



**Monday, October 20**  
**2:30 pm-4:00 pm**

## **209 Taking Matter Management to the Next Level**

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**Tom Melling**

*General Counsel and Vice President, Product Management*  
Serengeti Law

**Nanci F. Tucker**

*Corporate General Counsel and Senior Consultant*  
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**Linda A. Turteltaub**

*Corporate Counsel*  
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## Faculty Biographies

### Mark LoSacco

Mark LoSacco is the senior litigation counsel for American Express in New York. In his current role, Mr. LoSacco manages all domestic, and certain international, litigation for American Express and its affiliates and subsidiaries. During Mr. LoSacco's first five years at this position, the American Express Litigation Group has twice been recognized as a "Top Ten Most Innovative Legal Department" by Inside Counsel magazine.

Prior to joining American Express, Mr. LoSacco was in private practice for 11 years with LeBoeuf, Lamb, Greene & MacRae. At LeBoeuf, Mr. LoSacco specialized in complex commercial and banking litigation, including class action defense, where he regularly appeared in the federal and state courts of New York and New Jersey on behalf of clients in the financial services industry.

Mr. LoSacco is a graduate of Rutgers Law School.

### Tom Melling

Tom Melling is vice president for product management and general counsel for Serengeti Law in Bellevue, WA. Mr. Melling is responsible for the design of the latest functionality in Serengeti's matter management/e-billing system, which is currently used by over 90,000 legal professionals in 160 countries worldwide. Mr. Melling's duties also include the management of configurable templates for tracking different types of legal work, automated currency conversions, and online accrual capture of unbilled law firm time. Additionally, Mr. Melling oversees the team that has implemented Serengeti's matter management system in more than 200 law departments, and all of their law firms. He personally led the implementation of matter management systems at some of the world's largest law departments, including Alcatel/Lucent, American Express, and Disney.

Prior to joining Serengeti, Mr. Melling practiced law at Perkins Coie in Seattle. His work emphasized Internet and e-commerce law, specializing in electronic contracting, public key infrastructures, encryption, and data protection.

Mr. Melling received a BA from Brown University, graduating magna cum laude and Phi Beta Kappa. Mr. Melling is also a graduate of Stanford Law School, where he was a member of the Stanford Law Review.

### Nanci Tucker

Nanci Tucker serves as corporate counsel and senior consultant with Simpson Neely Group, Inc. in Coldspring, TX. Her primary role is to assist corporate legal departments in their selection and implementation of matter management, electronic invoicing, document management and contract management systems. She leverages her experience

as in-house counsel to help other lawyers assess their use of current technology and determine expectations and requirements for new systems. Ms. Tucker is also active in assessing the processes surrounding the use of technology and identifying specific areas for improvement.

Prior to joining Simpson Neely Group, Ms. Tucker served as the associate general counsel for Guaranty Bank, an indirect subsidiary of Temple-Inland Inc., a Fortune 500 company. Her practice involved partnering with business managers to provide counsel on a wide variety of business operation, corporate governance, contract and regulatory compliance issues.

Ms. Tucker holds a BA from the University of Colorado and is a graduate of the University of Houston Law Center.

### Linda A. Turteltaub

Linda A. Turteltaub is corporate counsel for Skanska USA Building Inc., in Parsippany, NJ. Ms. Turteltaub is responsible for developing, implementing and overseeing the administration of a legal management system to track all legal matters handled by outside counsel throughout the United States. The legal management system implemented by Ms. Turteltaub facilitates the management of litigation including tracking legal costs, status of litigations, budgets, and receipt of service of process. Ms. Turteltaub utilizes the system to analyze the company's financial exposure to claims, manage the audit process with outside auditors, and to supervise the preparation of internal analysis reports.

Prior to joining Skanska, Ms. Turteltaub practiced construction law for 12 years in New Jersey, New York and Massachusetts. Before commencing her legal career, Ms. Turteltaub was employed in the construction industry for eight years as an estimator, project engineer and project planner.

