

# NALSM VIEWS

September 1993

National Association of Litigation Support Managers

Vol. 4 No. 3

## Adapting Litigation Support to Practice Support

Making Better Use of Your Organization

by Charles Kellner

This article explains how to apply lessons from automated litigation support to other kinds of practice support. It illustrates how to use litigation support teams in aid of other practice groups. As lawyers and clients look for better ways to use resources efficiently, a team approach to practice support makes organizational and economic sense.

Litigation support has grown tremendously. This growth has generated new positions and new working relationships in law firms. Generally, these new relationships involve applying computer technology to the needs of large cases.

Litigation support requires interdisciplinary skills to translate volumes of varied information into sensible solutions for retrieval. It requires flexibility to anticipate the needs of the litigation teams. Among other groups, litigation support is distinctively built and purposely managed to move teams quickly and flexibly from one project to another.

Other practice groups can take advantage of the interdisciplinary skills and flexible teams available in litigation support. Litigation support is a valuable instrument for "practice support."

### Lessons from Litigation Support

One objective in managing litigation is to encourage each team member to work at an appropriate level of ability, and to delegate less complicated tasks to others. That way, team members learn and grow, stay productive and challenged, and the work itself reflects quality and value.

Before widespread use of computers in litigation, document management for large cases

(continued on page 2)

## The Changing Technology: Hot Microchips

by Michael R. Turley

[The following article is a continuation of our series on changing hardware and software technology.]

Microsoft's Windows has overcome some of the DOS limitations. For example, programs written for Windows can be multitasked (though only cooperatively, not preemptively) and can directly access more than 640 kilobyte. But Windows is built upon DOS and is still subject to many of its limitations and quirks, as any computer support person who has experienced problems with Windows can attest.

Enter the new operating systems. IBM's OS2 version 2.0 and later enhancements have been on the market for a year. Microsoft's Windows NT should be released by the time you read this. Other, "object oriented," operating systems are in the works. These operating systems will change the way we think of PC's. When coupled with the newer, faster microprocessors and lots of memory, they will turn PC's into minicomputers on a desktop. When DOS application programs (word processors, spreadsheets, databases) are rewritten for them, they will operate at speeds that will make lawyers and their support personnel swoon. Gone will be the 640 megabyte memory limitation and the need to use memory managers to make additional memory available. Users will be able to run several programs at once, with no noticeable drop in speed. But unlike Windows, the new operating systems will allow one

program running an important process to preempt the others. Users will be able to easily move information from one program to another, if one program crashes, the others will be unaffected (things Windows handles well but the new systems will handle flawlessly). Windows NT will even allow machines with more

(continued on page 3)

### >DIR\ISSUE

Bay Area Notes.....	3
Calendar of Events .....	4
Chicago Notes .....	3
Inside NALSM.....	4

## Adapting Litigation Support

(continued from page 1)

required repetitive review and manual retrieval. Many document projects diverted skilled team members from valuable substantive work. The manual systems gave way to sensible use of computers to handle repetitive search and retrieval, and diversified teams to build the systems.

In a litigation supported by automation, attorneys set strategy, study documents and testimony, and establish the criteria for information retrieval. Other members of the automation team work on program design and implementation, retrieval and distribution, extraction of information for the databases, quality control, and work flow. The result is an information retrieval system which provides a strategic and often economic advantage in managing a case.

This team model can be adapted to other practice groups.

### Assistance to Practice Groups

The demands of a day to day practice make it difficult for lawyers to sustain a desired level of attention to training, form files, and generalized research. Almost every firm has projects that have been commenced with great enthusiasm, and that have subsequently withered in the face of more pressing demands on lawyers' time. Attention to exceptional client service and building revenues often precludes continuity for other practice group projects.

A legal assistant or other specialist assigned to practice support is often the answer. But one person can do only so much. For a large or busy group, an individual is often beholden to do, in effect, everything for everyone. Substantive research may compete with administrative work. As practice groups undertake similar projects, there is great risk of overlap in staffing or duplication of effort. There is greater economy and efficiency in pooling practice support and litigation support resources.

### A Team Approach to Practice Support

Practice groups can make use of litigation support techniques and staffing in a number of ways. By combining the practice group specialist's experience with a variety of litigation support staffing, a practice group might get even more support than before. The specialist can work more efficiently and draw on greater resources for larger assignments.

