The three flavours of Adobe Acrobat: A litigation perspective

By Greg Krehel.*

Adobe System's ubiquitous Acrobat software comes in three primary versions: the free Reader, the Standard version and the Professional version.

Which version or combination of versions is right for your organization? If you're a litigator or litigation paralegal, the following article should help you decide. It summarizes the key features for trial team members found in each Acrobat flavour.

Please note that there's a fourth version of Acrobat called Elements. Elements is intended for sale to large organizations, and is only available in bundles of 100 licenses. Elements can create PDFs but has relatively few of the other features found in Acrobat Standard or Professional. Most large organizations use the Reader, Standard and/or Professional versions of Acrobat, so Elements won't be discussed herein.

ADOBE READER

Adobe Systems has distributed over 500 million copies of the free Reader version of Acrobat as part of its successful effort to make the PDF format the de facto standard for electronic documents.

Once you've read about the features of Acrobat Standard and Professional below, it's likely you'll want to purchase one of these versions for selected individuals at your organization. However, the free Reader may be a fine solution for many users -- in particular those who won't need to create or modify PDFs.

Here are the features of Reader that should be of greatest interest to trial team members:

—Viewing & Printing—

As its name suggests, Adobe Reader lets you view and print PDFs others have created.

All versions of Acrobat, including Reader, offer sophisticated printing options with which you may be unfamiliar. One example: Acrobat makes it easy to print multiple document pages on a single sheet of paper, similar to the condensed printing option offered by electronic transcript programs. To print two or more document pages per printed page, set the Page Scaling option on Acrobat's Print dialog box to Multiple Pages Per Sheet.

—Searching—

Searching is an Acrobat feature that's critical for trial teams and available in all versions, including Reader. Use Acrobat's Search feature to hunt through a single PDF or an entire collection of PDFs to locate all instances where a word or phrase appears. You'll find the Search option on Acrobat's View menu.

Please note that in order to search PDFs they must contain text in addition to images. PDFs that are created from electronic files such as word-processing documents automatically include text. However, when paper documents are scanned to create PDFs, Optical Character Recognition (OCR) must be performed to add text to the PDFs, thereby making them searchable.

—Full Screen Mode—

All versions of Acrobat, including Reader, offer a Full Screen mode that transforms Acrobat into a simple presentation tool.

You'll find the Full Screen option on Acrobat's View menu. Once a document is displayed in Full Screen mode, the arrow keys on your keyboard can be used to navigate through document pages. When you're done presenting, press the ESC button to exit Full Screen mode.

—Plug-In Support—

Part of what has made Acrobat so successful is its support for "Plug-Ins" -- product extensions developed by companies other than Adobe Systems. Plug-Ins are available for bates numbering, redacting and other common litigation tasks.

Some Plug-Ins require a Standard or Professional version of Acrobat as the actions the Plug-ins perform modify PDFs. However, there are also many Plug-Ins that don't modify PDFs and can be used with the free Adobe Reader.

I apologize for this self-serving example of a Plug-In for Reader, but it's one with which I'm very familiar. CaseSoft's "Send to CaseMap" Plug-In for Acrobat works with all versions of Acrobat, including Reader. This Plug-in lets you cull critical passages from PDFs to instantly create new facts in our CaseMap case

analysis program. One click on the fact in CaseMap reopens the PDF and takes you back to the page from which the fact was sent.

ACROBAT STANDARD

Here are the six features in the Standard version of Acrobat that should be of greatest interest to litigators and litigation paralegals:

—PDF Creation & Modification --

The primary feature that makes Acrobat Standard worth $299 is its ability to create and modify PDFs in addition to viewing, printing, and searching them.

—Optical Character Recognition --

Acrobat Standard can perform Optical Character Recognition (OCR) on PDF files that contain images, but not text. Once OCR text has been added to the PDF, it can be searched for any word or phrase.

You'll find the Recognize Text Using OCR option on Acrobat's Document menu.

—Commenting—

Acrobat Standard makes it easy to add annotations to PDF documents using highlighters, sticky notes, callouts and a number of other commenting options.

You'll find mark up tools and also a special help topic titled "How to Comment & Mark Up" on Acrobat's Comment menu.

Did you know that Acrobat offers easy ways to review the comments associated with a PDF? Select the Show Comments List option on Acrobat's Comments menu to display a summary of the mark ups in a PDF. Select the Print with Comment Summary option on Acrobat's Comments menu to use one of four different methods for printing comments, e.g., Document and Comments with Connector Lines on Single Pages.

—PDFing of Email—

Beginning with Acrobat 7, the Standard version makes it a cinch to create PDFs of email in Microsoft Outlook. One click can PDF an entire Outlook folder containing thousands of emails.

When you PDF email, all attachments and links can be embedded in the PDF Acrobat creates. The resulting PDF automatically organizes emails by message dates, by authors' names and by subject. Bookmarks are created that make it easy to jump to an email of interest. What a great way to review email before producing it during discovery!

Please note that Acrobat's email PDFing feature integrates with MS Outlook, not the free MS Outlook Express. That's not a show-stopper though as email in Outlook Express can be easily moved into Outlook.

—Web Capture—

Acrobat Standard makes it easy to PDF web pages and even entire web sites – a very handy feature given the transient nature of web content.

