again. Want to go back? Click the contents page.

Additionally, the ability to add 'placeholders' where there is missing matter data means that a lawyer can power through the drafting process and fill in the blanks at the end.

At the end of the process, if the brief from the client changes or if the lawyer wants to produce a second version of a legal document based on an alternate scenario, Smarter Drafter provides the ability to clone a document. With just a few clicks, the entire client document can be duplicated to create a second, alternate version for comparison. By offering different answers to specific questions within the Q+A form, this second version can present a completely different scenario for the client, eliminating the need to start from scratch.

Workflow continued...

[Clause Bank via the Microsoft Word Add-in:](#)

While assembly will produce the lion-share of a document, a final review is often required, either by the user or by another senior member of the team. This review is always completed in Microsoft Word due to the superior formatting options available. Smarter Drafter retains a connection to the document, even when in Microsoft Word, via an add-in (available in the Office store).

The Smarter Drafter add-in delivers a firm-wide Clause Bank, where bespoke clauses and paragraphs that are unique to the firm can be managed and then inserted. An ability to search and filter clauses makes for rapid location. When added, the clauses conform to the section format to match the rest of the document.

Due to the connection via the add-in, all edits completed at this stage are saved instantly back into Smarter Drafter, retaining a single source of truth for the draft document.

[Integrated eSignature:](#)

Many firms have transitioned from 'wet' to digital signatures. While it is more efficient for clients, it requires the lawyer to transfer documents from one system to another. As Smarter Drafter manages the complete end-to-end process, eSignatures are integrated by default, with all signature blocks applied to each and every precedent as required. The signing process then happens in a secure environment so you can be sure that your and your client's personal data is protected.

[Save to Practice and/or Document Management:](#)

Storing a final copy of a legal document into the firm's agreed system of record is essential. For smaller firms, this may be the practice management solution, such as LEAP or Clio. For larger firms, this may be a dedicated document storage solution such as iManage. In a few clicks, the lawyer can save the final document into the practice or document management solution directly from the Smarter Drafter Portal or from the Smarter Drafter Microsoft Word Add-in. This ensures that the final version of the document is stored for compliance and reference purposes, without having to add another step in the process.

Conclusion

In conclusion, the integration of document automation, driven by solutions like Smarter Drafter, signifies a transformative advancement for law firms, offering a seamless and efficient approach to legal document drafting and management.

By automating the drafting process, Smarter Drafter enables legal professionals to swiftly generate precise documents, ensuring consistency, compliance, and significant time savings. The solution's ability to integrate client data, adapt to specific legal requirements, and streamline workflows from instruction-taking to eSignatures not only enhances productivity but also allows lawyers to focus more on substantive legal analysis and building a better and long-lasting relationship with their clients.

This evolution in document automation underscores the importance of technology in modern legal practice, driving both efficiency and accuracy in legal documentation.





Document Automation for every Law Firm

Smarter Drafter is a complete document automation platform for your practice.

Produce perfectly formatted client-facing, courtroom-ready documents that are as easy to draft as they are accurate.

From instruction to eSignature, Smarter Drafter integrates seamlessly with your existing practice solutions, managing the complete document lifecycle within a matter.