Ms. Turteltaub received her BA from Texas A&M University and is a graduate of Suffolk University Law School.



### Topics

- **Matter Management – The Big Picture**
  - Reasons for Using a Matter Management System
  - Review of Functionality
- **Are You Obtaining The Most From Your System?**
  - Imposing Requirements On Law Firms
  - 100% Commitment From Law Department
  - Utilizing the System to Support Your Company
  - Partially Completed Implementation
- **The Value Of Full Implementation of Matter Management System**
  - Reporting and “Macro Matter Management”
  - Obtaining quality data (i.e. avoiding “garbage in, garbage out”)
- **New functionalities**
  - Service of Process
  - Accruals
- **Do You Know How to Optimize Your System’s Benefits?**



### Reasons for Using a Matter Management System

- Increase Knowledge
- Increase Productivity
- Reduce Legal Spend
- Reduce Legal Risk



## Matter Management: The Big Picture



### “Matter Management” Functionality

- |  |  |
|--|--|
| • <b>Matter Tracking</b>                                       | <u>Additional Features</u>                       |
| • <b>Litigation Management</b>                                 | • <b>E-Billing</b>                               |
| – Service of Process management                                | – Automated workflow & validations               |
| – Case tracking (plaintiffs, etc.)                             | – Law firm / Law Dept. budgeting                 |
| – Case assessment memos  | – Accruals (unbilled amounts from firms)         |
| – FAS 5 contingent liability estimate                          | • <b>Document Management</b>                     |
| – Trial strategy memos   | • <b>Contract Management</b>                     |
| • <b>Calendar &amp; Contact Integration</b>                    | • <b>Workflows</b>                               |
| • <b>Searching &amp; Reporting</b>                             | • <b>Physical File Management</b>                |
| • <b>Remote Access by Outside Counsel &amp; Law Department</b> | • <b>Internal Time Entry</b>                     |
|  | • <b>Outside Counsel Performance Evaluations</b> |

*Trend: Combine functionality to achieve fully electronic legal file and processes.*



### Are You Obtaining The Most From Your System?



### 100% Commitment from Law Department

- Commitment to 100% adoption of the legal management system by the law department
- Allocation of sufficient time and resources for the process
- Planning and customizing the system to your company's needs and goals

*Not just a billing system*



### Imposing Requirements on Law Firms

- Billing electronically
- Billing in LEDES format
- Posting status reports
- Submitting budgets
- Submitting Case Assessment Memos
- Estimating liability or recovery in claims or litigation
- Posting events or diary such as trial dates, answers due



### Utilizing the System to Support Company

- Support to Marketing Department
- Support to Operations
- Support to Accounting Department
  - Outside auditors
  - Claims analysis
- Reports to Parent Company
  - Material Claims

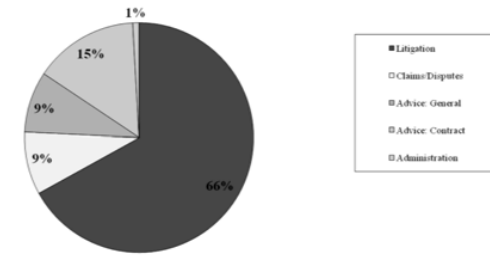


### Partially Completed Implementation

- **Problem: Half in electronic world, half in paper world**
  - 100% of firms not submitting electronic invoices
  - Some matters/offices not on system
- **Stage 1 complete; Never complete other stages**
  - Most law departments first implement eBilling
  - Never get around to implementing other functionality, such as law department budgeting, documents, etc.



