

White Paper

Improved Delivery and Management of Critical Information: Law Firms - General Principles

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1. What is meant by Critical Information?

In the course of conducting everyday business operations, many different organisations provide the end-product of their service in the form of a document. Information produced in this way has value to the recipient of the service being provided; it is normally required for regulatory or compliance purposes, and indeed may be required by the recipient in the conduct of their own business.

For the purposes of this White Paper, Critical Information is regarded as anything which is expressed in document form as the culmination of a service for which charges have been made or significant effort has been invested, and which therefore has value in and of itself. The concept also applies to information which is being retained as a record - of a transaction, a process of communication, or an event for which documentary evidence may be required in the future. If lost or misplaced, some degree of cost, inconvenience or delay will result. There is therefore a need to safeguard it through the process of storage, and if appropriate the process of delivery to the recipient, and for it to be permanently available to authorised parties after delivery.

This document is focussed specifically on activities associated with Legal Practices. It therefore seeks to highlight the opportunities for the use of a highly secure document delivery and storage service in support of certain functions within the law firm. This identifies a relatively small number of the service areas that many firms cover, but illustrates some of the benefits that are available to both the law firm and its clients.

2. Who is this White Paper aimed at?

General activities of a Legal Practice

Examples of the different functions that can be supported within a typical legal practice include:

i. **Virtual Data Rooms: Corporate Finance, Mergers and Acquisitions**

When acting for a client who is purchasing or disposing of a business, a large amount of information will be shared with other law firms, accountants, business consultants, tax advisors and similar organisations. The use of a Virtual Data Room to support this process is well established, and can be highly effective. Most VDR services are aimed specifically at this function, and do not necessarily lend themselves to wider use within the law firm. Evidence of documents having been accessed can be of vital importance to all parties involved in such transactions. The volume and highly sensitive nature of such information normally precludes the use of standard email services for document delivery. Email does not provide the level of control needed to ensure that information is correctly distributed; it is simply sent in the hope that the receiving party will deal with it appropriately.

ii. **Dispute Resolution**

For those firms that offer dispute resolution or litigation services, an instant and completely secure means of document delivery can be a vital support tool in ensuring that all relevant information is correctly distributed. Such services can also be used to classify information in terms of its relevance or importance to the case in hand; often vast amounts of irrelevant information are provided in the hope that the recipients will be overwhelmed by the volume of data. Disclosure and discovery is greatly simplified when the disclosing party is able to be sure that not only has information been made available, but that all of the other parties in the process have been notified of delivery without recourse to carrying highly sensitive documents as email attachments.

iii. **New Home Development**

Acting on behalf of property developers, the law firm will gain substantial efficiencies and cost savings if all of the relevant information about a development can be gathered in a single place, and made available electronically to interested parties without needing to resort to costly printing and postage services. This facility can also be extended to the activities relating to the subsequent sale of freehold or leasehold properties. It can also be used to allow the developer to maintain and hand over the documents associated with Construction, Design and Manufacture (CDM) regulations, and the Operation and Maintenance manuals.

iv. **Commercial Property**

Whether for sale or rental, commercial property disposal and acquisition requires a great deal of information to be exchanged between the relevant parties. Much of this information will have regulatory or compliance significance, and much of it will be of great value to the acquiring party after the transaction is complete.

v. **Residential Conveyancing**

In many cases completing the sale and purchase of residential property is straightforward, but it will still require the gathering and exchange of information that is essential not only for the transaction, but will have value if subsequently made available to the purchaser. The law firm can derive great benefit by providing a secure document service in support of the conveyancing transaction, which will be accessed by a seller and a buyer, the other party's solicitor, estate agents, surveyors and valuers, and mortgage lenders. This not only saves a considerable amount of time, but ensures that the law firm that provides the document service remains visible to both seller and buyer after the transaction, and is thus more likely to be called upon for any subsequent sale of the property. Should that happen, much of the information gathered in the course of the first sale can be re-used, thus saving time and enhancing the service to the seller.

