

Busy Solicitors' Guide to

Managing

Data & Emails

SRA Compliance & Continuity

Backing Up

SPG Conference 16 May 2009

Overcoming Micro'softs Nui'sance's

- *Coping with emails, data backup, data organisation*
- *Obligation to keep client data secure and retrievable*
- *Overcome some (!!)* Micro'softs Nui'sance's
- *Some Useful Microsoft Shortcuts*



Rule 4

Confidentiality and disclosure

- You and your firm must keep the affairs of clients and former clients confidential except where disclosure is required or permitted by law or by your client (or former client).

Rule 4

Sharing Offices / Data Storage

- You should only share office services with other businesses if confidentiality can be ensured.
- It **can** make sense to share Data Storage with another Solicitor – either on their PC, on a spare PC located in their office or on backup disks held at their offices. Think Fire and Flood (more later).

BUT

Rule 4

Data Storage

- Make Sure You Know:
 - how and where your Data are kept
 - when and how you will have access to them
- ***NB*** (Safe Harbour rules apart) you can't control where your Webmail is stored or whether you will be able to retrieve it

Rule 5

Business Management

You must make arrangements for:

- safekeeping documents and assets entrusted to your firm;
- Continuity with minimum interruption to clients' business – **NB** *this does not simply mean Data Backup. Importantly it means Data Recovery as well;*
- Risk management.

Rule 5

Risk & Continuity

- Arrangements should reflect a systematic and effective approach and include periodic reviews of their effectiveness.
- ***Test your Backups*** - *No point in having them if you can't use them on another computer, or the media are corrupt or damaged and you can't recover the Data .*

Passwords

- Passwords are a vital safeguard
- Whatever banks say, many of us can't remember 5 let alone 50 different passwords so we have to note them down somewhere.
- Don't put all your passwords in one easy-to-find place like
 - A list in your drawer / file on PC desktop marked "Private Password List" or on a sticker on your PC

Passwords

- NEVER use your kids' or family's names or normal words. Cyber-criminals use "bots" and "spiders" to check and try every dictionary word to see if it's your password. You won't be safe.
- INSTEAD, mix letters and numbers, lower and uppercase, punctuation and misspellings – and the longer the better.
- But how to remember your passwords?

Passwords

- Maybe think of a memorable phrase and only use certain letters and then add numbers and ungrammatical symbols or punctuation to it.
- Maybe not as simple as Mr Peter Justice Smith's "Smithy Code Jackie Fisher who are you Dreadnought"

Passwords

- Maybe use the first or second or nth letter of each word in your memorable phrase.

For example “My Dog’s Got Fleas” might remind you that your password is ygTs

- To which you could add non alphanumeric symbols such as “*” and “(” and “)” to make it more difficult to guess

Security

- Micro'softs Logon is not desperately secure and can easily be overcome if Laptop stolen. It's better than nothing (but not much!)
- Encryption software can be complex and expensive but there is n open source freeware encryption program called [Truecrypt](#) you could try - BUT - make sure you understand how to use it before you start!
- Some Data, like your accounts or accounts package, should not be on your open network. Buy another computer and don't allow anyone to use it unless specifically authorised



Security

- Networks – encrypt and ensure that only named Mac codes can use them as well as the normal wireless encryption keys
- Don't broadcast your SSID
- Fireproof Data Safe – not the same as ordinary safe or fireproof safe



Emails

- **Always put in a subject line and make it relevant and clear**
- Instead of “Re” or “Re Meeting” it might be more helpful to say:
 - “Meet: Monday 18 May, 1230, Pig & Whistle. Swift pint before Blog Contract Exchange”
- **Change the Subject line to reflect the current subject**
- It may be convenient to use an earlier email to the recipient but if the new message is about “Dreadnought - Legal Due Diligence Answers needed today please” It doesn’t help the recipient if the heading is still:
 - “Meet: Monday 18 May, 1230, Pig & Whistle. Swift pint before Blog Contract Exchange”

Emails

- **Think, Check, Reflect BEFORE you send**
- Don't email in a fury.
- Say what you mean
- Make sure you mean what you say
- Jokes may not work by email unless you know the other person well.
- "I'll ask the question in the House. £50k?– OK, after all we need to bend the rules sometimes" might be taken more seriously in court.
- **Insert Privilege Line in Heading**
- E.g. "Privileged Solicitor Client Communication" makes it easier and clearer for Discovery.

