

309: Quality Review of Firms

Ronna F. Ruppelt House Counsel Process Leader Progressive Insurance Company

Mark K. Stephens Vice President, Legal Services CNA Risk Management

Faculty Biographies

Ronna F. Ruppelt

Ronna F. Ruppelt is house counsel process leader for Progressive Insurance Company. Her responsibilities include the development, implementation, and oversight of all quality, training, and technological initiatives for Progressive's house counsel organization.

Ms. Ruppelt has held a variety of positions at Progressive, both in the claims legal and corporate law departments. For several years prior to joining Progressive, Ms. Ruppelt was an insurance defense litigator at Reminger & Reminger Co., LPA in Cleveland.

She is a member of the Ohio State and Cleveland Bar Associations, Ohio Association of Civil Trial Attorneys, DRI, and ACCA. In her local community, Ms. Ruppelt currently serves as an executive officer of the Solon Councils of PTA and as a multiyear member of the Solon City Schools strategic planning committee.

Ms. Ruppelt received a BS from Kent State University and is a graduate of The Cleveland-Marshall College of Law.

Mark K. Stephens

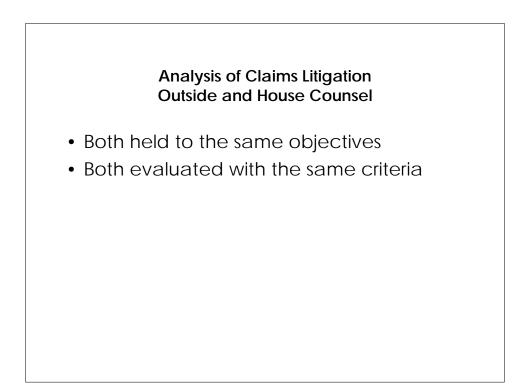
Mark K. Stephens is vice president, legal services group for CNA Insurance where he is responsible for the oversight, direction, and strategy for staff and panel counsel representing CNA insureds in commercial, risk management, and specialty lines business units. CNA Insurance has staff counsel in 30 offices in 18 states with more than 200 lawyers and over 500 approved panel attorneys worldwide. Mr. Stephens provides strategic litigation management direction for staff and panel attorneys nationwide.

Prior to joining CNA Insurance, Mr. Stephens was deputy general counsel with the United States Small Business Administration in Washington, DC. He was also in private practice handling litigation in Washington, DC and Pennsylvania.

Mr. Stephens was deputy editor-in-chief of the *Ohio Northern Law Review* and also was listed in *Who's Who Among American College Students*. He is vice chair of ACCA's Insurance Staff Counsel Committee. Mr. Stephens is a member of the Defense Research Institute and a participant in its insurance roundtable.

He received his BA, *cum laude*, from Indiana University of Pennsylvania and his JD from Ohio Northern University.





Criteria Used To Evaluate Counsel Performance

Categories of Performance

- Service
- Quality

Service

Process-related issues

- Analysis of pend time between key activities and over life of whole matter
- Reporting timeliness, frequency, methodology
- Handling cases consistent with the client's and Progressive's particular needs and requirements
- Billing efficiency
- Overall cost, including disposition cost

Quality

Substantive Legal Representation

- Ability in the handling of the matter.
- Effectiveness of the legal strategy.
- Excellent legal and non-legal written and oral communications.

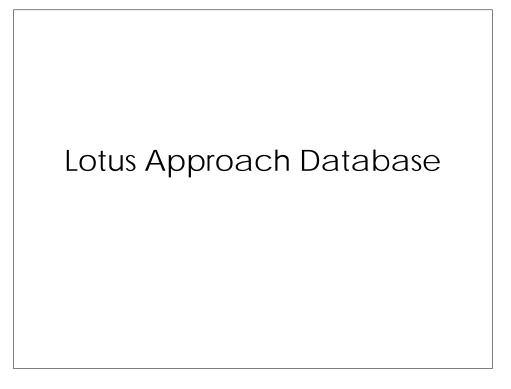


- Initial Activities
- Legal Work
- Strategic Development
- Analysis And Evaluation
- Moving The Case To Conclusion
- Utilizing Resolution Opportunities
- Client Communications
- Claims Communications
- File Documentation
- Support Staff Activities

Use of Technology To Evaluate Both Service and Quality

- Lotus Approach Database
- Lotus Notes Database
- Electronic Billing
 - Use of UTMBS ABA/ACCA Task Codes
- Client Surveys

