

How Technology Can Drive Effective Case Collaboration

by Matthew Hurd

Imagine a world where technology exists to help attorneys prepare for trial without the usual aggravation involved with coordination and case administration associated with deposition review. What if there was a solution available that could ease issues associated with printing and highlighting stacks of documents, shuffling them back and forth between opposing legal teams, and hoping that the lengthy process did not induce errors? Reviewing depositions and documents faster and more efficiently is critical for law firms in the face of increasingly complex and arduous litigation processes. While many firms are already using collaboration tools to promote and facilitate ongoing interaction across legal teams, it has also introduced new challenges. Predominant among them: How can legal teams and counsel leverage technology to collaborate and more efficiently manage case administration and trial preparation while keeping costs at a minimum?

Faced with handling a case involving more than 125 depositions—more than 60 of which were out of state—brought this issue to my immediate attention in the early part of 2010. Managing and sharing pretrial case content is one of the most time-intensive, paper-heavy processes across the entire litigation lifecycle, making deposition designations a nightmarish practice, regardless of the size of your firm. Although we already employed litigation support software to create electronic copies of each deposition, there were several needs that were left unsupported. For one, we were unable to share this data back and forth electronically in a way that would more effectively manage this time-consuming process. Additionally, we needed a way to identify themes and similarities between all of these depositions as we built our case. With the potential need to call 60 witnesses for statements via videotape, we needed a quick, efficient way to dig through, designate and distribute these documents to the appropriate audiences. After conducting extensive research and engaging in conversations with multiple vendors, our solution came in the form of a Web-based trial preparation tool from TrialGraphix called Ontrack Prepreview. Using this new solution, our attorneys were able to quickly review hundreds of pages from anywhere via the Web in preparation for upcoming trial without involving a paralegal or secretary, effectively freeing them up to

focus on other important projects. Having the ability to search across all depositions, quickly create designations, and generate reports saved us hundreds of man-hours that would previously be spent on highlighting and reviewing paper transcripts. Simultaneously, the tool reduced the potential errors frequently observed as the result of manual handling of depositions, counter depositions and testimonies. The functionality within the application also made the exchange process a snap. We were able to export or print just about any type of report imaginable. The incredible ease of use and reliability not only impressed our team and the opposition, but also received praise from the judge. We were able to provide her with a secure login and password so she can also electronically access the depositions quickly and easily when the case goes to trial, saving her the time it would take to manually file and pull up those documents every time there was a ruling. From a green perspective, the tool eliminated the need to make and store color copies. So, how did it work and what benefits did we see as a result?

■ **No Installation Required**

In contrast to locally installed software that demands an in-house IT staff to set-up, configure, update and provide help desk support, Ontrack Prepreview allows the user to create case secure access for as many users as necessary on a low-cost, per-case basis. Bypassing the software installation process allowed us to access the platform and load, review, annotate and share deposition transcripts within minutes. No more waiting for a litigation database to load, worrying the firm server is running out of storage, or needing new licenses to give access to additional members of the legal team—resulting in significant time and cost savings.

■ **Reviewing Transcripts in Minutes**

Once you have created a case, you can start loading transcripts directly through the Web. Loading a deposition is simple and is available for review in minutes. Administrators can also control which depositions are available for the team to review, as well as load others into the application while leaving them in a “non-active” state so non-admin users are not able to access them.

■ **Providing Access**

Once transcripts are loaded, inviting users to participate in the review is simple. The application has an invitation process that only requires you to provide the e-mail address of the user you would like to invite. After receiving the e-mail and following three simple steps, users can then participate in the review.

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■ **Access from Anywhere**

Web-based platforms like Ontrack Prepreview provide access from any location with Internet access. As a result, every team member is working on the same case documents at all times—whether from a courtroom, the law firm, the airport or even their home. This eliminates synchronization issues between online and offline databases and ensures the efficient management and sharing of demonstratives. In addition, because we were able to directly access the application from a Web server, we did not experience the performance issues often associated with connecting to the office through a VPN.

■ **Ongoing Ease of Use**

Another unique functionality of Ontrack Prepreview is the intuitive and interactive interface that makes getting started easy, even for nontechnical users. Anyone with basic Internet familiarity can get started quickly without substantial training. Furthermore, creating designations is as simple as highlighting a portion of text. Once a designation is created, it is updated on all users' screens in real time. Put simply, we now have real-time collaboration across legal teams with fewer errors and at lower cost.

■ **Streaming Synchronized Video**

The Transcript Manager tool in Ontrack Prepreview allows teams to review transcripts and deposition videos from anywhere. Teams no longer have to carry an external hard drive or connect to their firm's network in order to gain access to the video testimony. This tool also eliminates the need for litigation support teams to transfer video files and store them in multiple places if they are working in multiple locations. In our case, Transcript Manager provided easy access to streaming video synchronization, which significantly reduced the burden of case administration and user support.

Now compare this streamlined, simplified process with how deposition designation and trial preparation works at most law firms. Each party manually reviews and highlights a deposition and then makes a color copy. After this, the deposition is sent to the plaintiff to provide their counter designation, print another color copy and send it back. Without even counting the number of copies made for clients, witnesses, experts and the judge, there are hundreds, if not thousands, of pages of paper that are shuffled back and forth and ultimately trashed. While not an exact science, you can imagine the paper savings with a simple equation:

$$\begin{aligned} & \text{[Average \# of Pages per Deposition]} \\ & \times \text{[Average \# of Copies Printed]} \\ & \times \text{[Number of Depositions]} \\ & = \text{\# of Pages Saved} \\ & \text{[60 pages on Average]} \\ & \times \text{[4 copies printed on Average]} \\ & \times \text{[125 depositions]} \\ & = \text{approximately 30,000 pages} \\ & \text{of paper saved} \end{aligned}$$

As the litigation landscape continues to grow, there is no doubt that using technology to drive effective document collaboration can simplify the way law firms manage their cases and interact with legal teams and counsel, whether local or overseas.

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