

A CASE STUDY

Time Is Money: eFiling Saves Both



Over the last 10 years, the use of technology in law firms has changed dramatically: case management systems, document management systems, eFiling, online legal research, and smart phones are all time-saving resources that increase the bottom line by reducing costs, increasing efficiency and improving productivity.

In particular, eFiling is finding rapid adoption with courts throughout the nation and is changing the way law firms do business both from an efficiency and technology perspective. More courts are looking into mandating eFiling as implementation provides immediate budgetary savings. However, law firms are still slow to adopt. Why? In most cases, the slow adoption rate is blamed on the cost of eFiling.

Does eFiling truly cost more than traditional filing? In this case study, File & ServeXpress set about to answer this question, exploring the details of how eFiling can save time and money for law firms. This case study was initially compiled in 2004 based on data collected from Texas Paralegal Journal (TPJ) reader surveys, and has been updated to reflect current billing rates and costs associated with filing documents with the court.

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A lawyer's time is his stock and trade.

— ABRAHAM LINCOLN

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Save Over \$80 Per Filing

File & ServeXpress conducted a nine-month survey of Texas Paralegal Journal (TPJ) readers about the time needed to file and the costs associated with filing documents at the courthouse. In addition, File & ServeXpress questioned personnel in law firms of various sizes about filing procedures, costs, and the use of eFiling and traditional filing methods. The results of the study showed that the average firm could realize savings of over \$80 per filing. These numbers still hold true today. So, eFiling isn't just a mandate to save costs for the court; in fact, eFiling is mutually beneficial for the law firm as well, saving a great deal of time and therefore money.

The following tables show step-by-step procedures typically followed in firms when filing documents with the clerk. In both tables all legal personnel (other than the attorney and runner) are called legal assistants. For the purpose of this study, the term "legal assistant" includes paralegals, legal secretaries, legal administrators, and legal assistants.

The Cost of Traditional Filing Adds Up

TRADITIONAL FILING METHODS IN LARGE FIRMS

The time involved in filing documents using traditional methods adds up quickly. The average large or medium-sized firm spends 139 minutes in tasks directly related to filing documents with the clerk.

Table I: Traditional Filing Activities by Resource (Large/Medium Firm)

LARGE/MEDIUM FIRM - FILING ACTIVITY	RESOURCE	MIN.
1. Document is approved	Attorney	0
2. Original document is printed	Legal Assistant	2
3. Document signed by Attorney (assumes attorney is available to sign and gives cursory review)	Attorney	5
4. Copies are made, collated, stapled	Legal Assistant	10
5. Cover letter is written and enclosed in envelope with documents	Legal Assistant	10
6. Call to the Clerk to confirm the filing fees	Legal Assistant	15
7. Contact Accounting Dept. to request check issue for filing fees	Legal Assistant	5
8. Accounting authorizes, prints check, and enters into billing system	Accounting	15
9. Contact in-house Runner for pick-up	Legal Assistant	2
10. Contact Process Server to serve papers	Legal Assistant	5
11. Runner goes to the courthouse with papers	In-house Runner	35
12. Wait for file stamp from Runner	Legal Assistant	30
13. Scan/Review/File document hard copy into office file	Legal Assistant	5
		Total 139 min.

TRADITIONAL FILING METHODS IN SMALL FIRMS

In a small firm, personnel are utilized for more than one task and are responsible for a wide range of activities. The attorney in a small firm may be responsible for reconciling accounting, preparing documents for filing, and taking the documents over to the clerk to be filed. Smaller firms save time over larger firms, spending an average of 107 minutes on a filing, but smaller firms, especially solo practitioners, are not generating income when the attorney is out of the office, at the courthouse, or in trial. No new clients are seen. When the attorney leaves the office to file a document at the courthouse, there is a potential for lost income.

