



PDF Documents Are Modifiable: Learn to Sign in 10 Minutes

By Christopher B. Hopkins

Lawyers love PDF documents – but often for the wrong reasons. Last week, I exchanged settlement documents via email in two different cases. In both instances, the releases were created in Word, converted to PDF, and emailed. The purpose of converting to PDF was twofold: (1) avoid prying eyes viewing the track changes in the Word document and (2) the PDF format is “fixed” which prevents editing by the other side. Sound familiar? Well, that thinking is only half right. Ethics Opinion 06-2 requires lawyers to ensure the confidentiality of the metadata. However, PDFs should not be viewed as non-modifiable or permanently “fixed” in place – but that is a good thing.

A recent study by the ABA reveals that 89% of lawyers use a smartphone and nearly half of those are iPhones. In addition, almost 30% of all lawyers now use an iPad. While these figures may initially seem high, anecdotally, I have noticed in recent depositions and conferences that many lawyers come armed with both an iPhone and iPad. In short, the legal community has embraced mobile technology.

This brings us back to the PDF. It is an elegant software device which can both preserve a Word document as well as scan an article or record into a word-searchable, indexable, and emailable document. But just as a Word document can be “fixed” or converted to PDF, the reverse is true. Think of it like freezing water and then thawing the ice back to its original state. There are free programs which perform this task. Even the upcoming version of Microsoft Word 2013 will open and edit PDFs as if they were Word documents. The concept of the PDF as a non-modifiable, permanently “fixed” document is wrong.

So how is this good for lawyers? The practice of law is mobile, hence the statistical popularity of iPhones and iPads. How often have you been out of the office and someone has emailed you a PDF document to revise or sign? Your options have been to (a) have someone else sign, (b) sign and fax it from the road, or (c) let it sit until you return. But those options are cumbersome and time-consuming. Why not just sign the PDF right on your device? After all, Florida Statute 668.002 establishes that your electronic signature “shall have the same force and effect as a written signature.”

Let’s practice signing and emailing PDFs. In ten minutes, you will have the tools and knowledge for you, or your clients, to sign PDF documents outside of your office. This works both on your iPhone or iPad but ideally the latter due to the larger screen. Download the free Adobe Reader from the App Store. It comes pre-loaded with a fourteen page PDF called, “Getting Started.” Familiarize yourself with it, including teaching it your signature on page 13. Scroll to page 9 (entitled “Try it Yourself”). Ignore what is on that page – we’re going to pretend it is a document for you to sign. Press on a blank area of the screen and hold it. A black bar will appear; select “signature.” Then hit “add signature.” Voila, you have signed this page. Press your signature with your finger and you can move and resize it – if this were a real document for you to sign, you can ensure that your signature is placed perfectly on the line and is the appropriate size. Now

we need to save the PDF with your signature and send a test version to yourself. Tap your finger in a blank area of the page. A title bar should appear across the top of the screen. In the upper right corner, press the box with the arrow to the right (the “forward document” icon). Select “email document” and send to yourself. The PDF bears your signature. Note, as of this writing, if you open the PDF on your iPad, it will not show your signature. Adobe claims it is a bug in the iOS rendering of the PDF. But if you open it either in any other PDF-editing program on iOS or on any other machine, rest assured, your signature is there.

You have just mastered the first step of what is called “annotation” software. Consider the implications: on the spot, clients can sign retention agreements, real estate documents, settlement releases, or any other document. Likewise, you can sign documents from the road.

There is a second step to annotating PDFs which involves highlighting or adding comments. Back in the Reader app, turn to page 8 of the Getting Started document. Press briefly in an open area of the page and then select the pen icon which appears along the top. Press the icon which looks like a cartoon “talking” bubble. Now you can comment (or “annotate”) on the text. This is helpful when revising a document to email to a client or back to the office. Next to that is a highlighter. Great for reading and highlighting medical records or large stacks of articles on the road (then print or save for later use).

Ultimately, you will want to pay for a fuller annotation program such as PDF Expert, Notes Plus, or Remarks. You will also want to get a stylus, such as the Targus Stylus or Wacom Bamboo Stylus. Stand out from the “average” 30% of iPad-carrying lawyers and use a stylus, annotation apps, and modifiable PDFs as your mobile office.

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