

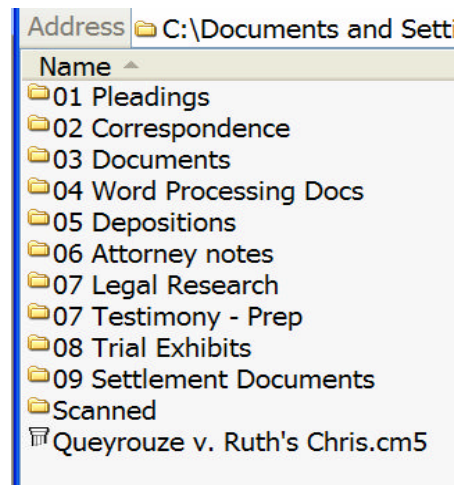
Organizing Cases Electronically

You learned how to practice law in the physical world. Undoubtedly, you have your client information in cabinets that have lots of folders. There are pleadings folders, correspondence folders, discovery folders and so on. If you are the lead attorney then the files are stored close to your office, or your secretary's office. There is only one complete file. It would be too time consuming, space-consuming and money-consuming to maintain duplicate copies of each client file. If the fire alarm goes off it would never occur to you to grab your paper files: they're too bulky and heavy. However, they do burn easily.

The electronic world is like the paper world, but different. Electronic information is easy to copy, transport and search. But it can be organized pretty much like paper files. In the electronic world you can keep all of your client information in a master folder, with sub-folders for pleadings, correspondence, discovery, etc. The file, along with many other such files, can be kept on a laptop computer. If a fire alarm sounds you can grab your laptop and take all your client files and important case information with you.

Having case information in electronic form is obviously better than keeping it in paper form. The problem for most attorneys is conceptualizing how electronic case management works in everyday practice. Let's focus on that issue.

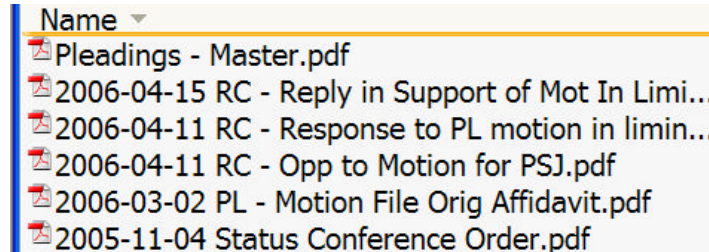
A client file in electronic form is pretty similar to a paper file. Here is an example from my computer:



You'll note that each folder name has a two digit number before the name. Why? To make the folders sort in a particular order. When I click on the heading that says "NAME" the folders will line up from #1 to #9, and the Pleadings folder will be at the top, which is my preference. I keep an empty master set of these folders so that I can quickly copy them into a new case file. Thus, each case is organized in exactly the same way.

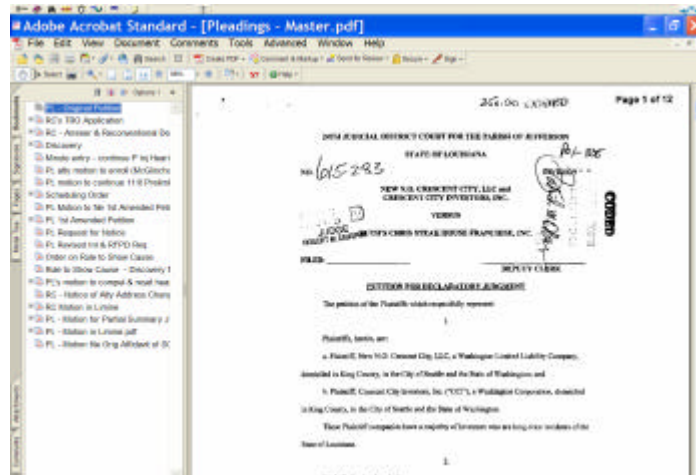
1. The Pleadings Folder

I keep copies of all the pleadings that have been filed in this folder. I scan all of the pleadings to PDF¹ and place them in this folder, and I keep a **Pleadings - Master** file which has all of the pleadings in a single PDF file (*see below*).



