DEBUNKING the MYTHS of CALENDARING & DOCKETING TECHNOLOGY
There are some technologies that emerge and seamlessly replace the old way of doing things, much like the way email replaced pen and paper as the primary means of business communication. Other technologies take longer to attain mass adoption because of issues with price, ease-of-use, or simply breaking old habits. Often, the biggest reason for rejecting technology comes down to trust.

The calendar is perhaps the most quintessential element of a legal professional’s life. So why would he or she trust it to technology?– “I’ll calculate my own dates and deadlines!” Yet, according to Lawyers’ Mutual Insurance Company, the largest number of malpractice claims each year are the result of missed deadlines. The most common reason for missing deadlines is the lack of a calendaring system.

Practice groups with cases in multiple jurisdictions face the enormous task of calculating court deadlines and staying on top of rules changes at multiple levels, which may include local, state, federal and even judge’s individual rules. It’s not uncommon for firms to handle several thousands of cases a year and with each come hundreds of deadlines and calendaring changes. Missed deadlines or court appearances can cause a disruptive and costly scramble to fix the problem; an impaired or ruined client relationship; and in some circumstances an expensive malpractice lawsuit and embarrassing press headlines.

Preconceived notions about docketing and calendaring software may keep a firm from purchasing or lawyers within a firm from utilizing it. These firms create huge risks for themselves and their clients by continuing to use manual approaches and processes that drain resources, are error-prone, and inhibit knowledge sharing on important rule changes.
Litigators fight for their clients in local, state, and federal courts. The successful ones know the judges and the rules in each jurisdiction. But, what lawyer can keep up with rules changes solely based on relationships and time spent hanging around their favorite judges? There are too many jurisdictions and too many cracks for changes to fall into and go unnoticed.

Using calendaring software which automates rules updates across all your jurisdictions and calculates matter deadlines doesn’t mean you must blindly trust the technology. Lawyer knowledge of the courts which they appear before is still a source of expertise. Technology doesn’t replace the lawyers’ keen insights or storytelling of client facts. However, calendaring software can accurately perform a lot of tedious work for you — like calculating deadlines.

Firms using calendaring and docketing technology don’t blindly trust the outputs. At first, many double-check the calculations against their own. Good systems make it easy for a legal professional to do this. If there is an error, it is almost always with the manual calculation or a lack of visibility into a court holiday or rule change that throws off the hand-calculated date. Nevertheless, healthy skepticism is a good thing. Trust but verify.
Many lawyers harbor the myth that everything is just fine and perfect in calendaring and docketing at their firm. Ask docketing staff or administrative assistants, and they’ll tell you a very different story. Staff are overwhelmed and constantly behind on calendaring and docketing tasks. Research and calculation of every specific deadline is labor intensive, especially when done manually.

A single case in a single jurisdiction might involve 120 rules and deadlines that staff must calculate, calendar, and communicate to the litigation team. Multiply that number by 7,000 cases a year and you are talking 800,000+ calculations. A simple miscount by one day could lead to your firm defaulting in the action. The firm’s reputation takes a hit, not to mention loss of the case revenue.

Change management is a huge part of calendaring and docketing in law firms. Docketing and administrative staff or lawyers can’t just always rely on templates of deadlines and printed rules they used in the last case for a specific jurisdiction. For each new case, someone must do research to identify any jurisdictional rules changes that impact calculations. This rule-change monitoring is incredibly resource draining and requires expertise to interpret the new rules.

The reality is your staff is not keeping up with the risks of calendaring and docketing. There are just too many details and manual tasks to be successful without effective technology that automates deadline calculations, rule change updates and communicates.
Managing calendar changes in complex cases with multiple parties and counsel can be a nightmare. Deposition or meet and confer dates get changed all the time. For the lawyers and paralegals using Outlook, staff must execute multiple actions to keep everyone aware and adjusted to the changed date. Calendar invites need changing; emails fly through Exchange. Conference rooms, hotel reservations, and court reporter bookings must be rescheduled for the new date. Case team members not attending the changed event still need to be aware of the delay for their downstream work, too.

Despite the inefficiencies and risks of not using a centralized system, Outlook-loving lawyers continue to resist or outright refuse to adopt new technology because they believe that means they can’t use Outlook anymore. This simply isn’t true. Leading legal calendaring software integrates with Outlook. Calendar changes and other updates automatically show up inside the lawyer’s Outlook environment. The staff has multiple ways to communicate with case teams, keeping everybody on track. Moreover, if a trial gets moved (as they always do), there’s no longer a need to manually re-calendar all the critical dates by hand. With technology, all you do is change the trigger date to update everything in the matter, automatically.