2008 Legal Costs Through May 6, 2008

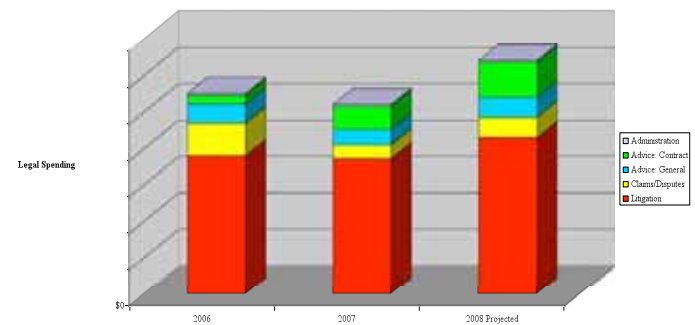


### The Value of Full Implementation of Matter Management System:

### Reporting



Legal Spending: Type of Matter







### Budget/Exposure Comparison Report

- Compares each case's full-year budget to its estimated amount of exposure
- Helpful when it comes to discussing strategy with outside counsel when yearly budget and exposure numbers are not making sense

**Non-Fixed Fee: Sort by Budget / Exposure Comparison**

Lead Company Person	Lead O/C	Matter Name (Short)	Company File No.	Att. Claimed Against Co. (\$/hr)	Estimated Amount of Exposure	Max. Potential Exposure	Firm Estimate of Exposure	Firm Recovery	FF Bid / Contingent	Law Devotee Amount	YTD Spending	Full-Year Budget	Compendium	Fee Arrangement	
Veritas, Lynn			20640260	1	180,000	300,000	0	0.00	0.66	731-0000	26,340	60,000	60,221	117,200	Other/Matter
Blowery, Ray			206402112	211,828	110,000	211,828	0	0.00	0.4	831-0000	11,861	60,000	22,073	61,000	Disallowed Hourly
JACOBS, BR			206402742	1	1,000,000	5,000,000	0	0.00	106.344	731-0000	229,997	540,200	229,997	340,200	Disallowed Hourly
Piper, David W.			206402444	4,379	10,000	10,000	0	0.04	110	427-0000	5,037	5,270	5,027	5,270	Disallowed Hourly
JAMES, DAVID			L2002-1208	7,000,000	180,000	7,000,000	180,000	0.01	13.627	731-0000	28,136	74,900	248,778	373,900	Standard Hourly fee
Piper, David W.			206402319	1,200,000	80,000	200,000	0	0.01	428	710-0000	1,039	20,300	1,248	40,000	Disallowed Hourly



### Other Simple Reports

- **Exposure reports:** Sort cases by exposure, highlighting matters that offer significant risk
- **Budget reports:** Sort cases by budget, highlighting matters with significant projected outside counsel spend
- **Spend reports:** Sort cases by spend (yearly and life of matter), highlighting matters of significant cost



### Incremental Report

- Snapshot of new invoices that have come in the door within the prior seven (7) days
- A trailing indicator of increased activity in a matter, and the "last line of defense" in highlighting cases that require attention

Matter Name (Short) ▲	Number of Matters	Total Spending	Fees	Expenses	VAT
<b>Totals:</b>	<b>14</b>	<b>\$1,592,760</b>	<b>\$880,048</b>	<b>\$708,227</b>	<b>\$4,485</b>
(01 Lit.) - Acme Pipeline Defect	1	\$128,269	\$115,075	\$13,194	\$0
(02 Lit.) - Roadrunner v. Acme	1	\$38,980	\$27,785	\$10,991	\$204
(03 Trans.) - Yessler Agreement	1	\$815,279	\$217,975	\$593,920	\$3,385
(04 Trans.) - Chicago Leases	1	\$16,995	\$16,736	\$259	\$0
(05-1 IP) - Big Boom TMs - US	1	\$115,210	\$105,842	\$9,368	\$0
(05-2 IP) - Big Boom TMs - UK	1	\$20,705	\$11,059	\$9,647	\$0