When Acrobat Standard is installed, an Adobe PDF toolbar is added to your copy of Internet Explorer.

—The Organizer—

A final important tool in Acrobat Standard is the Organizer -- a feature that was first introduced in Acrobat 7. The Organizer provides flexible ways of viewing the PDFs on your system. For example, the Organizer lets you view PDFs arranged by history -- one click displays the PDFs you opened today, yesterday, in the last week, in the past two weeks, in the last 30 days or even in the past year.

You'll find the Organizer on Acrobat's File menu.

ACROBAT PROFESSIONAL

Acrobat Professional offers the same features as the Standard version, plus many more. Of the numerous features unique to Acrobat Professional, the following three are particularly useful for trial team members and may well justify spending the extra $150 for a Professional license:

—Batch Operations—

Acrobat Professional supports batch processes, for example, batch printing and batch OCRing.

Batch OCRing is particularly handy when you receive a large number of PDFs that contain the images of discovery documents, but not the associated text. Acrobat Professional can OCR an entire folder of such PDFs in a single operation.

—Indexing—

Acrobat Professional can be used to create an index of the text in PDFs. Indexing PDFs dramatically enhances the speed of searches for words and phrases within them.

Without an index, searching across hundreds or thousands of PDF files can be quite slow. With an index, search results are virtually instantaneous.

—Enabling Commenting by Users of Reader—

A feature of Acrobat Professional, which first became available with Acrobat 7, is the ability to enable commenting by users of the free Adobe Reader.

Normally, Reader users cannot add comments to PDFs or participate in the document review process in any meaningful way. However, Acrobat Professional can be used to create PDFs that will activate commenting capabilities for users of Reader.

LEARNING MORE ABOUT ACROBAT

Let me conclude by offering three ways to learn more

WorkChoices summary

The new national workplace relations system, WorkChoices, which covers up to 85 percent of Australian employees, started on Monday 27 March 2006.

The introduction of WorkChoices continues a process of change begun more than 10 years ago and moves Australia towards a simpler system with more choice and flexibility for workplaces.

WorkChoices reduces the complexity of awards by removing matters already covered by legislation, rationalising awards and reviewing existing award classification structures.

It introduces a single set of rules for minimum terms, conditions, awards and agreements to provide a better way for employers and employees to work together.

A new body called the Australian Fair Pay Commission (AFPC) has been established to set and adjust minimum and classification based wages.

Key minimum conditions of employment will be set in legislation and, with the decisions of the AFPC, will form the new Australian Fair Pay and Conditions Standard. All new agreements must meet this standard.

These key minimum conditions are annual leave, personal or carer's leave, parental leave and maximum ordinary hours of work.

Minimum wage rates for juniors will not fall below the level specified in awards after the increase from the 2005 Safety Net Review.

To overcome previous complex certification and approval processes, all agreements will now be lodged with the Office of Employment Advocate (OEA), an independent agency. They will take effect from their date of lodgement.

OEA provides employers with an information statement that they must give to their employees when seeking their approval to an agreement. It also gives free advice on the content of agreements, including the Standard.

Each agreement must be accompanied by a declaration signed by the employer stating that the requirements for agreement making have been met and that the content of the agreement is consistent with the requirements of the WorkChoices legislation.

WorkChoices will ease the burden of unfair dismissal provisions on Australian businesses. It will exempt businesses that employ up to and including 100 employees from the federal unfair dismissal laws.

For businesses with more than 100 employees, a person must have been employed for six months before they can pursue an unfair dismissal claim. In addition, where the employment has been terminated because the employer genuinely no longer requires the job to be done (that is, where the employee's employment has been terminated because of operational requirements), the Australian Industrial Relations Commission will be able to refuse any application for unfair dismissal.

Under WorkChoices, all employees will retain the right to belong to, or not belong to, a trade union. An employer cannot dismiss an employee because they belong, or do not belong, to a union.

All employees have the right to appoint a bargaining agent to help them in negotiating agreements, whether individual or collective. A bargaining agent can be a friend, relative, union representative or lawyer.

WorkChoices will continue to protect the right to lawful industrial action when negotiating a new collective agreement, but will improve the remedies for unprotected industrial action.

Advice and information about the new system is available from www.workchoices.gov.au or by calling the WorkChoices Infoline on 1300 363 264.

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about how Adobe Acrobat can be used to enhance your litigation practice:

- Get a copy of the ABA publication "The Lawyer's Guide to Adobe Acrobat," authored by attorney David L. Masters. (The link is a monster, so just Google the book name and you'll find it.)
- View the free online Acrobat tutorials taught by David Masters. David's "Introduction to PDFs," "Acrobat 101," "Acrobat 201" are available 24/7 at www.casesoft.com/webinar.htm.
- Adobe Systems has a section of the Acrobat website devoted to legal professionals. You can visit it at http://www.adobe.com/products/ acrobat/legal.html

Thank you for reading "The Three Flavours of Adobe Acrobat." I'd appreciate any and all feedback on this article. Please write me at gkrehel@casesoft.com.

*About the Author
Greg Krehel is CEO of CaseSoft. CaseSoft develops five software tools for trial teams, including CaseMap, its flagship case analysis product. CaseMap features tight integration with Adobe Acrobat and over 15 other litigation support tools. Additional information and full-featured trial versions are available at www.casesoft.com.