

# Document Competency: What Every Legal Professional Should Know for Effective & Efficient Drafting in Word

Modules from A Discussion of Document-Creation Workflows and Best Practices Guide

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## MODULE FOR STAGE 6: Finalizing the Document: Last Steps Before Completion

When the document is complete, but before it leaves the office, the legal professional responsible for the document should go through the finalization process. This is the last opportunity to ensure the document conforms to accessibility guidelines and meets all substantive and non-substantive requirements for compliance with court, government, or other rules. It's also an opportunity to confirm that your document meets visual and functional expectations. For example, check for how text appears on screen, wraps around graphics and tables, and interacts with page breaks.

Importantly, legal professionals who work with federal agencies, e-file documents in court, or submit documents to government agencies must meet Section 508 accessibility standards. Under Section 508 of the Rehabilitation Act, any information available to members of the public and federal employees if developed, procured, maintained, or used by federal agencies must be accessible for people with physical, sensory, or cognitive disabilities. So, checking for accessibility should be part of the finalization process. Microsoft has built-in capabilities to verify accessibility of all content, including adding alternate text on images, navigating between the tables in a document, and adding active hyperlinks and email addresses.

Note that cross-references, bookmarks, and similar automated references can break when their targets are removed, or content is modified above them. Make checking and updating cross-references, bookmarks, the Table of Contents, numbering, and any other automated references part of your finalization checklist. And if you are preparing a document for court or another circumstance where word and character limits apply, verify the counts using Microsoft Word. (Be sure to adjust your settings to tell Microsoft which content contributes to the final count.)

*Make checking and updating cross-references, bookmarks, the Table of Contents, numbering, and any other automated references part of your finalization checklist.*

### Tasks You Should Expect to Perform During Stage 6

- Verifying word counts
- Verifying accessibility
- Generating the Tables of Contents, figures or tables
- Ensuring consistent use of cross-referencing
- Reviewing pagination (margins, headers/footers, page numbering, line- and page-endings, repeat headers or breaking of table rows)
- Clearing document properties (metadata) especially if document was duplicated from prior work
- Inserting hyperlinks to cases, research, the record, or supporting documents

- Reviewing document for accurate names, dates, addresses, accurate terms and/or currency values
- Reviewing the document for tracked changes and/or comments, and resolving all
- Generating a PDF for delivery, verifying links and bookmarks are present and correct, checking redactions, watermarks, and passwords (if applicable)

## Here’s How You Can Take It to The Next Level

A document that will be delivered in printed form must make the most efficient and logical use of the physical page—it must also comply with any requirements of the recipient. Any adjustments made for printing will also benefit a document intended for electronic use. A drafter who has adequately completed the tasks in the on-screen review stage, below, should be prepared to print a document.

To optimize a document for printing, review line-, paragraph-, and page- endings for wasted space or thoughts unnecessarily broken across multiple pages. (These individual words left on their own lines or lines separated from the rest of a paragraph at the top or bottom of a page or column are called “widows and orphans.”) These space-wasters and thought-breakers can be managed automatically in Microsoft Word. The same thinking applies to tables in a document. Make sure that all lines of a table are kept together or break logically. Use Repeat Header Rows to ensure column headings are visible when the table breaks across a page. (Making these adjustments for printing before editing is complete means you must repeat the task before printing.) Microsoft gives drafters several options to locate these issues, including Multiple Page mode or Print Preview.

*A document that will be delivered in printed form must make the most efficient and logical use of the physical page*

Legal writing may be delivered electronically as a Microsoft Word document or as a PDF. Microsoft’s functionality, such as cross-references, hyperlinks, outline numbering, clickable Table of Contents and page numbering seamlessly transfer to PDF format, enabling superior navigation and usability in a PDF reader. The drafter may also use hyperlinks to bring in outside resources and reference supporting documents, the court docket, or research. If the document will be e-filed, the drafter should confirm accessibility as discussed in the finalization stage, such as an inclusive Table of Contents and/or table of figures or tables that provide the consumer with easy methods to navigate the document.

### Effective Document Finalization Checklist

Have you completed these document finalization tasks?	Here’s How to Do It in Word	Work More Efficiently with These Professional-Level Tools
<input checked="" type="checkbox"/> <b>Verified word count</b> from Proofing group in Review tab	<a href="#">How To</a>	Not applicable
<input checked="" type="checkbox"/> <b>Verified accessibility</b> from Accessibility group in Review tab	<a href="#">How To</a>	Publish to PDF, then use <a href="#">Adobe Acrobat</a>