### Key Points in Use of Macro Matter Management

- "Garbage In/Garbage Out"
  - Must ensure that directions to outside counsel regarding input into matter management system are clear and consistent
  - Tying payment of invoices to input of key information provides outside counsel with strong incentive to comply
  - Inside counsel must monitor intake of matters to ensure data entered
- Use of key numerical data points relating to cost of defense and reasonable estimate of exposure permits effective "triage" of routine caseload
- Highlighting cases requiring active management by inside counsel, including cases appropriate for early settlement, greatly assists in effective allocation of limited in-house resources



## New Functionality: Service of Process



### “Intake User” Reviews New SOP

S.O.P. Document & Profile		Response Status - Date Served Date	State Served S.O.P. Type	Plaintiff(s) Defendant
* [8]	<a href="#">Summons &amp; Complaint - Wiley Coyote Explosives</a>	Due - Date Unknown 09/29/2006	Mississippi --	Wiley Coyote Explosives Acme, Inc.
* [8]	<a href="#">Summons &amp; Complaint - Elmer Fudd Tool Company</a>	Due - Date Unknown 09/29/2006	West Virginia --	Elmer Fudd Company Acme, Inc.



### Key Components of SOP Functionality

- **Automated processes**
  - Hourly retrieval of SOP records from SOP vendor
  - Email notification of SOP
  - Alerts for problems with retrieval from SOP vendor
  - Automated routing to matters available
    - E.g. Automatic routing of all garnishments to a specific matter
- **Management of SOP documents**
  - SOP Intake User creates new matter OR moves document to existing matter
  - Ability to enter SOP records manually
  - Can set email alerts when an SOP response is due
- **SOP Audit Log**
  - Entire audit history of all actions are automatically captured and reportable



### Intake User Moves Record to Matter

- SOP record can be moved to an existing matter or to a new matter.
  - If moved to a new matter, the metadata in the SOP record is used to pre-populate matter fields (e.g. court, state, docket number, etc.).

Service of Process Profile - Summons & Complaint - Wiley Coyote Explosives

Name: Jeff Carmona

Matter Name: --

Document Type: Service of Process

Description: --

Author: --

Access Security: PUBLIC (Co. & all firm participants)

File Attachment: 0928-Acme-4810933.pdf Adobe Acrobat Doc





## New Functionality:

### Accruals

(Unbilled Amounts from Firms)



### Workflow for Accruals

- System automatically sends notice to firms when unbilled amounts are due
- Firms enter unbilled amounts
  - Company users can enter unbilled amounts on behalf of firms, but why not have firms enter the data?
- Optional – Company review of unbilled amounts
- Accrual is generated and locked in the system



### Why Generate Accruals in a Matter Management System?

- Important element of financial reporting (SOX)
- Helps GC better forecast against Law Department Budget
- Logical extension of ebilling
  - Firms can submit invoices, why not unbilled amounts?
- Eliminate burdensome paper process



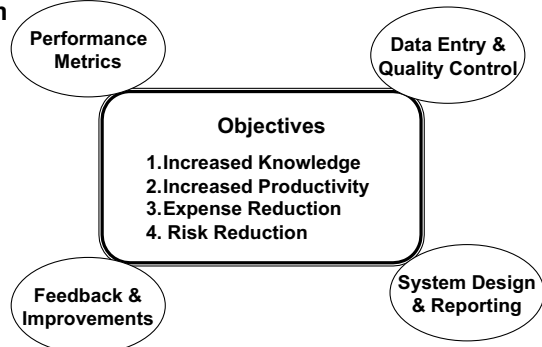
### Tracking Spending Against Accruals

Matter ▲	Firm/Vendor Office	Accrual Period Ending Balance	Inv. Sent to AP After Accrual	Remaining Accrual Balance
<b>Totals for Oct 2007 Accruals</b>		<b>\$169,372.00</b>	<b>\$241,170.70</b>	<b>\$-71,798.70</b>
(07 Subpoena) - REXAL Doc Request	Honeychurch Emerson Florence	\$45,837.58	\$24,805.52	\$21,032.06
(08 M&A) - Georale Corp. Merger	Shriber & Handy Seattle	\$0.00	\$3,354.89	\$-3,354.89
(10 Reg 1 - Ireland Tax Restructure	Baxter & Phillips New York	\$8,600.00	\$16,192.71	\$-7,592.71
(10 Reg 1 - Ireland Tax Restructure	Honeychurch Emerson	\$2,052.00		\$2,052.00