Lotus Notes Database



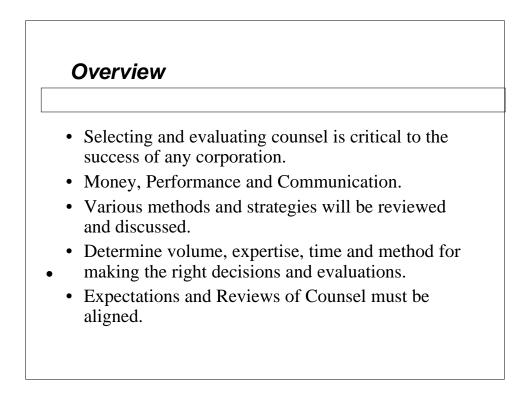


GNA

Selecting, Managing and Evaluating Counsel

ACCA Staff Counsel Committee

Mark Stephens VP Legal Services CNA October 8, 2003



Selecting Counsel

What are your needs? Geographical? Technical Expertise?
Can you stratify the need and volume?
Use technology to help streamline the process, improve data accuracy and increase productivity.
Get control of the litigation process and reduce the spend rate on legal costs.
Improve your knowledge management capability.
Attract, select, develop and retain great lawyers.

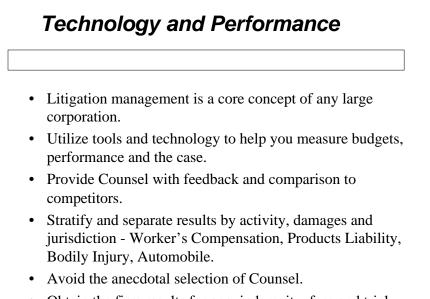


 Annual Annual A Annual Annual Ann Annual Annual Annu	Access? Interact Cophere					
Plat ISB: 1844 Parentes						
4-545			the set			20
visi@175				CLOCK WHERE	MY COLORIDANS	101.0
Kelent Rev Report Traffic	inte 1					
Trial Calendar - Motor I	CUMPOR .					
Ship-1 Detect Chamilio - Champe The contents in pachotrop:	Case Managet			Period Trans		
down-menurity increases of decreases the humder of classes that will assess to	Lan from Barrer		3	Case Vesan 4	3	
yourraport.	Case Net	Al		Materia Collect		
	Cese Sublight			Mona	- <u>-</u>	
	Even type:	A 1		Balance Experience (
Step 2 Entert Columns - Plane a	Claim	hour second	Lan Fish	Fami	Beach	
sheds in the charakterises to select the source that we	C channesser C channesser	C contineer	C can the top	C Dell'Sol	C conservations	
stitute scient stime.	C Gain Type	C imani	C Loui Marry	C Included (LAD)	C Amort	
	Contributing the	Pagenet	Inde luniar	Connets	Data of Verdal	
an its value tion window Port	C vanue	C backward	C can recepted the C feet front the to Institut	For the technologies		
example, the base Manager sciume-with appear to the tell	C man	C Landone	1. The fight the to have	1		
office involue Mander	C Destrict History	1. Second				
polymon and the involves						
Appropriate Construction						

