

November 6, 2015  
9:15 PM – 10:30 PM

### **The ABCs of Insurance Panel Counsel**

Litigation has rapidly changed over the past several years. Nearly all potential exposure faced by a company is insurable, including PLI, EPL, CGL, D&O, professional liability, etc. More than ever, it is vital for litigators to understand that a successful relationship with insurers involves providing cost-effective resolution of claims. To that end, insurers refer claims made under a policy to their panel counsel, who go through a vetting process before they are approved for referrals. But, how does a firm become an approved panel counsel? What can you expect when you do become a panel counsel? What does it take to maintain that relationship with the insurer? This panel will discuss the ABCs of becoming an insurance panel counsel.

Program Chair & Moderator:

Peter C. Kim, *Senior Associate*, Adler Murphy & McQuillen LLP

Speakers:

Linda Lu, *Chief Litigation Officer*, Nationwide

Kyun Yi, *Managing Partner*, De Martini & Yi, LLP

Daniel Sakaguchi, *Partner*, Armstrong Teasdale LLP

## AGENDA

9:15-9:25 Introductions and purpose of program

Moderator: Peter C. Kim, Adler Murphy & McQuillen LLP

Speaker: Linda Lu, Nationwide

Kyun Yi, De Martini & Yi, LLP

Daniel Sakaguchi, Armstrong Teasdale LLP

9:25-9:40 What is a panel counsel, what are its pros and cons and what is the vetting process like?

Perspective from practitioners

Perspective from insurer

9:40-10:00 What does the insurer expect from panel counsel and how does counsel meet the insurer's requirements?

Budget Reports – UTBMS Codes

Insurer Status Reports

10:00-10:10 Non-traditional ways to obtain insurance defense work – *Peppers* counsel and insured's right to choose counsel

Coverage dispute – Defense counsel chosen by insured, but paid by insurer

Accommodation – Defense counsel chosen by insured

10:10-10:20 What are the different types of insurance defense work?

Panel will discuss different areas of insured risks, including, PLI, EPL, CGL, D&O, auto, professional liability, etc.

10:20-10:30 Questions



## The ABCs of Insurance Panel Counsel

# INTRODUCTION

INTRO

PROS  
&  
CONS

REQUIRE-  
MENTS

NON-  
TRADITIONAL  
ROUTES

MATTERS

## Insurance Panel Counsel?

- An attorney chosen by an insurance company to represent its policyholders in defending liability claims.
- Attorneys typically have relationships with several insurers.
- Opportunity to represent wide range of clients.

# POINT / COUNTERPOINT

INTRO

PROS  
&  
CONS

REQUIRE-  
MENTS

NON-  
TRADITIONAL  
ROUTES

MATTERS

## PROS

- Stable workload
- Meet several potential clients
- Cross-market

## CONS

- Insurer sets rates
- Adhere to insurer's guidelines
- Must be efficient

# REQUIREMENTS

INTRO

PROS  
&  
CONS

REQUIRE-  
MENTS

NON-  
TRADITIONAL  
ROUTES

MATTERS

## BUDGETS

- UTBMS codes
- Electronic billing
- Blended rates

## REPORTS

- Initial analysis
- Adhere to insurer's guidelines
- Must be efficient

# NON-TRADITIONAL ROUTES

INTRO

PROS  
&  
CONS

REQUIRE-  
MENTS

NON-  
TRADITIONAL  
ROUTES

MATTERS

## CONFLICT COUNSEL

- Coverage dispute
- Conflict of interest
- Insured's personal counsel paid by insurer

## Accommodation

- Prior agreement
- Special knowledge

# CONFLICT COUNSEL

INTRO

PROS  
&  
CONS

REQUIRE-  
MENTS

NON-  
TRADITIONAL  
ROUTES

MATTERS

## When Is There a Conflict?

*Maryland Casualty Company v.  
Peppers, 64 Ill. 2d 187 (Ill. 1976)*

- If “the insurer’s interests would be furthered by providing a less than vigorous defense.”
- If “factual issues will be resolved in the underlying suit that would allow insurer-retained counsel to ‘lay the groundwork’ for a later denial of coverage.”