Emails

- **Replies - To all? Forward or Attach an email?** Do you really need to do reply to all? Think first.
- Most secure is to attach a copy of the email to your email to avoid either unwanted discovery of the chain or any risk of an email being sent to an earlier member of the chain or to any comments (particularly if adverse) made to the person you *intend* to forward to being seen by others in the chain.
- **Confidentiality of recipients – don't show their email addresses without their consent**
- CC only if you know for sure that every recipient knows or can know every other recipient's email address. Otherwise, send the email to yourself and put the recipients' addresses in the BCC box.
- Be careful to send your email to the right person – can be a problem with Outlook and Outlook Express predictive recipient. Just like putting the letter into the wrong envelope. Embarrassing at best, negligent at worst.



Email Backup

Where are my Emails?

- **Where are my Emails stored?**
- You need to ensure that your emails are backed up along with all other data.
- Not straightforward because Micro'soft hides email files deep within the C drive

Webmail

- **Webmail**
- If you use Webmail - like Hotmail, Yahoo, Gmail - you have three major professional problems:
 - the data are unlikely to be stored in compliance with the Data Protection Act
 - the data are not within your control
 - you are unlikely to be complying with the Code of Conduct
- Webmail is difficult to back up unless you also have Outlook (or similar) into which you can import or forward the webmail
- you may just have to print every email and either store it as a hard copy or scan it and save it as a pdf.

Outlook Emails

- **Outlook**

- Outlook Emails, Contacts, Calendar and Tasks, are all stored in Outlook data files with the extension
- “** .pst”.
- The default name of the file is
- “**Outlook.pst**”.
- **The default location is:**
- C:\Documents and Settings\[your username]\Local Settings\Application Data\Microsoft\Outlook

Where should I put Data?

- ***Put Data in an easy to find, easy to backup location on your PC***
- Best to put all Working Data, files, documents, scans, emails onto one or more separate partitions on your Hard Drive (usually the D drive)
- Leave the operating System and Program files on the C drive
- Use Acronis, Norton Ghost or similar to create partitions

How to Change Default location of Outlook emails

- Close Outlook. Create a new folder in your D drive – e.g. D:\ Outlook
- **Move** the Outlook.pst from the Windows default location on the C Drive to the new location - D:\ Outlook
- Open Outlook. You will now get an error message “cannot find default personal folder”. Ignore this
- Outlook will then prompt you to browse to the folder where Outlook.pst is located
- Browse to the new folder in D:\Outlook, Click on the Outlook.pst file and you’re done.
- See screenshots and step-by-step instructions below

10 Steps to Heaven

- **Step by step instructions and screenshots on how to:**
- **Move Outlook files from their hidden default location to the D drive**
- **Change the folder name to one of your choice. For example:**
- **“EMAILS”**

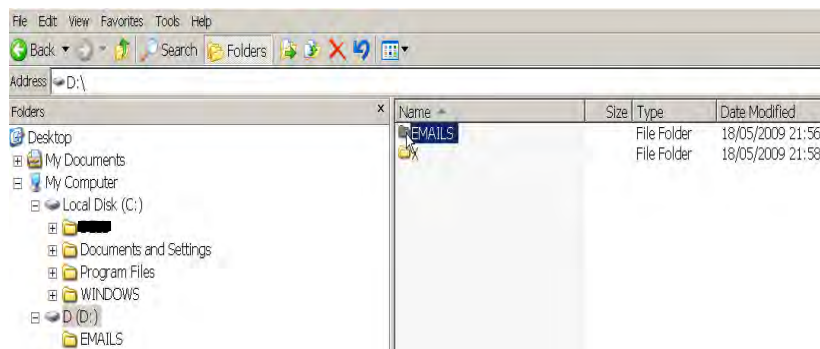
The default path to your Outlook.pst files is:

C:\Documents and Settings\[your username]\Local Settings\Application Data\Microsoft\Outlook

For this exercise the [your username] we will use is “M”

Here are the steps to follow:

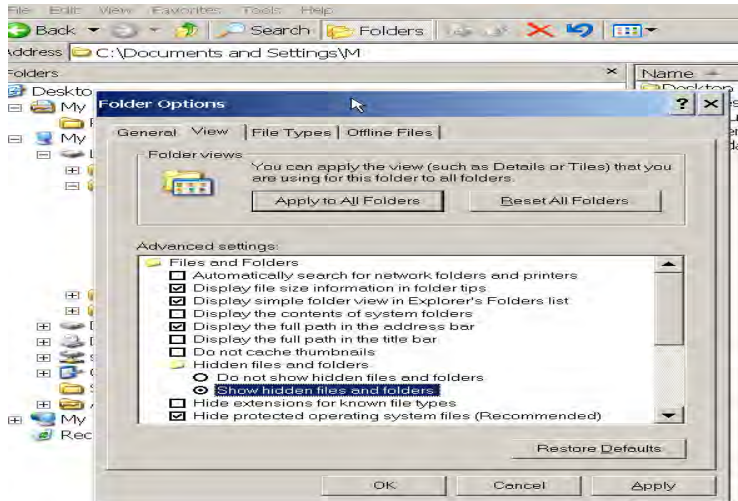
1. In windows explorer, create a directory called “EMAILS” (or whatever name you want to call it) on your “D” drive (or whatever you called the data partition on your hard disk):