Table 2: Traditional Filing Activities by Resource (Small Firm/Solo Practitioner)

SMALL FIRM/SOLO PRACTITIONER - FILING ACTIVITY	RESOURCE	MIN.
1. Document is approved	Attorney	0
2. Original document is printed	Legal Assistant	2
3. Document signed by Attorney (assumes attorney is available to sign and gives cursory review)	Attorney	5
4. Copies are made, collated, stapled	Legal Assistant	10
5. Cover letter is written and enclosed in envelope with documents	Legal Assistant	10
6. Call to the Clerk to confirm the filing fees	Legal Assistant	15
7. Check is written for filing fees and entered into billing system	Legal Assistant	5
8. Contact Courier for pick-up document	Legal Assistant	5
9. Wait for Courier to pick-up	Legal Assistant	15
10. Wait for file stamp from Courier	Legal Assistant	30
11. Contact Process Server to serve papers	Legal Assistant	5
12. File hard-copy document in office file	Legal Assistant	5
		Total 107 min.

Several periods during the filing process for both large and small firms were identified as **wait time**. For the calculations of costs savings, the wait times have been removed. The wait time needed on average by the legal assistant in a large firm is 30 minutes and a small firm 45 minutes. Removing the wait time decreases traditional filing times to 109 minutes for large firms and to 62 minutes for small firms; these are the times used in calculating costs in **Table 4: Cost Comparison by Firm Size**.

eFiling Saves Time and Money

In a small firm, personnel are utilized for more than one task and are responsible for a wide range of activities. The attorney in a small firm may be responsible for reconciling accounting, preparing documents for filing, and taking the documents over to the clerk to be filed. Smaller firms save time over larger firms, spending an average of 107 minutes on a filing, but smaller firms, especially solo practitioners, are not generating income when the attorney is out of the office, at the courthouse, or in trial. No new clients are seen. When the attorney leaves the office to file a document at the courthouse, there is a potential for lost income.

Table 3: eFiling Activities by Resource

eFILING FIRM - FILING ACTIVITY	RESOURCE	MIN.
1. Document is approved	Attorney	3
2. Launch web browser and log on to eFiling Provider (EFSP)	Legal Assistant	1
3. Enter information for new petition	Legal Assistant	5
4. Upload lead document & supporting exhibits	Legal Assistant	1
5. Use stored payment information (credit card)	Legal Assistant	0
6. Review information entered for accuracy	Legal Assistant	2
7. Submit the document and confirm online payment	Legal Assistant	1
8. Print online receipt	Legal Assistant	1
9. *Confirm electronic file stamped copy on web	Legal Assistant	3
		Total 17 min.

*The file stamped copy remains on the web for future reference. A downloaded pdf may also be stored in the firm's case management system for record keeping. No hard copies are needed.

LARGE/MEDIUM FIRM
SAVES 2 Hours
87% Faster to eFile

SMALL FIRM/SOLO PRACTITIONER
SAVES 1 Hr. 30 Min.
84% Faster to eFile

Comparing the Costs of Traditional Filing Methods vs. eFiling

These tables illustrate the significant time saved and productivity gained by eFiling. There are between 107 and 139 minutes, including the wait time, or 62 and 109 minutes without the wait time saved by using an Internet-based eFiling solution. This time saving translates directly into actual cost savings.

Table 4: Cost Comparison by Firm Size, represents the costs of the filing process for large and small firms with eFiling.

For the purpose of this study, a 10-page original petition was used as the sample filing document. In paper form, one original document, one copy for service on the defendant, and one file marked copy for the firm's file was produced; therefore, 30 pages of paper were printed, collated, processed, and sent to the courthouse. In addition, a cover letter was written requesting a clerk's citation be attached to the service copy. Payment for court fees is provided by check. The process server retrieves the service copy and citation from the clerk's office. In electronic form, a 10-page original petition was uploaded as the sample eFiling, a service copy, citation, and associated instructions were requested online and payment was processed online. The process server retrieves the service copy and citation from the clerk's office.

To determine the cost per resource, average salaries for the attorney, legal assistant and other personnel were pulled from PricewaterhouseCoopers' 2009 Billing Rate and Associate Salary Survey(BRASS). Resource costs were calculated by multiplying the filing activity times (Tables 1, 2 and 3 above) by the hourly rates of the resources associated with each activity. The average bill rates used were \$250.00 per hour for an attorney and \$95.00 per hour for a legal assistant. The cost for accounting staff is estimated at \$100.00 per hour and the runner at \$15.00 per hour. Office overhead costs were added where appropriate.