# CONFLICT COUNSEL

INTRO

PROS  
&  
CONS

REQUIRE-  
MENTS

NON-  
TRADITIONAL  
ROUTES

MATTERS

## Insurer's Rights

- Insured entitled to choose attorney
- Attorney's fees must be reasonable
- Insurer entitled to retain counsel to monitor

# MATTERS

INTRO

PROS  
&  
CONS

REQUIRE-  
MENTS

NON-  
TRADITIONAL  
ROUTES

MATTERS

**No  
shortage of  
practice  
areas**

- Employment practices
- Product liability
- Construction
- Toxic torts
- Medical malpractice
- Legal malpractice

# Uniform Task-Based Management System

## Litigation Code Set

- [Overview](#)
- [Litigation Code Set](#)
- [Litigation Code Set: Sample Budget Format](#)
- [Litigation Code Definitions](#)
- [Background, Definitions, Principles, and Assumptions](#)
- [Participants and Liaisons](#)
- [Disclaimer & Copyright](#)

## Counseling Code Set, Project Code Set, Bankruptcy Code Set

- [Overview](#)
- [Counseling Code Set](#)
- [Project Code Set](#)
- [Bankruptcy Code Set](#)
- [Activity Codes](#)
- [Expense Codes](#)
- [Participants and Liaisons](#)
- [Disclaimer & Copyright](#)

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# Litigation Code Set

[Overview](#) | [Litigation Code Set](#) | [Sample Budget Format](#) | [Definitions](#) | [Background, Definitions, Principles, and Assumptions](#) | [Participants & Liaisons](#) | [Disclaimer & Copyright](#)

## Overview

The Uniform Task-Based Management System is a budgeting and billing system designed to provide clients and law firms with meaningful cost information on legal services. The first major area of legal work addressed by the System is litigation. This document presents the Litigation Code Set and definitions developed by a tripartite effort of the American Bar Association Section of Litigation, the American Corporate Counsel Association, and a group of major corporate clients and law firms coordinated and supported by Price Waterhouse LLP. The System enables lawyers to budget and bill by litigation task, aiding client and counsel in understanding, managing and conducting litigations. It is intended to cover all contested matters, including judicial litigation, binding arbitration and regulatory/administrative proceedings.

The goals of the Litigation Code Set are to:

1. Enable client and counsel to plan and maintain an efficient and effective litigation.
2. Facilitate effective communication of the tasks and costs of litigation and any variations from the expected or the norm.
3. Provide each client and law firm with a means to individually understand and compare the cost of litigation, for greater efficiency and as a foundation for use of alternative billing arrangements.
4. Harmonize the various task-based efforts to ease widespread adoption of a simple, concise and flexible task-based management approach.

The Litigation Code Set is grouped into five basic phases or aspects of a litigation, plus expenses:

- Case Assessment, Development and Administration
- Pre-Trial Pleadings and Motions
- Discovery
- Trial Preparation and Trial
- Appeal

Each phase consists of a number of tasks, such as Written Discovery, Document Production and Depositions. In total, 29 tasks comprise the Litigation Code Set.

All work associated with a task should be included in that category. For example, Depositions (L330) encompasses all time spent on depositions including deposition notices and subpoenas, deposition scheduling and logistics, planning for and preparing to take the depositions and any deposition summaries. The intent is to provide a true picture of the labor cost of each task. (Out-of pocket expenses, such as witness fees and transcripts, are treated under Expenses.)

For each billing period, the time charges by attorney or other professional are recorded by task. The System also allows for accumulation of the time charges, providing a comparison at a glance of the cost of each phase and each task for the month, for a specified budget period, and cumulatively for the litigation. Expenses can also be reported on a period and cumulative basis on request.

For those desiring, a budget can be prepared for each phase, and within that, each task for the whole case and/or by quarter (or other time period). The monthly bills would then compare that month's bill and the cumulative total with the budget.