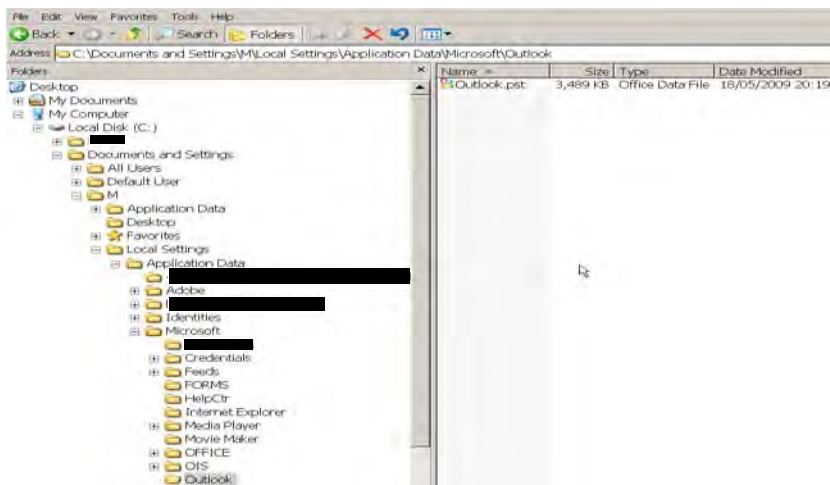
2. Next, in Windows Explorer, first check that “show hidden files and folders” is enabled. If not, then enable it. Otherwise you won’t be able to see the Outlook.pst file’s default location within “Local Settings”. Instead, you will see a screen like this:



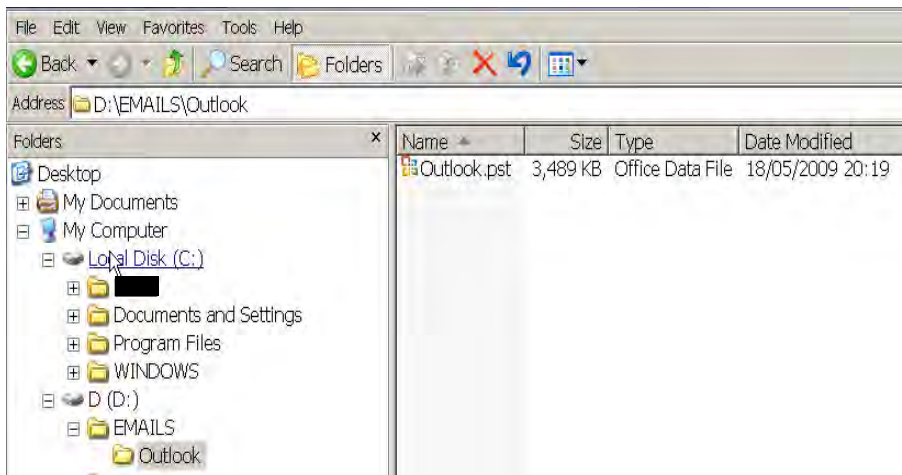
- To enable “show hidden files and folders”, go to windows explorer. Click “Tools”, then “Folder Options”, then the “View” tab. Scroll down until you get to “Hidden Files and Folders”. Click the “Show hidden files and folders” button then click “Apply” then click “OK”



- Now click “Local Settings”, then “Application Data”, then “Microsoft”, then “Outlook”. You will then see something like this:



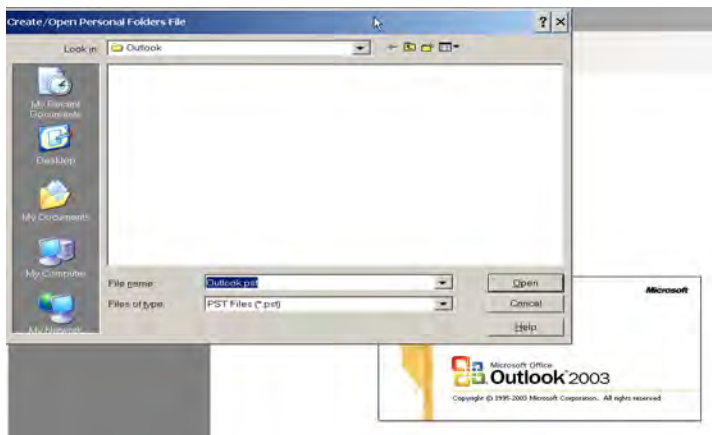
5. Next, Right click the Outlook Directory (highlighted in screenshot in 4. above) and click “Cut”. Then go to your new EMAILS directory on the D drive, Right click on it and then click “Paste”. Your screen will then look something like this:



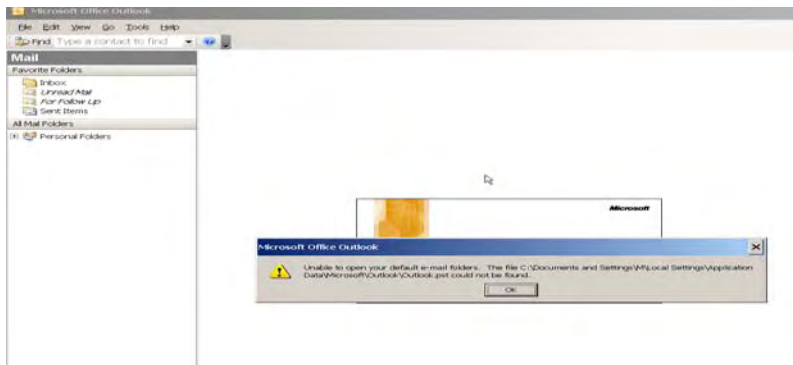
6. Next, open Outlook and you should get an error message like this:



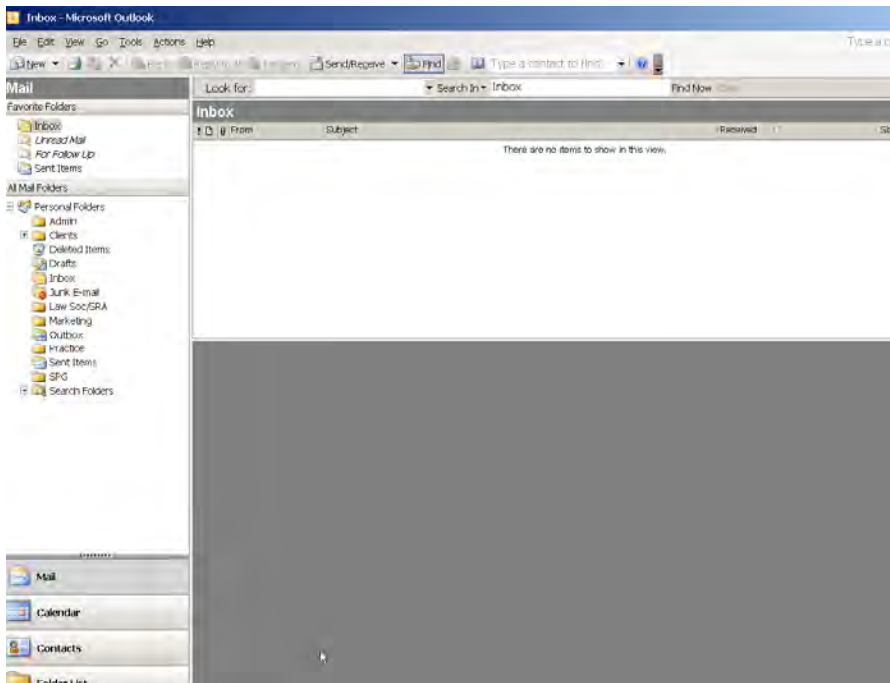
7. Click “OK” and you will get a screen like this:



8. Go to the “Look in” box at top of your screen and click the arrow to the right of “Outlook” and click on the D drive icon, then double click “EMAILS”, then double click “Outlook”, then click “open”. You will then see a screen like this:



9. Click “OK” and you will think nothing has happened because Outlook will have closed. Don’t worry. Open Outlook again, in the normal way and you’re done and should see this with whatever Outlook folders you had before and whatever emails you had in those folders (there are no emails in this demo folder):



10. Enjoy!

Where are “My Documents” stored?

