



Missed deadlines will kill you: Use technology to stay on track

A mere push of a button can keep you from being the target of a malpractice claim



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According to the American Bar Association, common ways that lawyers set themselves up for legal malpractice claims is by making mistakes when calendaring dates and missing deadlines. Given the many rules that exist at the federal, state, and local level, and given the frequent changes made to these rules, it is only a matter of time before mistakes are made. (For more information, see the April 2005 article by Dan Pinnington in the ABA's Law Practice Management magazine, Law Practice Today. The article is "Malpractice Claims Are Very Real – And Easily Preventable: The Key Is Improving Lawyer/Client Communications" at www.abanet.org/lpm/lpt/articles/mgt04052.html.)

However, given today's technology there are a number of tools that can help lawyers correctly calculate deadlines and keep track of when tasks must be completed. Using these tools will not only lower the risk of legal malpractice suits, it will also increase productivity and enable firms to become more competitive.

The focus of this article will be on the programs attorneys can use to correctly keep track of deadlines. Although many case management programs have deadline calculation features, these programs will be discussed in a later article.

Rules-Based calendaring programs

Rules-based calendaring programs are programs that calculate deadlines based on local, state and federal court rules. The deadlines are incorporated into the software application, which enables users to calculate deadlines based on a specific event, such as a motion hearing or trial date.

Background

In the past, small law firms and sole practitioners did not have access to technology that could help

them calculate the many deadlines accompanying a case in litigation. Their only recourse was to do it themselves, or have a paralegal, legal secretary or law clerk calculate all of the deadlines by hand. Not only was this time-consuming, it was a situation that was ripe for mistakes.

CompuLaw Vision

In the 1980s and 1990s, large law firms had the technological advantage when calculating court deadlines. They could afford the only rules-based deadline calculation program available at the time: CompuLaw Vision program at <http://compulaw.com/>.

CompuLaw LLC was founded in 1978 and is, according to its Web site, the "undisputed leading provider of legal rules-based technology to the legal marketplace." When it was first introduced, the program was extremely expensive and completely out of reach to the small firm or sole practitioner.

Deadlines on Demand

However, all was not lost for the small law firms. Seeing that a large percentage of their market remained untapped, executives at CompuLaw created a rules-based calendaring program just for small firms and sole practitioners: Deadlines on Demand at <http://deadlines.com/>. Deadlines on Demand, LLC was founded in 2003 and is a wholly-owned subsidiary of CompuLaw, LLC. Deadlines on Demand provides accurate, reliable, rules-based calculations of legal deadlines on a pay-per-use basis.

Because of its affordability, Deadlines on Demand is quite popular with small firms and sole practitioners. Deadlines on Demand prices range from \$5 to \$99, per research result. According to the Web site, the average cost per use is around \$29, but this amount varies depending on the type of research, the jurisdiction, and sometimes the number of deadlines generated.



Using the program is simple. The user only needs to enter the area of law, the name of the court, and the date from which the deadlines are to be calculated [i.e., a trial date.] Within moments, the program returns a list of deadlines with supporting citations. The best part is that the deadlines can be e-mailed or incorporated into Outlook, enabling everyone working on the case to easily get the deadline information.

This program is an inexpensive way of avoiding malpractice claims arising from missed deadlines. Its low price is within the budget of any attorney, and it would be foolish to ignore such an accessible tool. Getting set up to use the program is easy by visiting the Web site at <http://deadlines.com/> or by calling 888-363-5522.

Westlaw Legal Calendaring

Released earlier this year, Westlaw Legal Calendaring claims to be the first Web-based rules-calendaring system that allows you to recalculate deadlines. If a date is changed (for example, if a trial date was continued), the program will automatically recalculate all the substantive dates for you.

The program automatically calculates litigation dates from the first complaint filed through the final appeal, and tracks every event change during the course of litigation that requires date recalculations. However, one disadvantage of the program is the lack of information provided to potential customers. Information can be found at www.litigator.westlaw.com/, but pricing information must be obtained through your West sales representative or by calling a Westlaw research attorney at 1-800-Westlaw.

LawToolBox

LawToolBox is a rules-based software program that calculates deadlines on a one-time, per case fee ranging from

\$49.50 to \$69 for the life of that particular case. The program calculates deadlines and provides a detailed report. The report can also be synchronized with Outlook, allowing the deadlines to automatically be inserted into the calendar of each person involved in the case. LawToolBox also integrates with Time Matters, Amicus, and other programs.

Date calculators

• **Free Deadline and Filing Calculator**
The free Deadline and Filing Calculator was created by court reporter, Todd Olivas, and can be found on his company's Web site at www.toddolivas.com/court_reporting_articles/deadline-calculator.asp. According to the Web site, the deadline calculator is a free tool, created to prevent paralegals, legal secretaries, and lawyers from "dropping the ball" or missing important dates. To use the software, just go to the Web site and enter the number of days before or after the "start date." The program then calculates the deadline for you. If applicable, the program will note the weekends and holidays that fall within the time range. This is an extremely simple and useful program that can benefit many people.

• **TimeandDate.com**

Another free date calculator that is a favorite of lawyers, paralegals, and legal secretaries is found on the Time AndDate.com Web site at <http://www.timeanddate.com/date/dateadd.html>. There are several program features that make this free program especially useful for lawyers. For example, you can calculate a deadline based on the number of days before or after the event, calculate the number of days between two dates, create customized timers for your specific matters, as well as create customized calendars.

• **Atkinson & Baker**

Atkinson & Baker Court Reporters is one of the largest privately owned court reporting firms in the United States and

provides its deadline and filing calculator, found at http://olddepo.com/filing_calculator.htm, as a service to the legal community. The program is very easy to use. The user only needs to enter the Web site and input the number of days before or after the deadline. A unique feature of this program allows the user to include or exclude weekends and federal court holidays in the date calculation by simply checking a box.

• **CSC Date Calculator**

The CSC Date Calculator is a simple and inexpensive program found at http://www.computersolutioncentral.com/date_calculator.html that allows users to calculate dates before, after or between chosen dates. The program also allows user customization so that holidays and weekends can be excluded if necessary. If you want to try the program out, you can download the full version and use it free for 10 days. If you like it, you can buy the program for around \$15.

Statute of Limitations deadlines

• **Statutes of Limitations for all 50 states** at <http://www.injuryboard.com:80/topic/tort-components-statutes.aspx>
American Association of Justice techie lawyer member, Thomas Young, of Tampa, Florida, just put together a list of statutes of limitations for all 50 states. Although it provides useful information, you should keep in mind that the information is very general and will not provide you with all of necessary information to file a lawsuit.

Conclusion

By incorporating these simple, inexpensive programs into your law practice, you will be able to increase your efficiency and avoid malpractice claims.