The System also provides a long form for those wishing to capture the task-based work by specific activity. The activity identifies how the work is being performed (e.g., communicating in firm, researching, drafting, and reviewing). For this purpose, any or all of eleven activities can be used with any or all of the tasks of the System.

The intention of the Litigation Code Set is to minimize multiple interpretation and options for coding time. It is recognized that not all litigation work will fit neatly in a particular category. Work can overlap tasks, categories may be imprecise, or time may be expended on the truly unusual. Users should categorize the work to its primary purpose. Definitions are provided for guidance. Where uncertainty envelops substantial or repeating work, it is best for client and counsel to agree in advance on the category to be used.

It is important to understand the considerations that went into the development of consensus around a single standard. Therefore, following the definitions is a discussion of the background of this initiative, and the guiding principles and assumptions that informed the development of the Litigation Code Set.

# Litigation Code Set

[Overview](#) | [Litigation Code Set](#) | [Sample Budget Format](#) | [Definitions](#) | [Background, Definitions, Principles, and Assumptions](#) | [Participants & Liaisons](#) | [Disclaimer & Copyright](#)

## Litigation Code Set

### **L100 Case Assessment, Development and Administration**

- L110 Fact Investigation/Development
- L120 Analysis/Strategy
- L130 Experts/Consultants
- L140 Document/File Management
- L150 Budgeting
- L160 Settlement/Non-Binding ADR
- L190 Other Case Assessment, Development and Administration

### **L200 Pre-Trial Pleadings and Motions**

- L210 Pleadings
- L220 Preliminary Injunctions/Provisional Remedies
- L230 Court Mandated Conferences
- L240 Dispositive Motions
- L250 Other Written Motions and Submissions
- L260 Class Action Certification and Notice

### **L300 Discovery**

- L310 Written Discovery
- L320 Document Production
- L330 Depositions
- L340 Expert Discovery
- L350 Discovery Motions
- L390 Other Discovery

### **L400 Trial Preparation and Trial**

- L410 Fact Witnesses
- L420 Expert Witnesses
- L430 Written Motions and Submissions
- L440 Other Trial Preparation and Support
- L450 Trial and Hearing Attendance
- L460 Post-Trial Motions and Submissions
- L470 Enforcement

### **L500 Appeal**

- L510 Appellate Motions and Submissions
- L520 Appellate Briefs
- L530 Oral Argument

### **A100 Activities**

- A101 Plan and prepare for
- A102 Research
- A103 Draft/revise
- A104 Review/analyze
- A105 Communicate (in firm)
- A106 Communicate (with client)

- A107 Communicate (other outside counsel)
- A108 Communicate (other external)
- A109 Appear for/attend
- A110 Manage data/files
- A111 Other

## **E100 Expenses**

- E101 Copying
- E102 Outside printing
- E103 Word processing
- E104 Facsimile
- E105 Telephone
- E106 Online research
- E107 Delivery services/messengers
- E108 Postage
- E109 Local travel
- E110 Out-of-town travel
- E111 Meals
- E112 Court fees
- E113 Subpoena fees
- E114 Witness fees
- E115 Deposition transcripts
- E116 Trial transcripts
- E117 Trial exhibits
- E118 Litigation support vendors
- E119 Experts
- E120 Private investigators
- E121 Arbitrators/mediators
- E122 Local counsel
- E123 Other professionals
- E124 Other

# Litigation Code Set

[Overview](#) | [Litigation Code Set](#) | [Sample Budget Format](#) | [Definitions](#) | [Background, Definitions, Principles, and Assumptions](#) | [Participants & Liaisons](#) | [Disclaimer & Copyright](#)

## Sample Budget Format

Case: \_\_\_\_\_  
Month From Inception: \_\_\_\_\_  
Budget Period: \_\_\_\_\_  
Month into Budget Period: \_\_\_\_\_