- Windows’ puts all the files and documents into the 'My Documents' folder by default. This is located fairly deep within the C drive.
- You can move the default location to the Data partition on your hard drive – where it will not be mixed up with program files
- The aim is to have all your working data in one convenient place to make backing up easier and organisation of your computer better.
- Make sure you create relevant folders within “My Documents” (and in Outlook) or even rename it entirely to fit with your practice and client requirements.
- The “My Documents” default location is:
 - C:\Documents and Settings\[*your username*]\My Documents

Move My Documents

- First, go to the drive where you want to store "My Documents" and make a new folder in that drive with a name of your choice (e.g. "Dreadnought Solicitors")
- Next, Right click "My Documents", then click Properties.
- In the window that appears type the name of the directory and new folder you made then click "Move" and you're done. Screenshots and step-by-step instructions below

7 Steps to Heaven

- **Step by step instructions and screenshots on how to:**
- **Move My Documents from its hidden default location to the D drive**
- **Change the name of My Documents to one of your choice. For example:**
- **“Dreadnought Solicitors”**

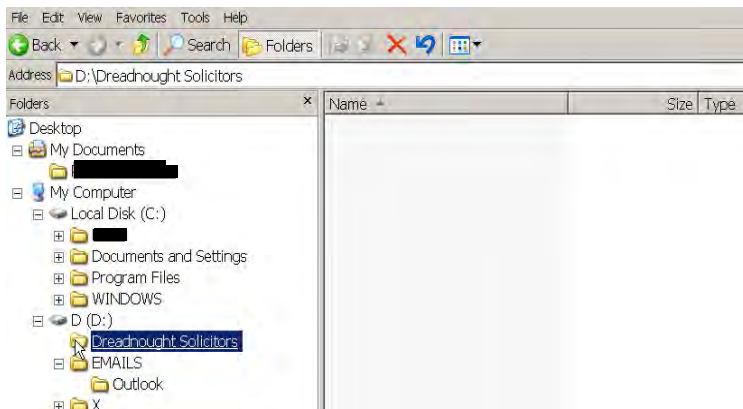
The default path to your My Documents files is:

C:\Documents and Settings\[your username]\My Documents

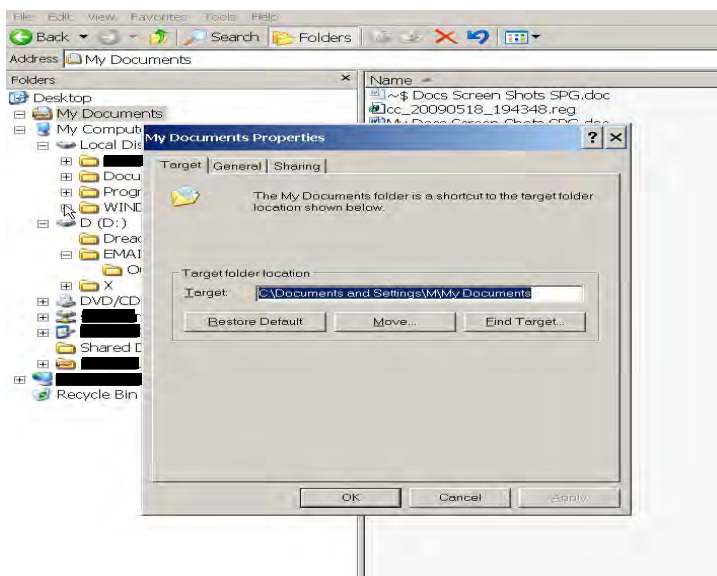
For this exercise the [your username] we will use is “M”.

Here are the steps to follow:

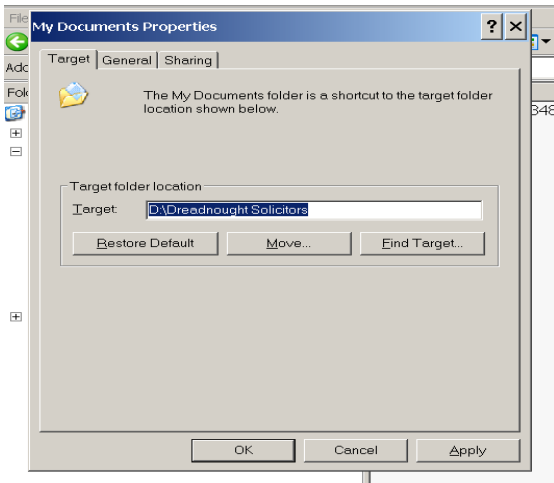
1. In windows explorer, create a directory called “Dreadnought Solicitors” (or whatever name you want to call it) on your “D” drive (or whatever you called the data partition on your hard disk):



