

Do You Need Fax Capability Anymore?

Niki Black's post about canceling eFax struck a nerve with me because I'm going to replace my fax/copier/printer and was planning on going with a copier/printer and a fax service. In the process of doing that, though, I questioned whether I even need a fax anymore.

So I'm curious -- what does the collective think? Has fax gone the way of the telex? (When I started practicing, the telex was the means for "instant" communication and the fax was just starting to gain acceptance.)

People still ask for my fax #, but got rid of it due to dedicated line expense, and never got eFax, I just say use email, ruffles some feathers, but most people deal with it.

G Alba, Florida

Your post just got me thinking about the same thing. I use MaxEmail..which has been great for the two faxes I send/receive a year... But that put is at about \$10 a fax..

V.K. Vandaveer, Washington, DC

I think it depends on the type of clientele. You should probably have a fax if you're dealing with the general public, not necessarily so if you just have a couple of institutional accounts.

Michael A. Huerta, New York

Efax costs something like \$150 a year. To my way of thinking, that is well worth the ability to receive faxes and not ruffle any feathers, even if it is not used.

but I deal with a law firm who, incredibly, does not accept faxes, and will not accept document discovery on a CD.

Mark J. Astarita, New York

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We send dozens of "leave our client the heck alone" faxes to creditors and collection agencies every week. The machine-printed confirmation is the least-expensive and most reliable (show of hands of everyone that ever got blank certified mail receipt cards back?) evidence of receipt of an outgoing communication when such evidence is needed in a court proceeding (E.g, speaking hypothetically, when they DON'T leave our client the heck alone).

Wendell Finner, Florida

It depends on your practice area. I want to say that my elderly clients are more inclined to use fax or (gasp) snail mail more than my younger clients but I still have some younger clients who fax.

But the bulk of my practice is dealing with IRS and New York State Dept of Taxation and Finance. They do not e-mail. If I can't get them to fax something then I'm waiting for it in the mail. If it weren't for myfax I'd be waiting forever for stuff.

I don't think you can categorically say that faxes are outdated. Just for some practices and some segments of the population.

John
Sent from my Blackberry

John J. Genova, New York

Within the past year, I've had both clients (e.g., those who have no scanner & use a retail store's fax services to send me documents) and opposing counsel (mostly, older generation) fax documents to me. Also, New Jersey Court Rules allow a faxed signature to be filed with a court in lieu of the original one but there is no similar provision for a scanned signature.

Ekaterina Schoenefeld, New Jersey

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Most clients gave access to a FAX machine. Not as many to a scanner.

Thus if you need documents signed quickly, fax is usually it. We got faxes constantly at my old firm, as well as emails.

Also medical records. Only about 1/4 to 1/3 if providers give them by online portal (this goes up and down depending on the area).

Finally, the court sent faxes nit emails, though the judges would email.

Erin Schmidt

I still get asked to send/receive faxes periodically - usually from financial institutions who may be under the very mistaken belief that fax is more secure (mistaken if they have a traditional physical fax machine where anyone can look at what comes in while it's just sitting there).

We use and recommend MetroFax currently - seems to be the best deal v. MaxEmail and MyFax.com that we used to use. But as you know I'm sure, all the services work the same and are similarly priced.

HTH,
Ross Kodner, Wisconsin

I have the \$24.95 per YEAR package from Maxemail. The incoming number is not in my area code, but no one cares. While I get or send very few faxes, having the number is sometimes a lifesaver.

<http://www.maxemail.com/max/pricing.html>

If you decide to cancel your account and do away with faxing altogether, connect with someone who was an electronic fax number that you can give out in an emergency. When the (non-confidential) fax comes in, that person can forward it to you by email.

Mike Phillips, North Carolina

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+1 for the MaxEmail Lite account (though I've had it for so long that it's \$14.95/year). The fax number isn't in my zip code, but that doesn't matter because I have a nationwide clientele.

I no longer have my fax number on my business cards. Now that I think of it, I might as well leave it out of my e-mail signature as well....