In the event of a complex sale, or one that has been affected by difficulties arising from environmental searches, for example, a secure document handling service will prove to be of even greater benefit.

vi. **Family Law**

For those family law cases which may involve matrimonial issues, the ability to make information available quickly and securely can significantly reduce the cost and difficulty often encountered in such cases. For example, being able to upload media files very quickly to a secure document vault will dramatically reduce the time and cost of doing so, in the knowledge that other parties will have immediate access and will leave an audit trail of their use of the information. Under circumstances that are frequently distressing for all concerned, speed and simplicity will be of value.

vii. **Wills and Probate**

Most law firms offer a service to help a client to write a will and advise on other matters of inheritance planning, and indeed to carry out the probate exercise on behalf of an executor or beneficiaries. However, it is not uncommon for the law firm to lose contact with the testator over time, so that as and when probate is required the executor no longer has any contact with the firm that wrote the will. Placing the will and any associated inheritance documents, such as an asset and liability register, funeral plans, last wishes and other information into a secure vault to which the testator has permanent access will allow the executor to be fully aware of the services provided by the law firm. The vault can also be used as a means of staying in contact with the client, as well as any executors or beneficiaries that the client has invited to share his or her inheritance plans; newsletters, budget updates, legal and regulatory changes can all be communicated to the client in such a way that the relationship is maintained.

Although this list is not exhaustive, it illustrates that a number of different functional areas within a legal practice will be able to make effective use of a secure document delivery and storage service.

The unique structure and capabilities of **Safe4** make it an ideal solution for those who are providing legal services to clients of any type. This document will discuss the specific issues that relate to dealing with these essential and valuable services.

3. Methods of delivering documents to recipients

Traditionally, law firms have used well-known means of delivery for the critical documents that they send to recipients, both internal and external. The most familiar are:

- Hard-copy post
- Hard-copy courier services
- Email
- Electronic media such as CDs or memory sticks
- DX for professional practitioners

Each of these creates its own set of difficulties. In essence, traditional methods of document delivery and storage suffer from some distinct disadvantages:

- Cost
- Inconvenience
- Delays
- Lack of security and confidentiality
- Risk of accidental loss or theft of confidential information, with huge regulatory repercussions and potential reputational damage
- Difficult to create an audit trail of secure delivery and usage
- Administrative effort replacing documents which have been misplaced by internal or external recipients
- Administrative effort in locating misfiled documents; industry surveys show that even in well-run organisations traditional storage methods can result in up to 30% of information being misfiled and therefore not retrievable
- Damage to the environment through consumption of paper and printing resources, and physical transportation of hard copy information

Upon receipt, each recipient will have to store the documents in a way which allows rapid retrieval and use of the information. Even the best-organised of recipients will have occasional difficulty in finding information, and the worst-organised will often be completely unable to locate important documents when they are most needed.

4. How can a legal practice gain the benefits of using a secure document delivery and storage service?

Safe4 Information Management was formed in 2010 specifically to address the requirements for improvements in delivery of critical documents to clients by professional practitioners. A large number of internet-based systems for storage and backup of computer files are available, and these provide a useful service. However, they have generally been designed for use by the consumer, and are not directed towards the solution of a clear business problem:

How can a professional practice enhance the services that they provide to their clients by using a secure online electronic service to deliver and store documents?

Safe4 is a web-based service that has been designed from first principles to assist professional practitioners to offer the most efficient and secure means possible of getting documents to their clients, whilst ensuring that the client enjoys immediate and confidential access to their stored information. In doing so it not only adds value to the client relationship, but it helps to achieve significant reductions in internal administration and delivery costs.

