Chapter 7 - Managing Litigation Information Using Technology

Delegation and Assignment of IT Tasks and Workflow

One of the difficult transitional areas for legal professionals is the reassignment of workflow processes as we change from a "paper" to a "paperless" case system. Digital control of case information presents new methods and skills that are obviously not present in a paper or analog system. A paper system requires documents, folders, expandos, filing cabinets, etc. A "paperless" system requires ASCII disks, OCR software, a scanner, database design, etc. Below is a beginning checklist of tasks that need to be assigned for a digital case management system. Many of the areas discussed below are covered in other parts of the book, such as Hardware and Software descriptions in Chapter 2. The following section is designed to start the process of assigning these areas to the lead attorney, associate, paralegal, computer support staff or others.

MANAGING   LITIGATION INFORMATION   ASSIGNMENT

Outliners   (See chapter 6)

- Initial outline/trial notebook of case   Attorney
- Review of outline for suggested changes   Support staff
- Updating case outline   Attorney/support staff
- Connecting to other digital information – full text   depositions, etc. Support staff
- Training on how to use software   Support staff

Database – for document control and   other

 - Legal needs assessment. What will the   database be used for – document information Attorney
- Design of the database(s)   Support staff
- Testing the database   Support staff
- Designing and printing reports   Support staff
- Approval of database design and reports   Attorney
- Formatting existing computer data for importing into   database Support staff
- Formulate legal and factual issues, witness and other   codes. Attorney
- Develop document and image numbering system   Attorney and support staff
- Inputting objective data into database   Support staff
- Inputting subjective data into database   Attorney
- Editing database   Attorney/Support staff

- Periodic printing of reports   Support staff
- Backup computer data   Support staff
- Training on how to use database   Support staff

Images – to attach a digital copy of a document

- Determine needs assessment of why documents will be imaged and attached to data — Attorney and support staff
- Select imaging software depending on case needs   Support staff
- Determine who will do initial scanning of documents – in-house or outsourcing. — Attorney
- Accumulate client and opposing party documents   Support staff
- Scan documents and convert to images.   Support staff/outsourcing
- Attaching image to database record   Vendor or Support staff
- Training on imaging software   Support staff

Full Text – to search depositions or other litigation

- Select full text software after needs and comparison study. Carefully consider advan... — Attorney/Support staff
- Set up case file   Support staff
- Determine computer format that full text material needs to be in.   Support staff
- Determine if images will be linked to full text materials   Attorney
- Determine if video depositions will be taken and whether they will be synchronized w... — Attorney
- Contact court reporter to provide copy of depositions and exhibits (if you are having t... — Support staff
- Link images to specific transcript passage   Support staff/Ct.Reporter
- Determine if you want to convert paper documents into full text data by using OCR. — Attorney
- Convert selected documents into full text data   Support staff or outsource
- Import full text depositions and other material into full text software program — Support staff or outsource
- Train attorney and others on software program   Support staff
- Design reports for on-screen review or printing   Support staff with attorney legal ana...
- Review and code deposition by issue, witness or other codes — Attorney and/or support staff
- Search depositions for specific testimony from witnesses for impeachment, etc. — Attorney/paralegal
- Compile and review reports for case analysis   Attorney
- Print out reports on a periodic basis   Support staff

Real-time Transcription of Testimony – instant translation onto a computer

- Determine if you want to use real-time reporting. Explore the benefits of using real-ti... — Attorney/Support staff
- Formulate best strategy to use in deposition. Is opposing counsel cooperative?

- Do you wish transmission to a remote location such as your office, expert witnesses' ... — Attorney
- Select a certified real-time reporter   Support staff
- Select and purchase real-time software and train litigation team. — Support staff
- Select hardware equipment needed for the deposition.   Support staff
- Install and test system with court reporter two weeks before deposition — Support staff
- Train attorney on use of real-time software   Support staff
- Using real-time during the deposition. Have a specific strategy as to who will be usin... — Attorney