

DEPARTMENTS

Technology—Property: Bundled for Success – The 21st Century Binder

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Technology—Property provides information on current technology and microcomputer software of interest in the property area. The editors of *Probate & Property* welcome information and suggestions from readers.

One of the most common documents given by transactional lawyers to their clients is “The Binder.” Buy a house; client gets a closing binder. Create a trust or an estate plan; client gets a planning documents binder. Buy a business, close a deal; client gets a deal binder. Release a condominium offering plan; buyer and seller each get a huge offering plan binder. The Binder is the ultimate transactional lawyer product. Even litigators use The Binder—deposition binders, motion binders, hearing binders, trial binders, and appeal binders.


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In a transactional practice, much time and attention is given to the production of professional looking binders. It may be necessary, but it is also time consuming to produce. Often binders must be redone several times because of staff error or the desire to include additional documents obtained after the transaction has closed. Is there software that can make the production of The Binder less time-consuming, but just as attractive? I have examined five choices. Here is what I found.

What Is an Electronic Binder?

These days many lawyers create electronic binders, but other lawyers create paper binders. Some lawyers create both. It is up to the paralegal staff to make sure that the electronic binder is kept in sync with the preliminary paper binder that is sent to the client. With many fast-paced transactions, the key documents are changing up to the last minute. Many documents don't arrive until the closing or even weeks after the closing. What if there were one central place to organize the digital

and paper documents that constitute The Binder? What if last-minute changes were as simple as adding a new section and uploading the document? What if distributing the document securely were simple as pushing a button and choosing “Send Link” or “Send to Printer”?

People often look at and read binders decades in the future. Document technology that is cutting edge today may not be readable or available 20 years from now (for example, planning documents on floppy disks). No matter how “cool” your technology seems, the truth is that only paper does not become obsolete. In today’s world, The Binder needs to be produced in both media: an easy-to-use, interactive, searchable electronic binder with a dynamic table of contents; and also a lasting, paper binder.

Bundling Software vs. Binding

Most PDF software (for example, Adobe Acrobat, PDFDocs, NitroPro, and PDFCreator) includes a binding utility that allows you to select a collection of documents from a folder and merge them into a single PDF. From there, you can reorder pages, add and delete pages, and then email or print the final PDF. The full version of Adobe Acrobat DC includes a function called “PDF Portfolio” that goes one step further. It lets you maintain a link to the original source documents. You can add and remove documents from the portfolio at any time before you hit “print” or “finalize” PDF. If you don’t have Adobe Acrobat, you can create a basic binder with PDFBinder 1.2, available online as a free download (<https://pdfbinder.jaleco.com/>).

Though free (or already paid for) may sound good, you are missing the organizational tools that come with Bundling Software. With these binding products, you need to create a separate index document, pre-stage the documents into folders, and rename the documents with numbers to get them to bind in a designated order. If you are missing a document, you need to figure out where to insert the document into the binder. You may need to convert the document into PDF before you can insert it into the binder. Adding section groupings, bookmarks, and indices requires additional work. Special pagination and Bates-numbering may require a separate tool.

For this article I reviewed three bundling products, one of which was a desktop product, and two cloud offerings. PDFDocs Binder is an add-on for DocsCorps’s popular PDFDocs product (*see* <https://bit.ly/3865nEW>) that connects to iManage, Worldox, and NetDocuments. SetBuilder is an add-on for the cloud-based NetDocuments DMS product. *See* <https://bit.ly/2VucPqS>. Bundledocs (<https://www.bundledocs.com/>) is a cloud-based product that connects to most cloud-based repositories and several online practice management services. PDFDocs Binder is sold as an annual license per installation. Bundledocs and SetBuilder are each sold for a monthly per user fee.

Although SetBuilder requires NetDocuments licenses, you only need only pay the additional SetBuilder fee for those people who are actually registered to use SetBuilder.

Product Descriptions

PDFDocs Binder requires a prior software installation of PDFDocs. You begin by creating a “Binder Project.” Within the Binder Project, you can create sections. You can then upload documents into the appropriate section. Once uploaded, documents can be re-ordered as appropriate. You can also rename the documents as you would like them to appear in an index. You have drag-and-drop capability to move documents from one section to another. You can upload documents to serve as title pages or section headers. Because PDFDocs has a scan-to-PDF option, you can add scanned documents directly to the Binder Project.

Once the Binder Project is ready to be finalized, you have a number of printing and indexing options. The sections and the document names are aggregated into a document index. In the electronic PDF output, this index converts to PDF bookmarks, which are hyperlinked to the sections and documents in the Binder Project. PDFDocs also supports advanced document numbering, including Bates-numbers and section-based numbering.

Bundledocs is an online service that requires no software installation. Once you open an account with Bundledocs, it is simple to create a “New Bundle.” The next step is to create sections. You can organize your sections into volumes and even subsections. Once you define an outline, you can start uploading documents. If you have a DMS like NetDocuments or iManage, or even a practice management system like Clio or ActionStep, you can retrieve those documents directly; there is no need to first “download” the document to your desktop and then upload them to Bundledocs. Bundledocs will convert the document to PDF and OCR it to make it searchable if it is an image or scanned document.

Like PDFDocs Binder, Bundledocs will produce an index page automatically. However, Bundledocs goes further. Bundledocs is feature rich. It will produce an automatic cover page. Further, it allows you to produce several different indices off the same bundle, one for the internal use (which has all documents) and other indices for external users who will see only a selection of the documents. If you are using Bundledocs for a deposition, you could have a volume for each deponent and a select list of documents for each witness, with each witness receiving his own bundle.

Bundledocs also has an annotation layer. You can add public and private notes. You can print the document with and without the notes. You can also have a redaction layer, which is based on

manual marking or even based on a term search for a name or personally-identifiable information. When you send out the bundle to the external user, the redaction is completed and the privileged or confidential text is hidden. Bundledocs also allows you to add page numbering and section numbering, as well as Bates-numbering.

SetBuilder is an add-on for the NetDocuments DMS. SetBuilder groups documents into “Sets” instead of bundles or binders. This actually makes the Set more useful, not just in producing the binder but in managing the actual transaction. You begin by creating a Set or Sets within a workspace for your project. Each Set is actually an outline, with any numbering schema you prefer. The outline consists of Headers, Placeholders, and Documents. The document titles in the set are links to documents within the NetDocuments workspace and can be independently edited.

The use of Placeholders is a distinguishing feature. The Set can begin as a closing checklist. The checklist has headers to group items together and placeholders for documents to be created or uploaded. As the user receives or creates the documents, the Set is automatically updated. When the transaction is complete, the Set can be finalized. At this point the Set can be published to PDF and emailed or sent via secure link from NetDocuments. In addition, it can be downloaded and sent to a printer to be printed and bound. The PDF version includes PDF bookmarks and hyperlinks.

Recommended Improvements

These three products work beautifully for electronic binders, but they require some further enhancements to facilitate the production of professional-looking printed binders. Enhancements should include the ability to define an automatic cover page for each volume, section, or subsection; and an auto-generated title page for each document or placeholder. In addition, most paralegals would appreciate the ability to create tab labels from the index. Document title pages would make it easier to locate where one document ends and the next document begins, allowing the paralegal to easily insert plastic dividers, facilitating ease of use.

Binders are the perfect coda for the perfect transaction. They can also be a necessary and costly evil. With these bundling tools, The Binder can be transformed from a sunken cost into an unexpected profit.

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