The design brief for **Safe4** was based on some mandatory requirements:

- Provision of a secure vault, hosted on the Internet, and available to authorised users 24/7 from anywhere.
- Banking-level security for control of access to the system, based on username, password and PIN.
- Secure encryption of files as they are lodged in the vault.
- Multi-user capability, so that professional and client can see the **same file** from their respective viewpoints.
- Automatic email notification of new files being placed into the system.
- Audit trail of document delivery and access.
- A flexible and open architecture, to allow the system to be integrated directly with the professional's line-of-business systems if necessary.
- Complete independence from the practitioner's or client's own IT systems and domain.

In the development of the **Safe4** service, the efficiency of document delivery was given the highest priority. Hence the ability of the system to replace many of the traditional methods used to get documents to clients, and provide significant benefits to document creators and consumers alike. This has particular value when applied to the provision of services offered by the legal profession.

5. What does *Safe4* do?

Safe4 offers the capability for any organisation to deliver documents securely to a client or any other party, instantly over the internet into a document vault that only the providing organisation and its designated recipients can access, and allow permanent subsequent access to such documents without compromising the organisation's mission critical systems and databases. It enhances communication, reduces cost and improves security, as well as radically reducing carbon emissions. The *Safe4* vault automatically notifies the recipient when a document has been delivered and is available for them to download or view.

The document is stored securely within a folder structure that the provider can define, similar to Windows Explorer, and which is fully backed up and always accessible over secure internet connections for authorised users only.

The recipient can access the document directly through the *Safe4* secure gateway on the Internet. Banking standard protection of Username, Password and PIN applies, and all accesses are logged for audit and reporting purposes. Importantly, the recipient does not need to have access to the provider's business applications.

In summary, the functions provided by *Safe4* can be broken down into separate sections:

5.1 Unique and flexible architecture

- Multi-tenanted structure
- Unlimited number of providers
- Each provider may create an unlimited number of vaults, for external or internal applications
- Each provider may have an unlimited number of users
- Each vault may have an unlimited number of users
- Each user may be connected to multiple provider accounts
- Each user may be connected to multiple vaults
- Users may have a combination of different provider and vault account connections through a single login

5.2 Provider account branding

- Each provider account can feature a different logo, and can be named according to the application in question (for example a law firm may wish to brand corporate and private client accounts differently)
- Provider accounts can use different terminology to describe vaults (for example Clients, Projects, Matters, Data Rooms, etc)
- Provider accounts can have customised individual welcome text for the login page, and disclaimer text for user invitation emails
- Vaults within each provider account can carry a link to the provider's website

5.3 User management

- Both provider and vault users are invited by email to register for the system
- Users can add new invitations to their existing accounts
- Permissions and membership of security groups can be determined at the time of the invitation, or at any time subsequently
- Users can be disabled instantly; disabled users will lose their access to the system immediately
- If the use of a PIN is not enforced by the administrator, individual users can choose to set up their own PIN

5.4 Security groups

- Security groups are applied to folders and to users; this will determine the actions that each can perform on the contents of a folder
- Users can be permitted to upload, move, rename and delete files
- Users can also be permitted to upload, move, rename and delete folders
- It is thus possible for users to be permitted to upload files, but not move, rename or delete them
- Sub-folders can be given different security groups from their parent, thus allowing more restrictive control of sub-folders

5.5 Permissions

- Provider users can be permitted to manage both provider and client users, as well as to allocate security groups to users and folders
- The ability to manage branding can be applied selectively to provider users, as can the ability to set up the web link from the files and folders page
- **Safe4** has a comprehensive reporting capability. Access to this is also controlled by a permission setting
- Content control through the scanning of uploaded files for protective markings is also a function that is permission-controlled

5.6 Uploading files

- Files can be uploaded using the web interface into specific folders, in quantities of up to 20 at a time
- Files of up to 470 mb have been successfully uploaded to **Safe4**. The maximum file size will be governed by the speed of the internet connection available
- Comments can be added to files as they are uploaded, for example to explain why a new version of a file is being uploaded
- Email notifications of file uploads can optionally be triggered automatically. These emails contain a link to allow the recipient to login and view the files. The files themselves are never carried by email
- Multiple versions of files can be uploaded into **Safe4** and managed in a single view within a folder; previous versions can be displayed if required