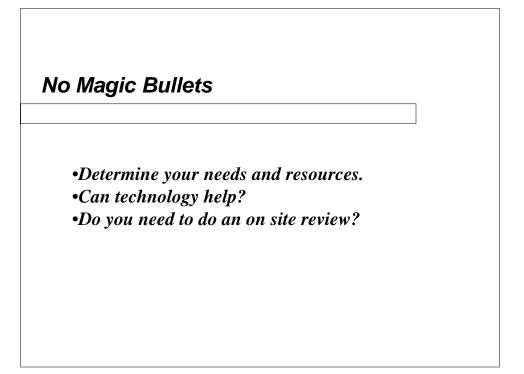
Calend	lar					
Calenc	lar					
Culone	u					
	arli brivnet Explore previlies	elig Oik leasure				
in the pro-function line and	-					
Q	日本らしる					
1011 M Mar Dou-Adds - Advantages	encert spinole-estate	instat.				iΩ~
the l		and an other				- 11
True front Manual	- Contractoria					- 11
To apple process, standardina e	to some and other date	a anti-alaren				
NAME AND POST OF TAXABLE						
			turbe.	No. 1	No.	
Last has	Reinikashti	EathDeat	14	Canada	Real Property lies	
	100000181					- 10
interferganty barrage			at which	10,000.00	98,856	
Caratracian Applead	10110341	Trail 1	187403	810	61,8510	
Caratraction Papelloni Caratraction during and	00000	14	180/10/08 180/10/08	10	ELECTRONIC DE LA COMPANY	
Destruction Applied Construction during and The Brucket-Applied	00000 00000	14	187403	8-0 8-0 8-0	ELSO-D LA.NO-D ELSO-D	
Caratraction Papelloni Caratraction during and	00000	14	84403 84403 869603	10	ELECTRONIC DE LA COMPANY	
Exertisation Accelerat Exercise the devices Exercise the devices Exercise the Accelerat Exercise the Accelerat Construction Accelerat	01794 00000 01600 01618 01600 01600	11111	8/93 8/93 8/90 8/30 8/30 8/30 8/30	810 810 810 810 810 810 810	ELICIE Million Million Million Million Fillion	
Destination Accilent Landra N. A Auto Destination Accilent Caretra No. Accilent Caretra No. Accilent Caretra No. Accilent Caretra No. Accilent Caretra No. Accilent Caretra No. Accilent	0108 0080 0168 0168 0168 0160 0160		8783 8783 8283 8233 8233 8233 8233 8233	80 80 80 80 80 80 80 80 80 80 80 80 80 8	ELICIE BLICIE BLICIE BLICIE BLICIE BLICIE BLICIE BLICIE	
Construction Academic Comparation docuber Transformation Academic Construction Academic Transformation Academic Transformation Academic Transformation Academic Transformation Academic	01104 0-000 0-0400 0-0-0 0-000 0-000 0-000 0-000 0-000 0-000 0-000	111111	8/40 8/40 8/80 8/00 8/00 8/00 8/00 8/00	80 80 80 80 80 80 80 80 80 80 80 80 80 8	80.000 64.00-0 800 64.00-0 800 94.00-0 84.000 60.00-0	
Destination Account Contract Account	UNITAR CODED UNITAR Gradue Gradue Gradue Calification Cal	111111	8/903 8/903 8/303 8/303 8/303 8/303 8/303 8/343 8/343 8/343	80 80 80 80 80 80 80 80 80 80 80 80 80 8	80.000 64.00-0 800 64.00-0 800 94.00-0 800 64.00-0 600	
Epideal and Applied Contract of the Applied	00108 00400 00400 00400 00400 00400 00404 0000		8740 8740 8240 8200 8200 8200 8200 8200 8240 824	80 80 80 80 80 80 80 80 80 80 80 80 80 8	80.8010 80.8010 80.8010 90.8010 90.8010 80.8010 80.8010 80.8010 80.8010 80.8010	
District and the desired in an end of the desired of of the desi	001594 004505 004505 004505 004005 004005 00400 00404 005 0075 005 0075 005 005 005 0		8/903 8/903 8/903 8/903 8/303 8/303 8/303 8/303 8/343 8/343 8/343 8/343 8/343 8/343	80 80 80 80 80 80 80 80 80 80 80 80 80 8	80.8010 64.8010 94.8010 94.8010 94.8010 94.8010 94.8010 94.8010 94.8010	
Deretaria de relaciones La esta de constantes Deretarias de la constante Deretarias de la constante	00108 00400 00400 00400 00400 00400 00404 0000		8740 8740 8240 8200 8200 8200 8200 8200 8240 824	80 80 80 80 80 80 80 80 80 80 80 80 80 8	BLEE DLEE DLEE BLEE BLEE BLEE DLEE BLEE DLEE BLEE B	
District and the desired in an end of the desired of of the desi	001594 00480 01480 01480 01480 01488 01488 01488 01488 01488 01488 01488 01488 01488 01488 01488 0158 0158 0158 0158 0158 0158 0158 01		8/10 8/10 8/00 8/00 8/00 8/00 8/00 8/00		80.8010 64.8010 94.8010 94.8010 94.8010 94.8010 94.8010 94.8010 94.8010	
Tennisis in Autom Tennisis Autom Ten	01094 00000 01000 01000 01000 01000 0000 0		8/103 8/103 8/203 8/203 8/203 8/203 8/203 8/203 8/203 8/203 8/203		81,803 01,803 818 16,803 16,80	
Transaction Accession Transaction Accession Transaction Transaction Accession Transaction Transaction Accession Transact	01794 0180 0180 0160 0160 0160 0160 0160 0160		8740 8740 8000 8000 8000 8000 8040 8040	80 80 80 80 80 80 80 80 80 80 80 80 80 8	81,818 91,81491,814 91,814 91,81491,814 91,814 91,81491,814 91,814 91	
Tennisis in Autom Tennisis Autom Ten	01094 00000 01000 01000 01000 01000 0000 0		8/103 8/103 8/203 8/203 8/203 8/203 8/203 8/203 8/203 8/203 8/203	80 80 80 80 80 80 80 80 80 80 80 80 80 8	81,818 91,214 828 91,214 848 91,214 848 91,214 848 91,214 848 91,214 91,214 91,215 91,	