Lisa Solomon, New York

I'm with Mark on this one. Given the low cost of an e-fax service, if having fax capability is a make/break factor in ONE deal, then it easily pays for itself. For litigators, it could mean the difference between getting an affidavit signature back in time for a last minute court filing. For transactional lawyers -- like the Sezzer who had the incommunicado client the other day -- it could mean getting a signature on a document before the close of business.

I view my e-fax capability like I do insurance -- if I don't have to use it, that's fine, but when I NEED to use it, I'm glad it's there.

My \$.02.

HTH.

Scott Barer, California

In the offices I have worked at throughout law school, we still used fax extensively still. I suspect that I will require one for quite a while into the future since I'll be in a more rural area that is always quite a bit behind on technology. I've even found that not having one at home has been quite a pain lately and have had to use efax services (which is fine but I don't have any accounts with them yet, so I have to use their sub-par free versions).

Christopher Ambrose
Notalawyer

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Eh, I think you need it. Even if occasionally, It's not like they're that expensive; my first fax was Panasonic thermal transfer type for less than \$100. I'm not seeing them as being sold nowadays, but you can pick up about 3 different bottom of the line Brother fax machines for less than 100 bucks at staples; even if you don't keep use it much, when you need it you need it.

Ronald Jones, Florida

Service by fax is one of the accepted means of serving opposing counsel under the Texas Rules of Civil Procedure, whether opposing counsel wants you to or not. The only other means of service expressly provided under the rules are hand delivery and certified or registered mail. You can electronically serve pleadings to opposing counsel only if opposing counsel agrees to it.

Under the Texas rules, If you fax pleadings or discovery requests, the recipient gets an extra 3 days to respond just as if you had mailed them. Also, if you fax them after 5:00, it is not considered served until the next business day. So I have never seen any strategic advantage of faxing pleadings and discovery requests, but many other attorneys apparently do.

I have a case now where one of the opposing counsel faxes me everything and refuses to accept electronic service. Last week he filed 10 separate motions and clogged up my fax machine for several hours on Friday afternoon.

I am looking into eFax and other alternatives and plan forward my current fax number to the eFax number. That way I will still have my same fax number (even if I change fax services later on) but will receive faxes electronically. I will keep my fax machine for outgoing faxes, but eventually plan to move to scanning documents and faxing them via software.

The only reason I have not already moved to Efax or another service is that none of them have local numbers (I am in a relatively rural area). Consequently, every fax that is forwarded from my local fax number will incur long distance charges unless I pay extra to the fax service for a toll free number. We get enough faxes that it could add up to substantial charges.

Neal A. Kennedy, Texas

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I just got a fax from the Court the other day. I don't use my Maxemail account all that often, but just enough that I don't plan on cancelling it. Still, I think it's only a matter of time before fax goes the way of the dodo bird.

Cheers,

Eugene Lee, California

Like Neal, I'm in Texas. I will continue to serve documents by fax until the Texas Supreme Court and the Texas Rules of Civil Procedure say I don't have to. Hand-delivery is expensive and more time-consuming to implement (have to take the time to call a courier service), and sometimes certified mail doesn't get picked up timely, and sometimes not at all. Thus, fax is the easiest, fastest, cheapest, and most reliable way for me to serve other counsel (unless counsel agree to email or other electronic service). The small monthly cost I pay for an electronic fax system is worth every single penny.

I have also had clients email me stuff from hotel rooms when they are traveling.

Tracia Y. Lee, Texas

Certain insurance companies, like State Farm, still fax, as their employees are not given email access. It's a PITA, but, I like sending them settlement documents whether it's by fax, email or carrier pidgeon.

Jeena R. Belil, New York

My courts communicate by fax, too. There is one opposing counsel who faxes me rather than emails or snail mail.

I think if the judges and judicial assistants had their way, the court would move to electronic filing. But the bureaucracy hasn't quite caught up yet.

Monica Elkinton, Alaska

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I use MyFax - \$10/mo, I think. I have a local number for my "fax machine," but I don't love their UI. It's still cheaper than an extra phone line would be, though.

Corrine Bielejeski, California