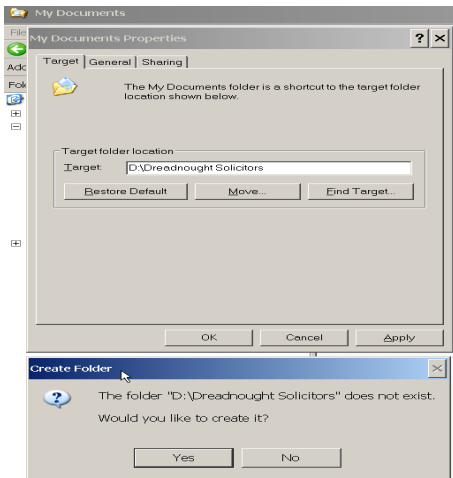
2. Next, in Windows Explorer, Right click My Documents, then click “Properties”. You will see a screen like this:



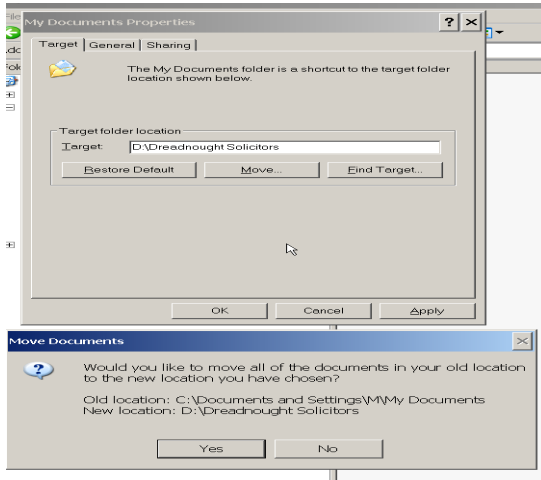
3. Highlight “C:\Documents and Settings\M\My Documents” in the “Target” box and change it to D:\Dreadnought Solicitors as in the screen below:



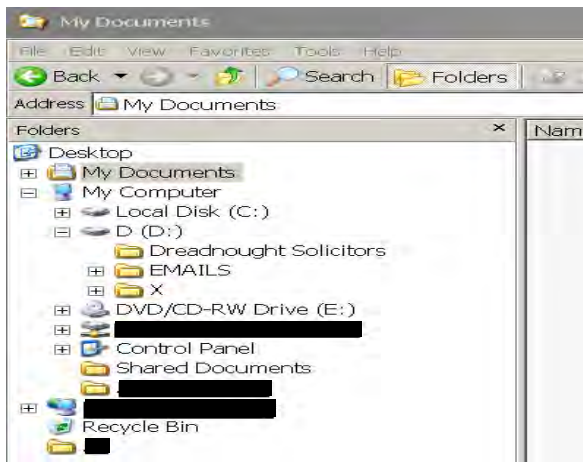
4. Click OK and a screen will come up saying “the folder “D:\Dreadnought Solicitors” does not exist. Would you like to create it?”



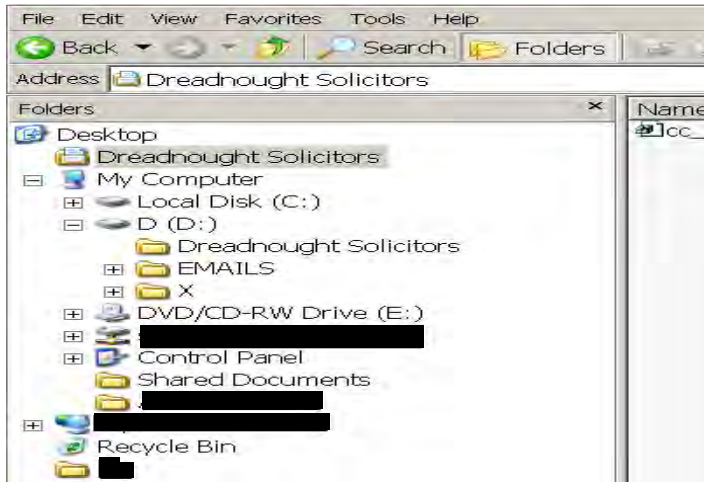
5. Click “Yes”. The following screen appears:



6. Click “Yes” and you’re done. Your windows explorer will now look like this:



7. “My Documents are now stored in the “Dreadnought Solicitors” Directory on the D drive. But, contradictorily, there is still a folder called “My Documents” at the top of your screen. This is easy to change by Right clicking on “My Documents”, clicking “Rename” and then renaming it “Dreadnought Solicitors”. You still appear to have two folders called “Dreadnought Solicitors, but in reality you don’t. See screenshot below:



How much is your Data Worth?