COMMUNICATION

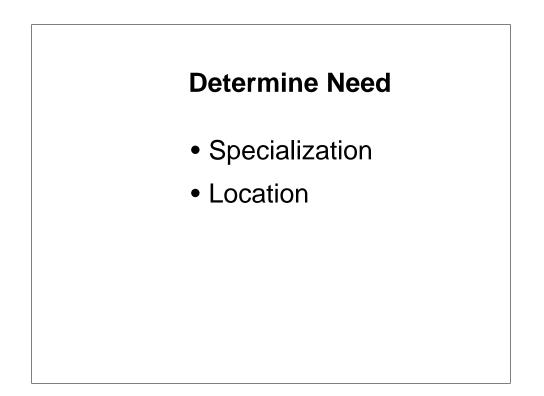
- Set expectations for how often and minimum communication.
- Lawyers should be told to be substantive and summarize in one paragraph.- Avoid long summaries.
- Identify next steps in the litigation.
- Does the information change the evaluation?
- Is there a plan or theme?



• Obtain the firm results for age, indemnity, fees and trial experience.

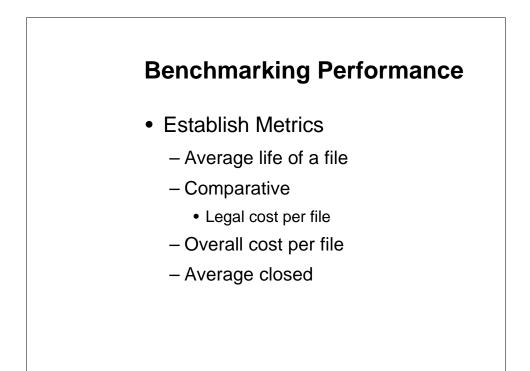






Terms of Engagement (expectations)

- Guidelines
 - Billing format
 - ABA coding
 - Frequency
 - Appropriate charges/costs
 - Level of work performed





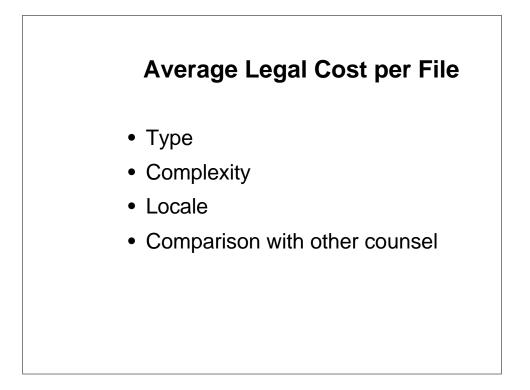
- Type
- Complexity
- Locale
- Comparison with other counsel

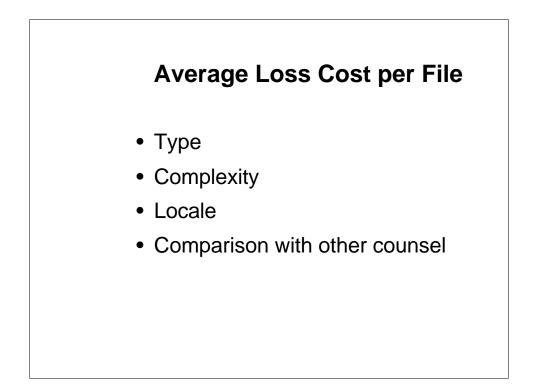
Litigation Department Complexity Codes

 1 = MINIMAL Cases with a substantial likelihood of exposure between \$0 and \$30,000
 2 = AVERAGE

Cases with a substantial likelihood of exposure between \$30,000 and \$75,000

- 3 = COMPLEX Cases with a substantial likelihood of exposure above \$75,000
- 4 = EXCEPTIONAL Cases involving intensive work on files with little or no exposure. Such a rating requires prior written RLO approval





Audit

- Guidelines
 - Establishing standards of performances
 - Quality
 - Timeliness
 - Relationships with client
 - Supervision (oversight)