## Do You Know How to Optimize Your System's Benefits?

### Driving An Effective Matter Management System



[www.simpsonneelygroup.com](http://www.simpsonneelygroup.com)

### Driving an Effective Matter Management System

#### A Roadmap to Optimization

I recently sold my old car and bought a new one. Although my first choice had been a good one, I had not foreseen the growing needs of my family, the increase in gas prices or the fact that I would move to a mountain community where all-wheel drive was essential. Because there was no way to modify my vehicle to meet my present-day needs, I had no choice but to replace it.

In the same way, many law departments purchased matter management systems at a time when future conditions could not be predicted. Their law department was smaller. E-billing wasn't available. Sarbanes-Oxley and a host of other regulations were not in place. Yet most law departments continue to use their original system in the same way that they used it on the day it was implemented. This approach commonly contributes to user frustration and certainly doesn't promote the efficiencies that a matter management system can facilitate.

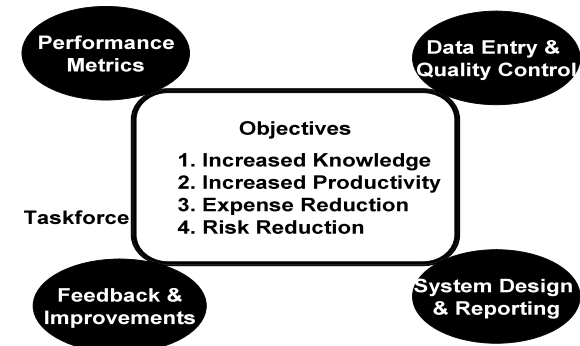
Don't get me wrong - unlike the purchase of a new car, investment in a new matter management system is *not* always the answer. Underperforming systems are never entirely attributable to deficiencies in the underlying technology. The more culpable contributors are undefined processes and unfocused usage practices.

Whether you drive a "classic" or a new model, here is the question that will continually resurface: *what is the best way use your system to drive cost reduction, achieve higher performance and improve the law department's overall effectiveness?*

#### The Optimization Model

The solution comes in the form of two exercises. The first is to define (and to continually redefine) the objectives that your law department wants to achieve through its use of the system. In the illustration below, the Objectives box is the vehicle taking the law department to its desired destination. Identifying your organization's specific objectives is the first step in charting your course to improved performance.

The second exercise is to champion a lifecycle management program that will improve both the system and your use of the system. In the illustration below, there are four core initiatives which will make improvement possible. A taskforce will drive the initiatives, and with them, your objectives for the system.



Driving An Effective Matter Management System

"WHERE ARE WE GOING?" - DEFINING YOUR OBJECTIVES

Let's begin discussing your objectives. There are **four interrelated objectives** that most law departments target when implementing a matter management system. When you first purchased your system, you could only *imagine* the returns your department would generate once it was up and running. Now that the system is in place, you must go beyond imagination and define what you want to accomplish. Does every user clearly understand the benefits gained by using your matter management system? If not, user participation will be minimal, and so will your benefits.

**1. Increased Knowledge**

Law departments readily understand the concept and value of a central information repository. A relatively permanent repository maintains institutional knowledge despite the comings and goings of individuals within the organization. It also enables your law department to report on legal activities and costs over a period of years, providing particular value to corporate counsel with department oversight.

Accumulated matter information enables counsel to monitor the overall performance of the department, the performance of individuals and the progress of matters. Managing counsel can use information to determine whether the department is working effectively and to plan strategies to maximize efficiencies, for example, by adding staff and assigning work to align with individual competencies.

Where the system incorporates financial management tools such as electronic invoicing or "E-billing", counsel can more readily forecast law department budgets and comply with financial reporting obligations.