5.7 Downloading files

- Files can be opened for viewing; image files are viewed in a new browser tab, files with editable content such as MS Office documents will be opened using the mother application
- Multiple files can be downloaded in a single action, and placed in a ZIP file on the user's computer
- When using the web interface, files held in **Safe4** cannot be edited. To change the contents of a file, the file must be edited locally and uploaded as a new version
- Using the WebDAV interface, described below, editable files can be edited online, with the modified version being held by **Safe4** as a new version

5.8 Folder management

- Folder structures can be created to reflect the provider's business, and the nature of the information being stored
- Users can be granted the ability to create, move, rename and delete folders
- No limit on the number of folders, nor on the number of sub-folder levels
- The root folder can be renamed by the provider administrator
- Common Folders are visible to users of all of the vaults in a provider account. This allows certain types of document to be made available to a large population of users by a single upload action
- Vaults can be copied very rapidly; this function can carry across the complete folder structure, including permissions, to the new vault

5.9 **Safe4 reporting and file history**

- Reports on activity within **Safe4** can be generated by authorised provider users
- Any date range can be selected, as can any of the provider accounts and vaults accessible to the user in question
- Every single function available within **Safe4** can be queried in this way
- All actions performed on the files within **Safe4** are recorded and made available as an audit trail. This is shown adjacent to the file in question, and does not require a report to be run

5.10 **WebDAV**

- Web Distributed Auditing and Versioning has been implemented within **Safe4**
- This allows a network drive to be mapped on Windows and Apple computers, connecting to **Safe4** in the cloud
- All of the provider accounts and vaults that the user is permitted to see will be displayed as folders and sub-folders in Windows Explorer
- All of the functions available in Windows can thus be used: files can be uploaded and downloaded by simple dragging and dropping them between folders in Windows
- New files can be created in applications such as Microsoft Office, for example, by right-clicking and selecting "New ..."
- MS Office files can be opened, edited, and saved simply by double-clicking in the normal way. The amended version is placed into **Safe4** as a new version of the original file. Previous versions can then be displayed in the web interface if required

6. What benefits does *Safe4* offer for the law firm?

The implementation of the *Safe4* service as an extension of a practitioner's business will achieve significant advantages:

- Value-added service for the practitioner, with improved client retention. In the case of those who provide legal services, this can be critical; *Safe4* gives an opportunity for regular electronic communication between practitioner and client, thus maintaining the relationship. A client who has maintained contact with the practitioner is more likely to seek further services from that practitioner
- With specific respect to some services, such as Wills, Probate and Inheritance Planning services, the practitioner also has the opportunity for regular communication with any external parties such as executors and beneficiaries named in the Will. These connections could lead to further client relationships being developed
- More efficient and secure document delivery, with immediate access for clients.
- Reduced dependence on email, as recommended by the SRA
- Reduced need for other insecure devices and media, such as USB memory sticks, also in accordance with SRA guidelines
- Evidence of document delivery, and of documents being opened by a client
- The ability to share documents confidentially with external third parties, such as other law firms, accountants, consultants, executors or beneficiaries
- No hardware or software to procure or maintain
- Very low-risk, with no start-up costs other than those associated with data-uploading and integration into business processes
- Pure "Software-as-a-Service", with delivery across the Internet, meaning that practitioners and their clients have no hardware or software to upgrade through release of new versions and system enhancements
- No need to open up the practitioner's own IT systems to external client access, thus avoiding the cost, risk, and implementation challenges associated with such an approach
- Very high levels of security
- Rapid provision of information to all clients in a single action by using the *Safe4* Common Folders facility
- Opportunity for an annually-recurring revenue stream for the practitioner, if appropriate.
- Competitive differentiator in the marketplace to assist the practitioner to leverage the procuring of new business against competitors
- Built-in disaster recovery for all client-facing files
- No administration or management worries for the practitioner – everything is handled by Safe4 Information Management
- Support for environmental sustainability – reducing carbon emissions and lowering the consumption of scarce resources