I also keep copies of each pleading as separate files in a way that is organized by date. I name the individual pleading with the following convention: 4 digit year followed by 2 digit month and then 2 digit date. So you'll note that the second document from the top is called *2006-04-15 RC – Reply in Support of Mot in Limine*. This naming convention allows the files to be sorted chronologically. To do this you just click on the “NAME” field at the top of the folder. You'll note that the most recent document is at the top, right below the Master Pleadings file.

The Master Pleading file is useful because I can browse through all of the pleadings without the hassle of having to open up lots of separate files. It's easy to find particular pleadings in the Master file using the bookmark feature of Adobe Acrobat. Basically, the bookmark section contains a list of hyperlinks to each separate pleading (*see below*).



¹ PDF stands for 'Portable Document Format' and is a type of image file that was created by Adobe. PDF files can be viewed by anyone with the free Adobe Reader program. There are other advantages to PDF files if you purchase the \$260 program called Adobe Acrobat.

2. The Correspondence Folder

I keep all letters I send or receive in this folder. Again, these are PDF files that are named with the YYYY-MM-DD convention described above. Emails are obviously correspondence documents and therefore need to be accounted for. While the case is active I keep my emails in a folder in my email program, Outlook. At the end of a case I archive the case folder to a PDF file (using a special feature in Acrobat) and store that file in this folder. At that point the all information related to the case can be archived in one place.

3. Documents

I have three sub-folders inside of the main “Documents” folder: 1) Documents Produced; 2) Documents Received, and 3) Bates-numbered Docs. Each document production is scanned to PDF and kept here with the naming convention described above. Documents received are kept in the second folder, and the last folder is where I keep a master of all bates-numbered documents.

4. Word Processing documents

This folder is pretty self-explanatory. It’s where I keep all the word processing documents that I have created. I also keep form pleading documents with the case caption and form correspondence documents with the case caption here. I can access that information quickly when I’m drafting a new pleading or new correspondence.

5. Depositions

Most court reporters will give you an ASCII text file of the deposition if you ask for it. I would prefer never to have the hard copy, and I think it would be a good idea for attorneys to agree that the original hard copy is not necessary at trial (remember you can always print out a hard copy from the electronic version).

I convert the text files to a transcript management program called TextMap and keep those files here as well. By putting the depositions into one master file I can search across all depositions for certain information. If there are exhibits associated with certain depositions I scan them and keep those documents in this folder. As for myself, I rarely attach exhibits to a deposition because I prefer to simply make reference to a bates-number or bates-range, and I also describe the document by reference to its date and the author and recipient. That’s sufficient to identify the document that the deponent is talking about, and it eliminates the need to have to keep track of more paper.

6. Attorney Notes

I use a program called CaseMap, which is a database program, to keep all of my key case information organized. The CaseMap file is really the only ‘Attorney Notes’ that I need, but I sometimes take general notes at a deposition and do that in a word

processing file. I keep those files here. And I keep the CaseMap file here too. I won't describe CaseMap here, other than to say it's an invaluable tool for chronologizing facts and keeping track of potential witnesses and legal issues. Visit www.casesoft.com for more information. The program is free to try for a period of time.

7. Legal Research

When I do legal research online I create PDFs of the cases and statutes that I'm referring to. I have separate folders for different legal issues and I keep these folders (with their PDF cases and PDF statutes) in the master 'Legal Research' folder. Sometimes I merge all the case and statute files into one master file, grouped by bookmarks.

8. Testimony – Prep

This is the folder where I keep the word processing documents that contain my questions for each witness that I will examine or cross-examine. I sometimes keep a separate sub-folder for each witness and put copies of documents that I plan to use with that witness here.

9. Trial Exhibits

This is where I start to compile the documents that I think are key to the case. I do this as the case moves forward so that I don't have to populate this at the last minute. Of course, I can easily identify the key documents in the case because I have all of my case information organized in CaseMap.

Physical demonstrative exhibits that you hold up or put on an easel are passé. Most courtrooms are equipped with display projectors that will allow for the display of computer images, such as might be used in a PowerPoint show. PowerPoint presentations, with the ability to visually animate key evidence and testimony, are far more effective in closing argument than the old foamboard demonstratives that were popular ten years ago. I put the PowerPoint presentations that I create for my case in this folder.