In the litigation arena, a knowledge repository is invaluable for case tracking and litigation strategies. Systems with E-billing functionality enable counsel to track law firm expenses, upload and monitor budgets and evaluate outside counsel performance.

General Counsel can also use matter management systems to communicate and market the legal department's contributions. Many prepare reports on the performance of the law department for the company's senior management and board of directors.

There are a broad array of possibilities and every law department owes it to themselves to explore how it can expand on the knowledge capabilities of its matter management system.

**2. Increased Productivity**

Matter management systems enable law departments to save time and drive increased productivity. They offer immediate access to key information about legal projects, litigated matters, internal and external contacts, bills and budgets. When the law department can reduce the time spent searching for information and/or manually creating reports, it frees them up to be more productive. This can positively affect the law department's budget where counsel and staff can handle more work internally and send less overflow work to outside counsel.

Matter information can also facilitate the transfer of legal and organizational knowledge from more highly skilled (and more expensive) attorneys to less experienced (and less costly) lawyers and paralegals.

In the same way, systems can enable law departments to push work out of the law department to other parts of the company. For example, if your matter management system houses information about corporate entities, business clients can be provided with controlled access to view basic information without involving the law department at all. Similarly, the system can enable business clients and related departments such as purchasing, ethics and compliance to access contract templates and other materials, allowing them to initiate basic functions, with more extensive legal review to follow as needed.

Because most contracts and documents are based on precedent contained in work that has been previously completed, matter management systems dramatically enhance productivity when used by staff

to access and re-use work product of co-workers and outside counsel. Most matter management systems include document storage or linking functions that permit users to attach or link documents to specific matters. However, the widespread use of this function depends on the number of steps involved in attaching or linking documents and the ease with which documents can be located and retrieved.

Where matter management document storage functions are not adopted, law departments often consider the integration of a separate document management system. The value of these systems is their ability to seamlessly capture, store and manage prior work product, templates and other documents developed by the law department and outside counsel. They also employ version control features that are valuable in managing multiple document revisions. With the advent of state and federal regulations that impose document management requirements, the popularity of these systems is increasing. Their integration with matter management systems enhances the overall efficiency of the law department.

Most matter management and document management systems incorporate some level of workflow functionality. Workflows and business rules automate predictable, repeatable processes, thus reducing response time and creating efficiencies. For example, workflows can be created to capture matter data that is entered into the system by business clients, auto-populate contract templates and route the contracts for approval. Another useful workflow allows business clients to initiate and view the status of their law department requests online. Workflows can send instant or scheduled notifications when certain conditions exist, such as when a matter approaches a budget threshold or has not been assigned to a staff member. Workflows are widely available and customizable but may require technical configuration.

Where matter management systems incorporate E-billing features, the amount of internal time spent by lawyers and paralegals reviewing, auditing and approving invoices is significantly reduced. EBilling systems also include invoice workflows that eliminate many of the manual processes associated with invoice data entry, routing, adjusting, copying and filing.

Your law department will benefit by exploring all of the possible features that will save you time and enhance productivity. Many features can be integrated with your existing matter management system and, in some cases, may already be built into your system.

**3. Expense Reduction**

If your matter management system includes E-billing features (either as a built-in component or through third-party integration), you can utilize system information to manage and reduce law firm fees and litigation expenses.

E-billing systems automatically audit incoming invoices against the billing guidelines that have been negotiated with law firms. When an authorized fee or hourly rate exceeds what is stated in the guidelines, the system will either notify you of the discrepancy or reject the invoice or the line-item charge, ensuring that you pay no more than what was agreed.

A matter management system with E-billing functionality can also reduce legal expenses through its budgeting features. The system can track budgets provided by law firms and provide comparison between the law firm's fees and expenses and the budget. Within this framework of accountability, not only can your law department more easily enforce budgets, but a law firm with system access may use this information to suggest lower-cost options in the course of litigation.