7. How does *Safe4* help the client of the legal practice?

As well as the benefits listed above for the law firm, *Safe4* assists the recipient in a number of ways:

- The ability to upload their own private documents to *Safe4*, depending on the level of access granted by the practitioner; particularly ideal for Wills, Probate and Inheritance Planning
- The ability to share documents with external parties in such a way that ensures the maintenance of correct access restrictions
- Very simple to use, with comprehensive help
- Immediate access to documents provided by the practitioner
- Effectively, the practitioner does the client's filing for them, thus saving time and ensuring a greater level of accuracy
- Greater transparency for the client, with increased visibility of what the practitioner is doing on their behalf
- Complete confidentiality
- Access 24/7, from any computer with an Internet connection
- No need to worry about business continuity or backup; this is completely taken care of by *Safe4*

8. Security

Safe4 has been architected using state-of-the-art technology components and development methods. This ensures that the service provider and the recipient are able to gain the benefit of an application which is constantly being optimised for performance and efficiency, and which is being seamlessly upgraded without any disruption to the individual user.

The highest possible levels of security are the key objectives of **Safe4**. With the regular emergence of new internet security threats, it is vital that **Safe4** users can be sure that their data is being handled in the safest way possible.

Using independent testing services, Safe4 has been assessed among the top 0.8% most secure sites on the internet, out of more than 1.2 million tested.

Safe4 regularly undergoes independent penetration testing, and has emerged with excellent ratings for security. This service is undertaken in accordance with the UK Government's IT CHECK scheme, administered by GCHQ.

The key security features of the **Safe4** service are:

i. **HTTPS connection**

Security starts with the connection between the user's browser and the **Safe4** servers which is secured using TLS (Transport Layer Security, the successor to SSL). Configuration of TLS is complex and a surprising number of websites are badly configured compromising their security. **Safe4** is configured to the highest standards and is rated "A+" in independent testing. This places **Safe4** in the top 0.8% of more than 1.2 million web sites that have been assessed.

ii. **Encryption at rest**

Files that have been uploaded are encrypted using AES-256 before being saved to storage. When a file is downloaded it is checked to ensure that it is exactly the same as the file that was uploaded and has not been tampered with.

Safe4 does not support searching inside of files that have been uploaded. This is because the indexes cannot be encrypted and if compromised the content of the documents would be accessible.

iii. **PIN protection**

An extra layer of protection can be added by requiring users to set a PIN in order to access their vault using an on screen keyboard to defeat key loggers. This gives a similar level of protection to one time passwords, or text codes – without the inconvenience.

iv. **Virus protection**

All files that are uploaded are checked for virus infections. This helps to ensure that **Safe4** does not pass an infected file onto a third party, damaging the provider's reputation.

v. **Enforce information security policies**

Safe4 provides support for the provider's information security policies. Whitelisting enables control of the individual types of files that can be uploaded – for example enforcing the upload of PDFs only to ensure that modifiable content is never uploaded. Where more stringent requirements are needed **Safe4** provides support for validating protective markings, and rejecting files with altered extensions and password-protected files.

vi. **Permissions**

Safe4 implements comprehensive security permissions which enable the provider to apply fine grained control over access to individual parts of the system.

vii. **Hosting**

Safe4 is hosted by a world leading hosting partner - Rackspace - at data centres based in the UK. Rackspace also give security the utmost priority and are fully ISO27001 certified. See their [website](#) for more details.

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If you have any comments on this document, or if you would like to discuss any of its contents with **Safe4**, please visit our website:

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