Hardware is fairly easy and cheap to replace

Years of Client and Office Data are not

Make sure your Data are:

- **Properly and verifiably backed up**
- **regularly and consistently backed up**
- **Securely stored**
- **Recovery-tested**

Backup Resilience & Testing

Rule 5

- **Business Resilience and Continuity**
- Make data safeguarding and backup arrangements with other solicitors you know – just as you would for holiday cover “Buddies”
- Store critical documents securely and scan for additional security and easy recovery.
- **Ensure your backup system works**
- Remember that backups can also fail, so check regularly if you can restore from them
- Regularly test your backup and your backup system are working.
- Don’t just assume the scheduled automatic backup is working.
- Fire drills are as important for practice as for identifying problems.

Kit List

- CDs
- DVDs
- USB Flash Drives
- Portable External Hard Drives
- External Desktop Drives
- Network Attached Storage

Basic Kit

- **CDs** store up to 700MB. Not as easy to save data to as USB flash drives and external hard drives. Cost: 50p (71p per GB)
- **DVDs** store up to 4.5GB. Not as easy to save data to as USB flash drives and external hard drives. Cost: 50p (10p per GB)
- **USB** Flash drives are very small, very convenient and easy to use - and easy to lose!. They record more data more quickly than CD/DVDs. Cost:
 - £16 for 8GB (50p per GB)
 - £34 for 16GB (47p per GB)

More Serious Kit

- **External Hard Drives** are now very cheap. Get at least two. Keep one with the computer and the other somewhere else
- Combine with CD/DVD's, USB Flash Drives and NAS
- Can also be used as a backup of the NAS to take off-site.
- **Portable External Hard Drives** store up to 500GB and weigh about 200 grams. Easy and convenient to use and to carry in pocket or bag. Cost:
 - £40 for 160GB (25p per GB)
 - £90 for 500GB (17p per GB).

Still Serious Kit

- **Desktop External Hard Drives** are readily available and store up to 2TB.
- Larger and heavier but a little cheaper than portable versions. Cost:
- £50 for 500GB (10p per GB), £80 for 1TB (8p per GB), £220 for 2TB (11p per GB).
- Consider buying two external hard drives. Keep one with your PC and another somewhere else
- If you have a very large amount of data, consider Incremental Backup

Still More Serious Kit

NAS

- **NAS** devices are similar in size to desktop external hard drives but are much faster, more versatile, can act like a server and back up several computers. They are readily available in up to 2TB. Cost: £160 for 500GB (32p per GB), £195 for 1TB (19.5p per GB), £290 for 2TB (14.5p per GB).
- Are essentially external hard drives for your entire local network
- Usually attached to your router
- Good for backing up multiple computers
- Also good for sharing documents without having to have the right PC online

Backup & Imaging Software

- Acronis and Norton Ghost are good Each will allow you to make partitions on your hard drive.
- Acronis allows you to change the size of the partitions without having to reinstall the operating system (and therefore lose your un-baked up data!!)
- They back up everything on the hard disc by making an identical image
- Do this monthly and automate it
- Easiest to save images to External Hard Drive or NAS
- First image will take quite a time. Subsequent will be incremental and faster as it only back up the changes

Online Backup/Offsite storage

- **Online backup** can be very expensive and is not the quickest way to restore data
- There are some cheapish online storage providers but ensure you know where your data are stored, that they won't be overwritten or deleted after time or if you try to store more data than your allocation.
- You may have to use provider's proprietary software and be licensed by the number of computers as well as volume of data
- You may have problems if you changed computer and/or operating systems.
- **Ditto Practice Management Systems** - Make sure your licence allows you to keep a working archive copy of the software.

Buddy Backup

- **Buddy Backup** by Databarracks is an exception – and free (for now).
- It enables you to share encrypted space on a “Buddy’s” computer
- For solicitors this should be another solicitor but you could also use it to link a computer at home, for example, to the one in your office.

Automate Backup

- Automate your backups whenever possible
- Easiest to do with External Hard Drives
- Servers and Practice Management Systems have their own requirements

BACKUP STRATEGIES

Verify

- Sensible to try to restore to a different computer
- Make sure all of the data and emails can be read on the new computer.
- Sometimes folders are made as 'Shortcuts'. These are simply links to the actual location of files so when restored to the original PC it may show the data as being present but on a different PC this data will not be present and will show up the flaw in your backup procedure.
- Make an extra copy of your backup. Take it home, to another solicitor or your bank to be absolutely sure

A BACKUP PROGRAMME

Verify

- Verify your backup has worked every day and regularly test that it can be restored – what's the point of a great backup program if a problem prevents data restoration?
- Rotate your backup media and ensure adequate copies.
- Don't get lulled into a false sense of security. Burning a CD/DVD of your files every so often is not enough because CDs/DVDs:
 - are not always that reliable, can easily become corrupted and might not be readable
 - do not have an infinite life span
 - deteriorate and can fail if stored in even a slightly damp or too warm environment
 - you may not know your CD/DVD backups don't work until you need them.