Some law departments also leverage E-billing functionality to negotiate reduced fees based on prompt payment. Since most E-billing systems can suspend payment on flagged charges without holding up payment on non-disputed charges, payment cycles can be accelerated to the benefit of the payee law firm.

Law departments also use matter and E-billing information about law firm activity and fees, timekeeper rates, matter activity and overall spend to compare performance among law firms. Some use this information to negotiate favorable pricing with a reduced number of "preferred" law firm providers.

Of course, anticipated savings on outside counsel spend is usually the basis for justifying the purchase of E-billing systems. The law department's job is to make sure that it is, in fact, taking advantage of all of the savings made possible through E-billing.

#### 4. Risk Reduction

The greatest return on investment is achieved when a matter management system is used to prevent litigation and minimize legal exposure. Because the system can provide an enterprise-wide view of trends, compliance data, incident reports, complaints and litigation, a law department can not only identify and respond more quickly to high-risk transactions, but can become proactive in preventing disputes. Successful dispute avoidance reduces both outside legal counsel fees and litigation expenses, driving a high rate of return on the technology.

Proactive law department involvement begins by monitoring complaints, claims and issues. Corporate counsel can identify risk indicators and develop a plan to mitigate them, whether by providing training to business partners, crafting and distributing model contracts or promoting greater compliance with policies and procedures.

Access to trending data also allows law departments to provide more accurate exposure reports for litigation matters, predict potential litigation outcomes, make informed decisions and take earlier corrective action. In a time of heightened scrutiny in the areas of corporate governance, ethics and compliance, these capabilities can be critical.

Leveraging the power of information, the law department has the potential to evolve from an expense center that is largely reactive by nature, to a profit center that avoids litigation and reduces external legal expenses. While such change will not occur without great focus and effort, the law department's use of system tools can advance this objective.

#### "ARE WE THERE YET? ARE WE THERE YET?" HOW TO DRIVE THE SUCCESS OF YOUR SYSTEM WITHOUT DRIVING YOURSELF CRAZY

So now that you know what you want to do with your system, how do you get there? It begins with a commitment to monitor and re-evaluate the system on an ongoing, regular basis.

In the excitement and relief over implementing a new system, law departments typically don't look past roll-out. As a result, many continue to use the system for years without addressing shortcomings or exploring new functionalities.

Optimization requires the effort of a taskforce that accepts responsibility for driving specific improvement initiatives. The taskforce should include a broad variety of users who will seek creative ways to extend the system. Taskforce members must have the full support of the General Counsel and be granted sufficient time, authority and resources to get the job done.

*The taskforce's mission is to explore the core initiatives described below with the intent to attain the objectives discussed above.*

#### 1. Data Entry and Quality Control

The first item on the taskforce agenda is to examine the consistency and quality of data input. As with any technology, the success of a matter management system is entirely dependent on the timeliness and accuracy of the data it houses.

If you don't already have written guidelines that spell out the "who," "what" and "when" of data entry, now is the time to create one. The guidelines should address *who* is responsible for entering matter data. Some law departments require lawyers to input data, while others delegate the task to administrative staff.

If you are able to leverage partners outside your law department to enter matter data, you reduce the data entry burden on your own staff and automatically create efficiencies. For example, if outside legal counsel has limited access to the system, you should consider requiring them to input new litigation data, status updates and other information.

The guidelines should also inform users as to *what* data should be entered. When does an email response or other project become a "matter" that must be entered? How much data must be entered for each matter, and at what stages is data required?

Guidelines should also address the *timing* of data entry. While the system will work best if users are granted flexibility, it may be effective to communicate whether daily, weekly or monthly input is targeted. The taskforce should also appoint an administrator to examine data quality and provide feedback in a way that promotes consistent and accurate data entry.

