# Security Precautions in Sending Computer Word Processing Files to Opposing Counsel.

*By*


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Did you know that opposing counsel might be able to view prior versions and editing changes of word processing files that you send them?  Concerned? You should be.  If you send opposing counsel a word processing computer file of a pleading, settlement offer, interrogatories, letter, etc. you may be inadvertently (or by design) sending your prior versions and edits of these documents in the same computer file.  Whether the document is sent by e-mail, on a diskette or on other electronic media the prior versions and edits may still be contained in the computer file.

The two primary word processing programs used by legal professionals are WordPerfect and Microsoft Word.  Both contain "features" that permit a user to view prior versions and edits of word processing documents.

For example in WordPerfect (depending on your version) if you click on the menu option "Edit" the user is given two choices to "Undo" prior changes one at a time or one can view the entire "Undo/Redo History" of a document.  Clicking on the "Undo/Redo History" menu label opens a dialog box that shows the Undo/Redo History.  The dialog box also offers an "Options" selection. Click on this choice and the user is given the option to uncheck the box entitled "Save Undo/Redo items with document.   Uncheck the box and prior changes to the documents are not saved.

In Microsoft Word, under the Edit menu choice at the top of the page if one selects "Undo _____" then prior changes will be shown one at a time.  Also, on the standard toolbar click the arrow next to Undo symbol and Word displays a list of the most recent actions you can undo.

Word also provides features that allow one to track changes or make comments about a document. When tracking is turned on, Microsoft Word uses revision marks, the equivalent of "redlining" or "blacklining" to indicate tracked changes.  Clicking on the "Tools" menu and then clicking on the "Track Changes" menu option controls this feature.  Under the "Highlight Changes" menu option one can uncheck the "Track changes while editing" box to turn off this feature. Also, be advised that you can make annotations on the screen without changing the document by using Insert Comment on the Insert toolbar.  Word numbers it and records it in a separate comment pane that can be viewed later on.

You can also save multiple versions of a document in one file in Word.  If you have a document that might be revised in the future, you might want to keep a record of each different draft. You can set up the document so that Word saves a "snapshot" of the current version automatically each time you or another reviewer closes the document after making changes. All versions are stored within one document, although Word displays only the current version by default.  For each version in the document, Word records the date and time the version was saved and the name of the person making the changes. You can view any one of the previous versions in a separate window by opening that version from the **Versions** dialog box (**File** menu).

Also, a more esoteric prior change feature is entitled "metadata".  It may include information about the author, revisions about the document, etc.  To locate additional information about "metadata" go to http://search.support.microsoft.com/kb/c.asp and   select the Microsoft Word product and type metadata under #3, "My question is. . .   " This article discusses ways to minimize metadata in Microsoft Word documents.

Whatever word processing software you use it is important to become familiar with the editing, version control, redlining, metadata and other "features" that save prior changes to a document within the same computer file.  Otherwise if you send the computer file to opposing counsel then your prior edits and versions may be available for review.  It is important to raise these issues with other members at your firm and technology personnel to minimize any potential problems. Instead of the "buyer beware" the "sender needs to beware".