For example, practice groups need to design and build brief banks and form files. These resources are critical to quality service, training, and economy. The tasks involved are very close to litigation document management and

share many common elements. A practice group can draw upon litigation support staff and experience to help build these projects and to provide some continuity.

A practice support specialist can develop a single method to collect and retrieve forms for use by several distinct practice groups at once. Litigation support personnel with experience in extracting information from boxes of documents can staff the initial assembly or routine maintenance of an automated form file. With a specialist's supervision, the same techniques can be applied to automated retrieval of media articles for several groups at once.

A practice group analyst can combine litigation support and library sciences, using on-line research and full text databases for state-of-the-art information retrieval. Continuous research into industries, markets and legal developments play a vital role in supporting a robust corporate practice. These research and retrieval needs resemble the investigations required for litigation in intellectual property, unfair competition, securities, and the tracking for complex case management. The analysts can team with data processors to keep the practice group's intelligence up to date, retrievable, and ready.

As resources become pooled, the group becomes a valuable research and development resource for the entire firm. Some specialties can be aptly pooled: litigation or finance with bankruptcy, foreign languages with international practice, insurance with banking, etc.

Smaller or developing practices can benefit by utilizing personnel on a shared basis. For example, a specialist might coordinate projects for more than one group, by delegating and supervising some indexing, research or analysis formerly handled alone.

Within litigation support there are often specialties in financial analysis, statistics, demography for jury selection, computer modeling for expert preparation, and graphics for demonstrative evidence. These skills can be applied to internal studies, market research, and resources for development of presentations to prospective clients.

A firm should evaluate its practice support needs with the interdisciplinary talents of its staff. Various computer, management, analytical, language, educational and substantive expertise can be pooled and assigned to support many practice groups, without adding staff. Economy and logic dictate sharing costs, revenues, technology, skills and people. The result is a quality and cost-effective process for the firm and its clients. ♦

---

*Charles Kellner is the Practice Support Manager at Debevoise & Plimpton in New York City.*

## Microchips

(continued from page 1)

than one processor and will permit DOS and Windows software to run on machines that use processors not made by Intel. In fact, the fastest machines that use Windows NT probably will not use Intel processors.

Along with the new operating systems will come machines that employ new bus structures. All the data that moves to and from the processor, memory and peripherals must travel on the bus. Most desktop computers used by lawyers and law firms have an ISA bus. Fast network servers use an EISA bus. The parameters of a bus structure are too technical to discuss here, but suffice it to say that the VESA local bus machines now being sold and machines now coming to market that use a bus structure developed by Compaq will move data at speeds three to eight times faster than ISA and EISA bus machines. This will enable PC's to handle large files and graphics at blazing speeds.

On top of the enhanced ability to move data will come the enhanced ability to store and retrieve it. More on this in the next issue. ♦

---

*Michael R. Turley is the partner in charge of the MIS group at Lewis, Rice and Fingersh in St. Louis.*

---

## Bay Area Notes

The Bay Area Association of Litigation Support Managers has been very involved this year. We've organized presentations ranging from marketing litigation support to allocating resources for a litigation support database.

BAALSM also sponsored an informal get-together at the annual Legal Tech Show in Los Angeles which gave us a chance to sit back, relax and discuss the conference. Peter Buck and Doug Stewart were featured speakers at the seminar and with Spencer Reed and Lorraine Downes as attendees, the BAALSM presidents (past and present) made a great showing.

This has been a busy summer, leaving a trail of well-attended, interesting seminars in its wake. In late July, former BAALSM treasurer, Betsy Whitely, hosted a demonstration of legal software from Australia. Stephen Foley, Information Potential Ltd's developer from down under, discussed the differences between American and

Australian judicial systems and legal practice and demonstrated his software RETRIEVE.V2.

In August, BAALSM News Editors Rob Spekter and Rebecca Brody hosted a first-time user group meeting on Folio Views. This event served as an informal gathering where Folio Views users — experienced, new, and potential — shared ideas, concerns, and successes in managing full-text databases.

BAALSM is currently working with NALSM to discuss the issues we need to focus on both locally and nationally. Some of the topics discussed were job banks, membership, networking, new chapter establishment and the future of litigation support.

