

Chapter 7 - Managing Litigation Information Using Technology

Personnel Issues when Coding Your Documents.

Personnel Issues when Coding Your Documents. Many firms code their own documents instead of sending them out to service bureaus. If you decide to code your own documents, here are some suggestions.

- Have a clerk enter in the objective coding for a document, such as document number, date, type, and names connected with the document. A legal technician or paralegal could check the accuracy of this objective coding and subjectively code, i.e., summarize the document and put in issue codes that are relevant to the document. After this has been completed, an attorney reviews the original document and the entire coding.
- Coding personnel can include college or law school students. Law students and recent unemployed college graduates with a liberal arts degree are good candidates. Paralegals and junior lawyers can be expensive, but are needed for subjective coding. Lawyers and other professionals are generally not good coders because they put too much detail in the records. Coders must have the ability to read a large number of documents, understand these documents, summarize the information, stay interested, and locate important facts. Labor costs make up a significant element of databases and should be calculated at the outset.
- A senior administrator can oversee the coding process with assistance from the lead attorney. Determine the number of documents per hour and determine the time necessary to code the entire collection. Allocate a sufficient number of coders for the job and add an extra clerical employee if the coding process requires.
- Train, train, and do further training to ensure consistency in the coding process. ACCURACY and UNIFORMITY are of paramount importance. Designate a quality control person and perform quality checks. Standardize terminology such as date, document types (usually no more than 20 types), and name formats.
- All of us have heard of the term "garbage in - garbage out." It is important when entering data, that it is entered in the right field and correctly spelled. This is made much easier by properties assigned to fields that do not allow duplicates in certain fields and the validation control that only allows certain information to be entered. For example, only certain names can be chosen for the name field in a document control application, depending on which names have been previously authorized.
- These are extremely important tasks and set procedures should be established for both objective and subjective issue coding. RECODING is very expensive. Consistency is the key. Run tests to determine if there are mistakes, and if so, retrain before you are too far into the project.

Other Coding Considerations. Other factors to consider for a successful BI coding project are the following:

- Will opposing counsel consent to sharing the cost of creating a bibliographic database and images connected thereto?
- Code directly into PC instead of on coding sheets, as it reduces errors.
- Ensure quality control measures are in place, including spell-fields, consistency of name and date insertions, and appropriate Bates numbers.
- Define what a document is.
- Screen, screen, and rescreen the documents so that only relevant documents are chosen for BI. The per document cost may be low, but the cost can increase rapidly, depending on the volume of documents. Use file level indexing for less important documents.

- Attachments to a document can be handled in a field, such as ATTACH: H - has, I – is, B – both or N – Neither. Also, 2 other fields to have the beginning page number and ending page number of the attachment;
- Use BI for relevant documents and detailed subjective coding for critical documents.

- Security and access to the database is important to keep the confidentiality of the documents.
- Determine the timeline for the project.
- Who will be the contact person to the outside service bureau?
- What is the production schedule? Who is authorized to make changes to it?
- Client arguments - present the costs as being necessary because of the need to use up-to-date proven technology to control critical case information. The other side will be using the technology and request a denial from the client in writing.