	For Budget	Period From Inception
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Current Billings	Bills to Budget Date	Bills to Budget Date
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### L100 Case Assessment, Development and Administration

- L110 Fact Investigation/Development
- L120 Analysis/Strategy
- L130 Experts/Consultants
- L140 Document/File Management
- L150 Budgeting
- L160 Settlement/Non-Binding ADR
- L190 Other Case Assessment, Development and Administration

### L200 Pre-Trial Pleadings and Motions

- L210 Pleadings
- L220 Preliminary Injunctions/Provisional Remedies
- L230 Court Mandated Conferences
- L240 Dispositive Motions
- L250 Other Written Motions and Submissions
- L260 Class Action Certification and Notice

### L300 Discovery

- L310 Written Discovery
- L320 Document Production
- L330 Depositions
- L340 Expert Discovery
- L350 Discovery Motions
- L390 Other Discovery

### L400 Trial Preparation and Trial

- L410 Fact Witnesses
- L420 Expert Witnesses
- L430 Written Motions and Submissions
- L440 Other Trial Preparation and Support
- L450 Trial and Hearing Attendance
- L460 Post-Trial Motions and Submissions
- L470 Enforcement

**L500 Appeal**

L510 Appellate Motions and Submissions

L520 Appellate Briefs

L530 Oral Argument

**E100 Expenses (Itemize)**

TOTAL

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[Overview](#) | [Litigation Code Set](#) | [Sample Budget Format](#) | [Definitions](#) | [Background, Definitions, Principles, and Assumptions](#) | [Participants & Liaisons](#) | [Disclaimer & Copyright](#)

## Litigation Code Definitions

The Litigation Code Set is intended for use in all adversarial matters including litigation, binding arbitrations, and regulatory/administrative proceedings. The following definitions elaborate on the intended scope of each phase and task and should guide attorneys in coding time.

**L100 Case Assessment, Development and Administration.** Focuses on the case as a whole, the "forest" rather than the "trees".

**L110 Fact Investigation/Development.** All actions to investigate and understand the facts of a matter. Covers interviews of client personnel and potential witnesses, review of documents to learn the facts of the case (but not for document production, L320), work with an investigator, and all related communications and correspondence.

**L120 Analysis/Strategy.** The thinking, strategizing, and planning for a case, including discussions, writing, and meetings on case strategy. Also includes initial legal research for case assessment purposes and legal research for developing a basic case strategy. Most legal research will be under the primary task for which the research is conducted, such as research for a summary judgment motion (L240). Once concrete trial preparation begins, use L440 for trial strategy and planning.

**L130 Experts/Consultants.** Identifying and interviewing experts and consultants (testifying or non-testifying), working with them, and developing expert reports. Does not include preparing for expert depositions (L340) or trial (L420).

**L140 Document/File Management.** A narrowly defined task that comprises only the processes of creating and populating document and other databases or filing systems. Includes the planning, design, and overall management of this process. Work of outside vendors in building litigation support databases should be an Expense.

**L150 Budgeting.** Covers developing, negotiating, and revising the budget for a matter.

**L160 Settlement/Non-Binding ADR.** All activities directed specifically to settlement. Encompasses planning for and participating in settlement discussions, conferences, and hearings and implementing a settlement. Covers pursuing and participating in mediation and other non-binding Alternative Dispute Resolution (ADR) procedures. Also includes pre-litigation demand letters and ensuing discussions.

**L190 Other Case Assessment, Development and Administration.** Time not attributable to any other overall task. Specific use in a given matter often may be pre-determined jointly by the client and law firm.

**L200 Pre-Trial Pleadings and Motions.** Covers all pleadings and all pretrial motions and procedures other than discovery.

**L210 Pleadings.** Developing (researching, drafting, editing, filing) and reviewing complaints,

answers, counter-claims and third party complaints. Also embraces motions directed at pleadings such as motions to dismiss, motions to strike, and jurisdictional motions.