The taskforce should also determine the best way to *enforce* or better yet, *encourage*, timely data entry. Some administrators send out reminders to those who lag behind, while others distribute regular reports highlighting the matters entered (and not entered) for each professional. When these reports are circulated to the department at large, the power of peer pressure may be enough to gently spur individuals into compliance.

#### 2. System Design and Reporting

System screens, fields and reports are commonly configured during implementation and remain unaltered due to a lack of consensus and/or the lack of technical know-how. As a result, many systems contain fields that are either unnecessary or confusing, which contributes to inconsistent data entry. Many systems also suffer from lengthy or illogical screen flows that make data entry overly taxing.

The taskforce should analyze the system's screens and fields, walking through the lifecycle of various matter types. If the system contains data fields that are not being used for reporting or other purposes, the taskforce should consider removing them. If information has been entered inconsistently, the taskforce should assess any contributing factors and take corrective action. Duplicative and erroneous data should be scrutinized and scrubbed.

Another priority of your now-busy taskforce will be to examine the system's reporting capabilities and the reports being generated. They may determine that new reports should be created or existing reports should be tailored to practice areas or for specific purposes. It is likely that your system contains duplicate or unused reports which can be deleted, simplifying the choices and enabling users to more identify their favorite reports.

Improvements in these areas will go a long way toward boosting the buy-in of system users.

#### 3. Feedback and Improvements

The law department's commitment to use the system also hinges on its belief (or lack of belief) that complaints and suggestions for improvement will be heard and addressed.

One of the most important duties the taskforce should consider is to examine and/or establish a process for obtaining user feedback. It should begin by communicating that it welcomes regular user feedback and by letting users know where to send their comments. It may be effective to send out an initial comprehensive user survey to gauge overall levels of satisfaction with the design of the system, ease of use, usage practices, reporting, training and support needs.

If your system incorporates E-billing functions or depends on outside counsel to contribute data, the taskforce should investigate whether law firm participation is effective and solicit input from outside counsel to improve the system.

When survey results and other feedback is received, the taskforce should evaluate the areas in which the system is doing well, and those in which it needs improvement. Some challenges can be resolved through quick fixes, while others will require more involved projects.

There will likely be a number of issues to address, and your taskforce will need to create and prioritize a list of tasks to improve the use and value of your system. Once the list is created, a realistic schedule can be fashioned for each improvement initiative.

The taskforce should also create a schedule for regular communications that they can distribute to users. Communications are most effective when they inform users about system improvements, tips and functions in a way that helps employees understand the benefits of system use and how it can make their jobs easier.

The taskforce should also create topics and schedules for user training. Training is particularly appropriate when system upgrades are made, new features are introduced or significant changes occur within the law department.

Last, the taskforce may want to communicate with the system vendor regularly to make sure that it is aware of all available features and is taking advantage of vendor training and materials.

#### **4. Performance Metrics**

Finally, implicit in the productivity and success of your system are metrics or some other form of measurement. How will your law department define system success? How do you want current performance to change in the future? To increase knowledge, will the taskforce track the improvements it makes in certain management reports? In the area of productivity, will your law department measure the response time to requests or the number of matters handled in-house? To measure reduction in expenses, will the law department track the amounts saved through guideline auditing? In the area of risk reduction, will your law department monitor the training it provides in response to identified risks?

Your taskforce should draft a written description of system success, how it will be measured and the timeframe in which it will be achieved. Metrics should be created for each of the objectives discussed above: increased knowledge, increased productivity, expense reduction and risk reduction. Review of metrics is best done on an annual basis so, for example, in year one, your goals will be at their most basic level, and with each succeeding year, the goals will become more granular and specific.

Evaluation of these metrics will enable the law department to demonstrate the effectiveness of your matter management system and garner support for its continued use.

#### **Conclusion**

Maximizing law department technology isn't an easy task. But rather than faulting your system or resigning yourself to the status quo, consider a plan to optimize your system. Every law department can benefit from identifying its objectives for system use and appointing a taskforce to drive measurable improvements throughout the lifecycle of its matter management system.

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