BAALSM's 1993 officers have all made a real contribution this year. ♦

---

## Chicago Notes

July and August in Chicago have truly been "dog days" (the hot sultry days of the dog star, Sirius). A few of us did manage to get out of our air-conditioned glass and steel (cages?) long enough to attend the August meeting to hear first hand how one of our member firms implemented Total Quality Management. The presentation included a cute video, talks by the Director of Professional Training and Managing Partner, and examples of the implementation of quality management procedures by Rick Jankowski, CALSM member and host.

The Price Waterhouse Chicago Legal Tech runs from October 18 through 20 at the Sheraton Chicago Hotel and Towers, 301 East North Water Street. CALSM will sponsor a reception on October 18 from 5:30 pm - 7:00 pm. Traditionally, this event has been the October CALSM meeting and we invite all to stop by to eat, drink and participate. As added incentive, October is (usually) not hot and humid!! ♦

---

## Editor's Note

We are pleased to announce that our new *NALSM Views* format has received a warm reception from our readers. We look forward to your continuing contributions and expect a very busy calendar of events to evolve as the summer comes to an end. ♦

# VIEWS

## Calendar of Events

### September 13

MALSM — (12:00) Board meeting at Robins, Kaplan, 2800 LaSalle Plaza, 800 LaSalle Avenue, Minneapolis. Members are welcome to attend Board meetings.

### September 21

SLALSM — Thompson & Mitchell, One Mercantile Center — BLIVES Group - Computer litigation graphics as trial exhibits.

### September 21

ECALSM — (12:00-2:00) General meeting. Members will be notified of the meeting location in early September. Please RSVP to Despina Kartson at (212) 819-8786 if you plan on attending. The session will focus on how to write an RFP and to work with vendors. Membership criteria for ECALSM will be discussed and all members are urged to attend and participate. A special vote will be taken to determine the membership issue.

### September 30

MALSM — (1:00-8:00) First Annual Vendor Expo at the Omni Northstar Hotel. Over 50 vendors have been invited to participate.

### October 18

CALSM — (5:30-7:30) Legal Tech reception.

### October 19

SLALSM — Bar Association of Missouri/St. Louis, One Metropolitan Square, 14th floor: Mark Schechter, Computing Strategies, Inc. — current developments in litigation support technology.

### October 21

MALSM — (12:00) Brown Bag luncheon at Robins, Kaplan firm in Minneapolis. Mr. Mark Baker, Egghead Software, will lead a discussion of software piracy issues and the very serious ramifications of violating software copyrights.

### November 16

SLALSM — Bar association of Missouri/St. Louis, One Metropolitan Square, 14th floor — election of officers, year end business meeting.

### December 21

SLALSM — Primio's, 401 Market — Christmas party.

For more information on the above events, contact the local chapter indicated.

## Inside NALSM

### East Coast

Despina Kartson, President  
White & Case  
1155 Avenue of the Americas  
New York, New York 10036-2787  
(212) 819-8786 Fax: (212) 819-8113

### Midwest - Chicago

Mary Dahl, President  
Rudnick & Wolf  
203 N. LaSalle, Suite 1800  
Chicago, IL 60602  
(312) 368-7285 Fax: (312) 236-7516

### Minnesota

Connie Martin, President  
Meagher & Geer  
33 South 6th Street, Suite 4200  
Minneapolis, Minnesota 55402  
(612) 338-0661 Fax: (612) 338-8384

### Bay Area

Lorraine Downes, Vice President  
Landels Ripley & Diamond  
350 Steuart Street  
San Francisco, CA 94105-1250  
(415) 788-5000

### St. Louis

Linda Bozovich, President  
Lewis, Rice & Fingersh  
611 Olive Street, Suite 1400  
St. Louis, MO 63101  
(314) 444-7600 Fax: (314) 241-6056

### Co-Editors

Barbara O'Neill, Cahill Gordon & Reindel  
Peggy Stulberg, Anderson Kill Olick & Oshinsky, P.C.

### Production

Sabanske & Co.

© 1993 National Association of Litigation Support Managers

The opinions expressed in *NALSM Views* are those of the writers and are not necessarily those of NALSM. Articles should be submitted by the 20th of each month.

National Association of Litigation Support Managers

c/o 8826 Santa Fe Drive, Suite 208

Overland Park, KS 66212

Gary Maddock  
Mayer Brown & Platt  
190 S. LaSalle Street, 15th Floor  
Chicago IL 60603