Backup Plan - When to Backup?

- Daily – say Monday – Thursday
- Weekly – say Friday
- Monthly – say 1st of every month;
- Annually – say 1st February each year

Labelling & Storage

- **Label**
- To help you find the most recent backup, label each set of backup media with:
 - the date
 - whether it's Daily, Weekly, Monthly or Annual
 - its Content
 - the particular computers it backs up
- **Store**
- Store backups in different locations, one of which should be off-site if possible

How long to retain Backups?

- Daily backup for one week or more
- Weekly backup for one month or more
- Monthly backup for twelve months or more
- Yearly backup for three years or more

Word Nuisances

Track Change Security

- Beware revealing information in track change mode
- Not enough to hide them
- Go to Tools>Options>Security>and Click
- Remove personal information from file properties on save
- Check Properties as well to see if anything confidential is left behind

Track Change Security

- Safest method:
- Highlight from one letter in from start until one letter before end of track changed document
- Copy then Paste into a new, blank document.

Word Nuisances

- BEWARE anything described as “Smart” by Micros’oft!
- Don’t get caught by Word’s automatic changes.
- Here’s how to disable some of them.

Word Nuisances

- Most of Word 2003's automatic changes are in the "Tools>AutoFormat As You Type tab".
- A similar set of options exists in the "Format>AutoFormat tab" — but disabling there won't help.
- Word 2007 does the same things but you need to use the Office button

Some Word Nuisances & How to overcome them

Word creates Hyperlinks when you type a Web page address:

- Go to Tools>AutoCorrect Options
- Select the AutoFormat As You Type tab.
- Under the Replace As You Type check box, Deselect Internet And Network Paths With Hyperlinks check box
- Click OK.

Word inserts copyright symbol

- Go to Tools>AutoCorrect Options
- Select the AutoCorrect tab
- Under the Replace Text As You Type check box:
- Deselect the copyright symbol
- Alternatively use backspace then space to clear as you type if you still want to be able to use the symbol.

You want to select a few letters but it highlights the whole word.

- Go to Tools>Options
- Click the Edit tab
- In the right column under Editing Options
- Deselect the When Selecting, Automatically Select Entire Word check box
-
- Click OK.

Automatic Numbering

You start to type and Word treats it as a bulleted list

- Go to Tools>AutoCorrect Options
- Select the AutoFormat As You Type tab.
- Deselect the Automatic Bulleted List and/or Automatic Numbered list check boxes
- Click OK.

Automatic Numbering

You type “1” and some text.

- Word treats it as a bulleted or numbered list when you press Enter.
- You start entering an automatic bulleted or numbered list but it continues every time you hit Enter but you actually want to stop it.
- Hit Enter a second time and Word will stop the list (you can also use this to get bigger line spaces between bullets and numbers).

Grey brackets appear

- Go to Tools>Options
- Select the View tab.
- Under the Show options
- Deselect the Bookmarks check box
- Click OK.

Overtyping mode

- **I'm typing and it's overtyping the next letters and words.**
- Go to Tools>Options
- Select the Edit tab
- Under Editing Options
- Deselect the Overtyping Mode check box
- Click OK

Shortcuts

Do What?	Shortcut
• Copy	Ctrl+C
• Paste	Ctrl+V
• Bold	Ctrl+B
• Underline	Ctrl+U
• Italics	Ctrl+i
• Print	Ctrl+P

Shortcuts

Do What?	Shortcut
• Cut	Ctrl+X
• Undo	CTRL+Z
• Redo	CTRL+Y
• Save	CTRL+S
• Find	CTRL+F
• Replace	CTRL+H
• Go to a page	CTRL+G

Shortcuts

Do What?	Shortcut
• Select All	Ctrl + A
• Hanging para	Tab then Ctrl+Tab
• Undo Hanging para	Ctrl+Shift+Tab
• Line break	Shift+Enter
• Page break	Ctrl+Enter
• Column break	Ctrl+Shift+Enter

Shortcuts

Do What?	Shortcut
• Decrease font size	Ctrl + Shift + <
• Increase font size	Ctrl + Shift + >
• Page number	Alt + Shift + P
• Align left	Ctrl + L
• Align right	Ctrl + R
• Align centre	Ctrl + E
• Justify	CTRL + J

Shortcuts

Do What?	Shortcut
• Switch Windows	Alt + Tab
• Copyright	Alt+Ctrl+C
• Reg trademark	Alt+Ctrl+R
• Trademark	Alt+Ctrl+T