**L220 Preliminary Injunctions/Provisional Remedies.** Developing and discussing strategy for these remedies, preparing motions, affidavits and briefs, reviewing opponent's papers, preparing for and attending court hearing, preparing witnesses for the hearing, and effectuating the remedy.

**L230 Court Mandated Conferences.** Preparing for and attending hearings and conferences required by court order or procedural rules (including Rule 16 sessions) other than settlement conferences (L160).

**L240 Dispositive Motions.** Developing and discussing strategy for or opposing motions for judgment on the pleadings and motions for complete or partial summary judgment, preparing papers, reviewing opponent's papers, defensive motions (e.g., motion to strike affidavit testimony, Rule 56(f) motion), and preparing for and attending the hearing.

**L250 Other Written Motions/Submissions.** Developing, responding to, and arguing all motions other than dispositive (L240), pleadings (L210), and discovery (L350), such as motions to consolidate, to bifurcate, to remand, to stay, to compel arbitration, for MDL treatment and for change of venue.

**L260 Class Action Certification and Notice.** Proceedings unique to class action litigation and derivative suits such as class certification and notice.

**L300 Discovery.** Includes all work pertaining to discovery according to court or agency rules.

**L310 Written Discovery.** Developing, responding to, objecting to, and negotiating interrogatories and requests to admit. Includes mandatory meet-and-confer sessions. Also covers mandatory written disclosures as under Rule 26(a).

**L320 Document Production.** Developing, responding to, objecting to, and negotiating document requests, including the mandatory meet-and-confer sessions to resolve objections. Includes identifying documents for production, reviewing documents for privilege, effecting production, and preparing requested privilege lists. (While a general review of documents produced by other parties falls under this task, coding and entering produced documents into a data base is Task L140 and reviewing documents primarily to understand the facts is Task L110.)

**L330 Depositions.** All work concerning depositions, including determining the deponents and the timing and sequence of depositions, preparing deposition notices and subpoenas, communicating with opposing or other party's counsel on scheduling and logistics, planning for and preparing to take the depositions, discussing deposition strategy, preparing witnesses, reviewing documents for deposition preparation, attending depositions, and drafting any deposition summaries.

**L340 Expert Discovery.** Same as L330, but for expert witnesses.

**L350 Discovery Motions.** Developing, responding to, and arguing all motions that arise out of the discovery process. Includes the protective order process.

**L390 Other Discovery.** Less frequently used forms of discovery, such as medical examinations and on-site inspections.

**L400 Trial Preparation and Trial.** Commences when lawyer and client determine that trial is sufficiently likely and imminent so that the process of actually preparing for trial begins. It continues through the trial and post-trial proceedings in the trial court. Once trial begins, lawyers who appear in court presumptively should bill their court time to L450 Trial and Hearing Attendance. Litigation work outside the courtroom during this phase (e.g., evenings, weekends and the time of other attorneys and support personnel), should continue to be classified using other L400 Tasks.

**L410 Fact Witnesses.** Preparing for examination and cross-examination of non-expert witnesses.

**L420 Expert Witnesses.** Preparing for examination and cross-examination of expert witnesses.

**L430 Written Motions/Submissions.** Developing, responding to and arguing written motions during preparation for trial and trial, such as motions in limine and motions to strike proposed evidence. Also includes developing other written pre-trial and trial filings, such as jury instructions, witness lists, proposed findings of fact and conclusions of law, and trial briefs.

**L440 Other Trial Preparation and Support.** All other time spent in preparing for and supporting a trial, including developing overall trial strategy, preparing opening and closing arguments, establishing an off-site support office, identifying documents for use at trial, preparing demonstrative materials, etc.

**L450 Trial and Hearing Attendance.** Appearing at trial, at hearings and at court-mandated conferences, including the pre-trial conferences to prepare for trial. For scheduling conferences that are denominated as "Pre-Trial Conferences", but not directed toward conduct of the trial, use Task L230.

**L460 Post-Trial Motions and Submissions.** Developing, responding to and arguing all post-verdict matters in the trial court, such as motions for new trial or j.n.o.v., for stay pending appeal, bills of costs, and requests for attorney's fees.

