



AUTOCORRECT AND AUTOCOMPLETE: AUTOMALPRACTICE?

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A few years ago a Philadelphia-based law firm made headlines in the worst way. An associate thought he was sending a highly confidential document concerning a planned takeover to the client. As he started typing the name in the “TO” line, a list of possible names popped up. This was provided by the email address Autocomplete feature which is built into Microsoft Outlook. Unfortunately, it’s easy to accidentally click on the wrong name, because the type is small, the list is often long, and names are often similar when listed in alphabetic order. The associate accidentally clicked on the name of a reporter at the New York Times. The rest, as they say, is history. Embarrassing, damaging, history.

Just this week, someone posted on the Solo & Small Firm Section Listserv that he was perturbed to find that his Autocomplete address list was lost when he moved to a newer version of Outlook. He wanted to know how to get it back because he had thousands of names in there. I must admit that when I read it, a shudder involuntarily shot up my spine, and made the hair on the back of my neck stand on edge.

There is just no way that an Autocomplete list that large doesn’t contain out-of-date email addresses. Wait, you say, if I have updated John Smith’s contact in Outlook, and I pick John Smith from my Autocomplete list, won’t it pick the current email address? No, it will not. It will pick the address last used. If you haven’t contacted John Smith in a while, your email will not reach him.

You may say to yourself, so what? It will bounce, right? Not necessarily. Some firms do not shut down email boxes when an attorney departs, because they might miss important client communications. Often they will create an autorespond message stating that the email is being forwarded to “x” for review, and provide contact information for “x”. Meanwhile, emails sent to that address will be automatically forwarded to another individual for careful review. Many businesses work the same way. They don’t want to risk losing sales, customers, or other critical communications by bouncing emails. So they will forward all incoming emails to that address to another person for review.

Let's talk about duplicate names. I have 22 contacts with a last name of Smith. It so happens two have identical first names. Many have similar first names, which in small print would be hard to discern. If I start typing Smith, all those who I have previously emailed will be included in my Autocomplete. Let's assume, for the sake of argument, that I want Donald Smith, and I have 2 who I have previously emailed. There is absolutely no way I can tell from the Autocomplete list which is which. Will I even remember that I have 2 contacts with that name? Suppose I've only emailed the one I *don't* want to send to. Will I realize that when the name of the wrong one appears on my Autocomplete drop-down list?

Over the years I've heard quite a few technology consultants decry the use of Autocomplete, and suggest that all lawyers turn off this feature entirely in order to reduce the risk of malpractice.

I disagree about turning it off. It's a very helpful time saver. However, I regularly "clean out" names from my Autocomplete. Any time a list pops up, any which I haven't used in a while, or don't remember who they are, get deleted. It takes just a second.

If you hover your mouse over any name, you'll notice at the far right of the name an "X" appears. Click on the "X" and the name is removed from the list. Keep your list "fresh" and it will regenerate quickly again as you continue to email back and forth. Also, be sure to always look at the name which is selected before you hit SEND. Sometimes, just as I am about to hit SEND I take a final look and think, "OMG, that's Ernie Smith. I wanted to send this to Emily Smith. That could have been a disaster!" I've trained myself to look every time because of the one time I didn't, and an email was sent to the wrong party.

One final point about Autocomplete: I promise I won't publish the names of the dozens of you who have accidentally sent me confidential client correspondence and documents using your Autocomplete feature!

Autocorrect is the other feature which is usually less harmful from a malpractice perspective, but can be quite embarrassing and make you look far less skilled than you are. Autocorrect is the feature in Word which works with your spell checker. It comes preloaded with thousands of common typos, and their corrections. So let's say you do the common typo "teh". The second you hit the space bar it will automatically correct it to "the." Try it. You can also add to it as you work on documents. For example, I cannot type Pennsylvania correctly. I always reverse the "syl" to "sly". So I finally



added it to my autocorrect. Now I can make the typo repeatedly, and the autocorrect feature will fix it for me.

So what's the problem? There are lots of supposed typos in autocorrect which are in fact client names, legal terms, and otherwise legitimate words for a lawyer to use.

A long time ago a midsize firm brought me in because they were about to fire a secretary for lack of proofreading skills. My additional training was to be her last chance to keep the job. She tearfully swore to me that the computer was creating the problem. She said she knew how to spell the client's name, and looked at the screen and saw it was perfect before moving on, but that it always was wrong later. It was the first time Microsoft introduced autocorrect as a software feature. It took me about 15 minutes (and an assumption she was speaking the truth) to realize that Word thought the client's name was a typo and was "fixing" it. I went into her autocorrect, and sure enough, there was the client's name. I removed that entry from her autocorrect, and the problem disappeared. Her job was saved. Before departing I suggested to the office manager that she inform everyone of the possible issue. And I *never* forgot the "lesson"!!

The autocorrect feature is too important to ignore. It can be used to memorize unlimited amounts of data including alphanumeric, graphic, and formatting characteristics, in order to be used for document assembly purposes. So use it well and wisely. If you have never looked at what's included, go into File / Options / Proofing / Autocorrect Options. Any "typo" which is a client name, legal term, or anything else legitimate in your world, can be selected (highlighted), and deleted by clicking on the DELETE command (not your keyboard delete button, the choice in the dialog box).

A version of this article originally appeared in the Fall 2013 issue of the PBA Solo & Small Firm Section Newsletter.

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