



# Part One: Practical, inexpensive, time-billing programs

*Contingent-fee practices that don't track work time risk taking a big hit*



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Fact: Most plaintiffs' attorneys handling cases on a contingent basis do not see the need to keep track of the time expended on a matter. In other words, most plaintiff attorneys do not use billing programs.

The thrust of this article will argue that there are multiple benefits to a contingent plaintiff counsel using time-keeping and billing software. We will also discuss how not keeping track of time worked can be a severe detriment to profitability.

### Why plaintiffs' attorneys should track time

- **Attorney fee motions.** Being able to provide the court with detailed, accurate bills that specifically describe the work you did on the case will be very persuasive to the court. Judges want detailed bills to support their granting of attorneys' fees. If you don't keep track of the time you spent on a particular case or have detailed invoices, you will not get as much in fees and will lose money.
- **Case evaluation.** By using billing programs you will know exactly how many hours you are putting into a specific case and chances are, it's more than you thought. By keeping accurate time records, you will be in a better position to evaluate settlement offers and assess the financial consequences of proceeding.
- **Efficiency analysis.** Billing software will enable you to get an accurate breakdown of the tasks that you do every day. For example, if your time records indicate that you spend most of the day on administrative mat-

ters rather than client cases, this may indicate that you need to hire clerical staff so that you can spend time on billable matters.

- **Post case assessment.** You can also use billing programs to analyze completed cases. For example, by reviewing your time records and knowing the amount you recovered, you can figure out what your "hourly rate" was in that particular case. If it's low, you can figure out what happened and hopefully prevent this from occurring in the future.

- **Malpractice defense.** There was an attorney in San Francisco who was sued for malpractice. He successfully defended against the case. What contributed to his countering Plaintiff's claims was that the attorney kept very detailed billing entries. He was able to show the jury not only how much work he had done on the case, but also the detailed tasks he performed each day.

- **Daily log.** Attorneys can kill two birds with one stone in this regard. Many attorneys do not maintain daily diaries or logs on work performed. Instead, when filling out time or billing entries, in the notes section for each entry they can input names of people called, issues researched and other notes to the file.

### Which billing program to use

There are many billing and time keeping programs out there. You can spend \$100 up to \$5,000. When looking for a program, one can be overwhelmed by the many choices and options. To make the best decision on a program best suited for your



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office, research the Internet. You can input desired search terms on Google and you are certain to find someone, somewhere discussing needs similar to yours. You might, for example, input on Google “best hourly billing program for small law office” and see what pops up.

When looking at various programs, you must be very careful. This is because lawyers are generally not savvy about technology because they are busy with litigation. As a result, many software companies take advantage of lawyers with slick sales presentations and offering complicated, overpriced programs.

All is not lost because there are many simple, inexpensive time-billing programs that are just as good, if not better, than many of the legal billing programs on the market. The purpose of this article is to introduce you to a few of these programs so that you can determine what will work best in your practice.

### **Online time-tracking using Harvest at [www.getharvest.com](http://www.getharvest.com)**

Harvest’s motto is “Time is Money. Track it Wisely,” and this program enables you to do just that in a simple, straightforward manner. Although the program is not created for attorneys, it does a great job of tracking time, costs and expenses.

The biggest benefit about this program is that you don’t have to install software on to your computer, so presumably there will not be installation issues or conflicts with your computers.

Because Harvest is net-based, you access the timekeeping and billing program just as you access other services on the Internet: you log-on to the site and you are good to go. Entries can be integrated with Microsoft Excel and QuickBooks, making bill preparation and dispatch to clients straightforward. Harvest is easy to figure out, especially for attorneys who do not like to read in-

structions. Harvest is intuitive and visually appealing. You can personalize the program to address the tasks specific to your practice or a case.

Since security is always a concern, Harvest advertises that your data is secure. Harvest integrates fully with Basecamp, an online project/case management program at <http://www.basecamp.com/index>.

Since Harvest is a monthly subscription service, you can make changes to your account or cancel at any time. You can try the full version of Harvest free for 30 days by visiting the site and signing up for an account. You don’t even have to input a credit card number! If you don’t like the program, you don’t have to do anything and the company won’t charge you a dime.

The price of Harvest varies, and like most software, is based on the number of users. Monthly charges range from \$9 for a sole practitioner, \$24 for five timekeepers to \$40+ for large business entities. Given the simplicity and ease of use of this program, it is perfect for lawyers who are just getting used to the idea keeping track of time, who are easily frustrated by complicated software, or who do not have a lot of time to learn how to use programs.

### **RTG: Bills and RTG Timer at [www.rtgsoftware.com](http://www.rtgsoftware.com)**

“Billing Made Easy” is what the RTG Web site promises and after using this program, I can vouch that it certainly is true [I have used this program for about seven years.] The program can keep time and send out bills. Most importantly, you can back up your data and keep the files off premises [a good idea in the event a computer crashes, your office suffers a fire, or your computer suffers a virus attack.]

RTG Bills is a complete time-tracking and billing system specifically designed for sole practitioners and small law firms. The price is reasonable and

starts at \$95 for a single user. The program actually does quite a bit for the price, and it can be as detailed or simple as you want.

The program uses standard Windows features that can be customized, depending on your needs. There is a timer feature [RTG Timer] that allows the user to “start the clock running” on a particular matter and automatically enters the time into the RTG Biller program. However, time can also be entered manually, so the timer isn’t necessary for the program to work.

There are also various add-on features enabling you to use the program online or on handheld devices. Another program that complements the RTG Bills is the RTG Conflicts. This program works in conjunction with RTG Bills to help you avoid conflicts.

This program is very easy to use and intuitive. You don’t have to read complicated instructions or spend a lot of time trying to figure out what to do. Another benefit to this program is that you can also download a full version for free. If you decide you like the program, you can just buy it and the company will e-mail you a code to activate the program. Tech support is free, as are upgrades.

### **Conclusion**

More information about different programs will appear in my next column with specific suggestions on how to avoid costly purchase mistakes.

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