<input checked="" type="checkbox"/> <b>Generated Tables of Contents or Table of Figures</b> and ensured consistent use of cross-references using features in References tab	Not applicable	<a href="#">Contract Companion (Litera)</a> ; <a href="#">DocXtools Companion (Litera)</a> ; <a href="#">Lexis for Microsoft Office</a> ; <a href="#">Drafting Assistant (Thomson)</a> ; <a href="#">DocStyle</a> ; <a href="#">PerfectIt</a> (for enforced consistency of tables and figures)
<input checked="" type="checkbox"/> <b>Analyzed metadata</b> using Document Inspector feature under File tab	<a href="#">How-To</a>	<a href="#">Metadact</a> ; <a href="#">Metadata Management (BigHand)</a> ; <a href="#">PuR MetaData</a>
<input checked="" type="checkbox"/> <b>Checked compatibility</b> under Info section of File tab	<a href="#">How-To</a>	<a href="#">DocXtools (Litera)</a>
<input checked="" type="checkbox"/> <b>Reviewed document for accuracy</b> of names, dates, addresses, terms and/or currency values	Manual, on-screen review	<a href="#">Drafting Assistant (Thomson)</a> ; <a href="#">Contract Companion (Litera)</a>
<input checked="" type="checkbox"/> <b>Resolved comments and tracked changes</b> using tools available in Review tab	<a href="#">How-To Accept/Reject</a> and <a href="#">How-To Resolve Comments</a>	Not applicable
<input checked="" type="checkbox"/> <b>Redacted properly using Acrobat</b> <i>Note: Highlighting text in black is does not remove or hide the text and does not qualify as redacting</i>	<a href="#">How-To</a>	<a href="#">LitKit</a> ; <a href="#">Adobe Acrobat</a>
<input checked="" type="checkbox"/> <b>Added signature pages and included signature lines</b> from Text group of Insert tab when needed	<a href="#">How-To</a>	<i>Automated within all the major template packages</i>
<input checked="" type="checkbox"/> <b>Prepared for digital signature and included signature lines</b> from Text group of Insert tab when needed	<a href="#">How-To</a>	<a href="#">DocuSign</a> ; <a href="#">Adobe Sign</a>
<input checked="" type="checkbox"/> <b>Added watermarks</b> from Page Background group of Design tab when needed	<a href="#">How To</a>	<i>Automated within all the major template packages</i>
<input checked="" type="checkbox"/> <b>Locked document for editing</b> using Protect Document under File tab	<a href="#">How-To</a>	Use <a href="#">Sensitivity Labels</a> in M365
<input checked="" type="checkbox"/> <b>Reviewed pagination</b>	<a href="#">How-To</a>	Not applicable
<input checked="" type="checkbox"/> <b>Generated a PDF for delivery</b> by exporting or saving as a PDF from File tab <i>Note: Do not use Microsoft Print as PDF as it eliminates hyperlinked</i>	<a href="#">How-To</a>	<a href="#">LitKit</a> ; <a href="#">Adobe Acrobat</a>

NOTE: When surveyed, legal practitioners suggested that non-substantive document-creation tasks should take no more than 5 minutes per page. If you are spending more than 5 minutes per page, please consider technology training or trying a professional-level tool that will improve your efficiency and effectiveness.

## Putting the Document Finalization Tasks in Context



### About the Effectiveness Project

This module is an excerpt from a comprehensive working paper by the Effectiveness Project team. The Effectiveness Project is an ongoing collaboration of legal professionals that seeks to provide a clear framework for document creation through identifying best practices, suggesting baseline skills, and offering curated how-to resources. The group was formed in March 2020 and released its working paper in August 2021.

The team is led by Ivy B. Grey, former practicing lawyer and Vice President of Strategy & Business Development for WordRake and Tony Gerdes, Director of Knowledge and Innovation at Offit Kurman, P.A., and Contributing Member of LTC4™ (Legal Technology Core Competencies Certification Coalition). The group also includes Rachel Baiden, Global Technology Training Manager, Squire Patton Boggs; Adrian Bailey, Chief Architect, DocStyle, LLC; Chris Cangero, Chief Executive Officer, DocStyle, LLC; Dave DiCicco, Senior Director of Product Management, LexisNexis; Florentina Field, Co-Founder of Prelimine, Litigation Attorney; Jacob Field, Co-Founder of Prelimine; Sherry Kappel, Evangelist, Litera; Colin Levy, LegalTech Evangelist and Blogger; and Dyane L. O’Leary, Associate Professor of Legal Writing and Director, Legal Innovation & Technology Concentration, Suffolk University Law School. The Effectiveness Project also received contributions from Alma Asay, Founder, Allegory; James Gillis, Estates and Trusts Attorney, Offit Kurman, P.A.; and Douglas Lusk, Founder, National Society for Legal Technology.

### Resources to Learn More About the Need for Document Competency

#### | General Introduction:

1. [The Lawyer's Guide to Microsoft Word 2013](#) by Ben M. Schorr
2. [Microsoft Word for Lawyers](#) by the Lawyerist
3. [Formatting Legal Documents with Microsoft Word 2016](#) by Jan Berinstein, Ph.D.
4. [Wildcard Cookbook for Microsoft Word](#) by Jack Lyon
5. [Macro Cookbook for Microsoft Word](#) by Jack Lyon
6. [Microsoft Word For Legal Practitioners](#) by Monica Korf

## | Comprehensive:

1. Eugene Volokh, *Chief Justice Robots*, 68 Duke L.J. 1135 (2019) (discussing the roles for AI in legal practice, including writing briefs).
2. Ivy Grey, *Ethical Duty of Technology Competence: What Lawyers Need to Know* (Aug. 2020) available for download at [https://www.wordrake.com/tech\\_competence](https://www.wordrake.com/tech_competence)
3. Heidi Frostestad Kuehl, *Technologically Competent: Ethical Practice for 21st Century Lawyering*, 10 Case W. Res. J.L. Tech. & Internet 1 (2019).
4. E-Book: *The Lawyer's Guide to MS Word Training and Resources*, Intelligent Editing June 22, 2019), <https://legal.intelligentediting.com/blog/free-e-book-the-lawyers-guide-to-ms-word-training-and-resources/>
5. "Smart" Lawyering: Integrating the Duty of Technology Competency into the Legal Writing Curriculum, 19 U.N.H. Law Rev. 197 (2021) (Section IV(A)) available at <http://ssrn.com/abstract=3671632>.