Plus, centralized systems don’t have to be too complicated for lawyers. The best systems give timekeepers their own easy-to-use, self-service App for reports and everything else they need. Partners can hop-in and generate a weekly or monthly report showing their matters’ key dates, or court appearances, for example.
Many firms continue to operate under the assumption that calendaring systems cost more than they’re worth. Firms make decisions based on the view that they won’t see cost reduction or efficiency returns on a calendaring technology investment. CFOs continue to fight budget requests for these systems in law firms.

CFOs will be happy to learn that malpractice insurance costs go down with the right calendaring and docketing system. Several malpractice carriers now require rules-based docketing solutions to lower risks. Carriers allow firms to continue to calculate deadlines without technology but insist that they double check them against the technology outputs. The carriers want a safety net against human manual error. These carriers give firms with centralized, rules-based systems a discount, lowering insurance costs and keeping the firm compliant with carrier requirements.

Staff experience colossal efficiency gains with calendaring software. The automatic date calculation engines, rule change monitoring, and updates from highly trained and specialized experts are game-changers. Rather than spending their day calculating deadlines and triple checking them, firm staff are freed up for higher-value work. Firms report less staff burnout, turnover, and mistakes following technology adoption.

"Our $50K investment in calendaring and docketing software saved us $200K in insurance premiums the first year. Wish we'd done this years ago."

– CFO after returning from negotiations with insurance carrier
Law firms evaluating docketing and calendaring software must avoid the myth that all vendors are created equal. Problems arise when firms “check the box,” believing the provider’s assertion that their rules-based technology and updates are highly reliable and accurate. It is wise to investigate the myth that all docketing and calendaring technology is the same. The risks are too big.
The last thing you want to hear after you’ve rolled out new technology is that specific practice groups can’t use it because it lacks their key jurisdictions’ rules. Inquire about exactly what jurisdictions a calendaring system covers and compare that across your firm.

Ask about the qualifications of the provider’s rules group that performs the research and analysis of the jurisdictional rules. Legal rules interpretation is a highly specialized skill requiring knowledge and education. The quality of the research that drives the technology depends on having an experienced rules team. Look for a team that includes highly-trained post-graduate degreed experts and lawyers.

If a vendor outsources rules research, that is a red flag. The risk of communication delays or disconnects between the product engineers who update the rules engine and the outside third party can result in a bad date or slowly updating rules.

All vendors claim to give clients up-to-date rules. Ask how often they communicate rules updates/changes. You don’t want to run the risk that you’ll get a rule update long after it takes effect.

A modern solution should provide a simple, automated process for ensuring that the most current rules are being used. Modern calendar software systems automate this process so firms will quickly receive updated rules as they are released and automatically update existing events that were calendared pursuant to rules that have now changed.
Despite the myths, when it comes to calendaring and docketing technology, the positive benefits far outweigh the perceived negatives. Though justice is blind, firms using calendaring technology shouldn’t be. Trust but verify.

The calendar is one of the most indispensable elements to the day-to-day life of a lawyer. Yet, it is the component that is the most susceptible to human error – error that can spell doom for the client, the lawyer, and even the firm. If the most common reason for malpractice claims is the lack of a calendaring and docketing control system, it is irresponsible to risk that exposure by eschewing a technology solution that specifically addresses it.

Calendaring and docketing technology is more efficient for staff, integrates with preferred systems already in use, provides a huge return on investment, and dramatically reduces the risk of human error. Proof leads to trust. At some point you must ask yourself, “Why aren’t I using this technology?”

Aderant CompuLaw is the number one legal calendar, docket and matter management solution available today. Reduce the risk of malpractice exposure from calendar-related errors and reduce human errors with rules-based, configurable date calculations.
Aderant, headquartered in Atlanta, Georgia is a global industry leader in providing comprehensive business management software for law firms and professional services organisations. Aderant is a market leader in technology solutions for practice and financial management, knowledge management, ebilling, business intelligence, matter planning, calendaring and docketing. Aderant is an established and trusted partner with its versatile and innovative technology solutions, superior customer support, and reliable implementation process. Aderant operates as a unit of Roper Technologies, a constituent of the S&P 500®, Fortune 1000® and the Russell 1000® indices.

www.aderant.com | info@aderant.com | @Aderant