

Attorney-Centric Time Capture

Software should serve the attorney by populating the timesheet – anywhere, anytime

by Ray Deck, Element55

Attorneys create value with their time. Spending time worrying about their time detracts from that value, as does forgetting about time spent on even smaller activities. Events not recalled cannot be billed. That recall should be the goal of all time capture, and those systems must orient around the attorney.

Attorneys are diverse in specialties, and in activities that one undertakes even within a specialty. Our research indicates that an attorney routinely conducts 40 significant, billable activities in a single working day.

This quantity and diversity of activity is part of what makes the legal profession special – exercising intelligence and education over multiple media and contexts to create and deliver value to clients.

At the same time, this diversity creates a challenge when recording time, especially when the attorney must reconstruct much of the day from memory. Most of us can remember maybe the one or two major accomplishments or events a given day, but what of the other few hours that were made up of so many smaller activities, some of which were just progress on the way to a later event, but billable time just the same?

This challenge has become even more difficult with the multiplicity of platforms and technologies available to legal professionals. Email-equipped phones, phone-equipped PDAs, the office phone, telephony, desktops, laptops, remote access, web services, and more mean that there are many times, places and manners in which an attorney might do billable work.

Manual time capture, regardless of whether the medium is a journal, direct entry on the PDA, or scraps of paper, all rely on the attorney to recall these activities, either by recording in real time (which is not always convenient or possible) or by calling on imperfect memory.

Automating Time Capture

Automatic time capture means the computer – be it desktop, laptop, smartphone or other – does the work of filling out the attorney’s timesheet based on activities conducted throughout the course of the day and cross-referencing with appropriate knowledge management systems:

Emails: 0.2 hours for “*Read email from John Doe (ABC, Inc.) Re: The Agreement*”

Phone Calls: 0.6 hours for “*Call to John Doe (ABC, Inc.)*”

Documents: 1.2 hours for “*Revise New Agreement*”

Meetings: 4.0 hours for “*Deposition of Jane Roe in Smith v Roe*”

Automatic time capture populates this information to a private timesheet without requiring the attorney to ever start or stop a clock. With this information available, the attorney can more accurately and completely bill for the time, without having to ponder the question “What was I doing today/yesterday/last week?”

The Key: A Complete Picture

Our research indicates that unless one can capture at least two-thirds of an attorney’s time through automatic time capture, the attorney still will still face essentially the same challenge of “what did I do” to fill in the gaps.

Deploying piecemeal systems that address one small circumstance/activity/platform but not others will therefore not solve the problem.

As such, it is important to integrate time capture into as many aspects of the attorney's working experience as possible. Time spent on desktops, phones (both office and mobile, remote access, smartphones, PDAs, and BlackBerry handhelds must come together to form a common journal, which should be accessible from any of these platforms.

Best Practices

The time capture software should be easy to deploy on these various systems, and run silently in the background, populating the timesheet as activities are completed.

Time capture should not be a part of any surveillance or errant behavior monitoring setup. Rather than "big brother", an effective time capture system is "little brother" – an assistant for capturing time.


The automatically generated timesheet itself should remain private for the attorney. The attorney should be able to delete the time on-demand with confidence that there will not be duplicates. Best practice is to have entries automatically delete when no longer useful for composing a timesheet – 60 or 90 days later.

At the same time, the attorney should be able to access the private timesheet at any time they might want to fill out their timesheet – be it in the office on a desktop, on the plane with a laptop, on the train home using a PDA, the information should be available on-demand to serve the attorney's needs.

Conclusion: Attorney-Centric Time Capture

Legal professionals create value with their time. Spending time worrying about their time detracts from that value, as does forgetting about time spent on even smaller activities. Events not recalled cannot be billed.

Technology allows time capture systems to reverse this dynamic, and complement memory with an automatic record that can serve as a reference or a baseline for submitting time to accounting. In both cases, the work for the attorney decreases, and the value realized from the attorney's time increases.

Automatic time capture that is oriented around the attorney's working conditions and style will transform the submission of time from an onerous process riddled with leaks to a streamlined, simple event for the attorney that generates more complete value for the firm. 

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