LARGE/MEDIUM FIRM	SMALL FIRM/SOLO PRACTITIONER
\$106.18 SAVING on average per filing	\$82.18 SAVING on average per filing
66% Savings	60% Savings

Table 4: Cost Comparison by Firm Size

COST CENTER	LG/MED FIRM COST	SMALL FIRM COST	eFILE FIRM COST
RESOURCE			
Attorney ¹	5 Minutes	\$20.85	5 Minutes
Legal assistant ²	54 Minutes	\$85.50	57 Minutes
Accounting ³	15 Minutes	\$25.00	NA
In-house runner ⁴	35 Minutes	\$8.75	NA
TOTAL PERSONNEL	109 Minutes	\$140.10	62 Minutes
		\$111.10	20 Minutes
TOTAL OVERHEAD⁵		\$20.50	\$25.50
Total Costs	\$160.60	\$136.60	\$54.42

¹ Assumes \$250 hourly bill rate for an Attorney

² Assumes \$95 hourly bill rate for Legal Assistant

³ Assumes \$100 hourly bill rate for Accounting Personnel

⁴ Assumes \$15 hourly bill rate for In-House Runner

⁵ Office overhead costs are direct costs associated with the preparation, delivery, and/or filing of court documents

⁶ 20 miles round trip travel from the law office to the courthouse @ \$.50 per mile.

⁷ Since a citation is requested from the clerk, the firm will pay the Clerk a copy fee for printing the citation and placing it in the process server's box

See How eFiling Will Work for You

From **Table 4: Cost Comparison by Firm Size**, you can see that by eFiling documents to the clerk, a law firm saves time and money. The standard rates used in these tables for the attorneys and legal assistants is "Billable Rate" which may differ widely among firms of different regions, size, and areas of practice. To determine the cost savings your firm will realize by switching to eFiling, substitute your bill rates for our rates to create your own table.

AFTER YOU DETERMINE YOUR COST SAVINGS, THINK ABOUT SOME OF THE OTHER ADVANTAGES EFILING OFFERS:

- ✓ Anytime, anywhere access to file stamped copies
- ✓ One repository for all case documents with search capability
- ✓ Documents protected from natural disasters such as fires, hurricanes, tornados, floods
- ✓ Firm billing – receive one invoice monthly with all charges including date, time, attorney, cause number, client matter number, and itemized fees.
- ✓ Integrate billing data with internal systems and reduce duplicate entry
- ✓ eServe opposing counsel simultaneously when eFiling
- ✓ eServe discovery
- ✓ Receive service electronically with copies automatically distributed to delegates
- ✓ Receive judge's orders online
- ✓ 24x7 customer support
- ✓ Free training
- ✓ Custom reporting features

You will see that the time saved is significant and real. The technology is reliable, ready, willing and able to assist you in delivering your documents to the courthouse. Take your cost savings table to your managing partner today to demonstrate how your firm can save time and money and improve productivity with minimal effort.

**You can register to eFile quickly and easily on our website at
www.fileandservexpress.com.**

About File & ServeXpress

File & ServeXpress, headquartered in Irving, Texas, focuses on providing attorneys with case, document and party management solutions that simplify the litigation workflow of a case. By offering electronic filing to courts, process service, secure document exchange among judges and attorneys, alert and notification tools, and a document repository, File & ServeXpress offers a complete litigation solution for the life of a case.

File & ServeXpress was formed in 2012 through an acquisition of two of the pioneers of eFiling and electronic service – CaseFileXpress and File & Serve, a former LexisNexis company. The resulting combination brought together products and teams with more than 25 years of experience in legal eFiling and service delivery, forming the leader in the industry.

File & ServeXpress team has successfully worked with attorneys and courts around the country to implement electronic filing, with existing eFiling and/or eService projects spanning 30 states and the District of Columbia. The current products in the File & ServeXpress portfolio include File & ServeXpress and CaseFileXpress.

File & ServeXpress manages more than 80 million documents, works in 1,300 courts nationwide and has more than 190,000 registered users, including representing the top 100 litigation firms in the country. All of which are provided with a variety of free training resources and 24/7/365 support options.