**L470 Enforcement.** All work performed in enforcing and collecting judgments and asserting or addressing defenses thereto.

**L500 Appeal.** Covers all work on appeal or before a reviewing body.

**L510 Appellate Motions and Submissions.** Developing, responding to and arguing motions and other filings before a reviewing body, such as motions and other filings for stay pending appeal.

**L520 Appellate Briefs.** Preparing and reviewing appellate briefs.

**L530 Oral Argument.** Preparing for and arguing an appeal before a reviewing body.

# Litigation Code Set

[Overview](#) | [Litigation Code Set](#) | [Sample Budget Format](#) | [Definitions](#) | [Background, Definitions, Principles, and Assumptions](#) | [Participants & Liaisons](#) | [Disclaimer & Copyright](#)

## Background, Definitions, Principles, and Assumptions

### A. Background: The Need

Until the past decade, law firm billing was relatively straightforward. Firms billed their clients in greater or lesser detail, typically providing in-depth narrative descriptions of the tasks and processes underlying their hourly charges. In issuing bills and providing the underlying detail, each firm followed its own approach. In recent years, however, clients have become more focussed in requesting additional billing information of their outside law firms, or asking that billing data be presented in specific formats. In some instances companies have wanted to analyze their costs along various dimensions to provide benchmarks for the more systematic evaluation of legal costs. In others, there has been a desire to develop a database of costs on discrete legal activities. Most of these efforts have been part of an overriding effort to manage corporate legal expenses more effectively by considering inside/outside mix, comparative performance by attorneys and firms of discrete activities, and other aspects of cost.

As a consequence of these trends, many law firms' administrative organizations are faced with the challenge of complying with a broad range of specialized billing requirements - each unique to one client. This situation already poses a substantial burden to a number of firms. As law departments expand their use of "task-based billing" and broaden their efforts to manage outside legal costs more effectively, firms face the prospect of overwhelming complexity as they strive to comply with the various requests of dozens of clients. Ultimately, law departments will be burdened by different law firm coding structures and billing systems.

Aside from "need" narrowly defined, there are significant benefits to both law firms and law departments in terms of administrative simplicity and cost reduction to be gained from standardization. In addition, the development of standard billing categories will permit introduction of billing based on Electronic Data Interchange (EDI). This technology is already widely employed in other areas of commercial activity. By linking the suppliers and consumers of legal services, EDI offers the prospect of "paperless billing" and a new level of administrative and cost efficiency.

The need, therefore, is for a uniform set of billing and task categories - detailed describers of legal work that would be acceptable to both law departments and firms, and that could prevail across American industry, financial services, and commerce. Analogous to the role of standards in other industries and functions, standard billing categories would make it possible for law firms to standardize their billing systems and for corporate law departments to work with their law firms in a far more efficient manner than prevails today.

### B. Definitions

Following is a glossary of terms that will be helpful in understanding the Litigation Code Set.

1. **Coding set/coding scheme.** A list of alphanumeric codes and corresponding terms and definitions that describe the universe of legal work in a given area.
2. **Field.** A specific, defined category of information that is entered into an information management system or database.
3. **Area of law.** A label describing a discrete area of legal practice or specialization. Examples include real estate, intellectual property, and environmental. The group envisions that each department and firm would define these as appropriate.

4. **Matter type.** This designation describes or categorizes a specific legal services project for purposes of analysis and reporting. In most cases, matter types are more detailed than areas of law though for some specialized areas of law there may not be a more detailed listing of matter types. For example, a litigation case might be categorized as an antitrust, environmental, international trade, etc. matter.
5. **Phase.** This is the highest level category in the coding hierarchy. For litigation, examples are Pre-Trial Pleadings and Motions, and Discovery. Phases represent collections of tasks and activities that occur largely in a sequence during the course of a case or matter. Typically, timekeepers will enter time at the task level, but phase-level time entry will also be permitted. This might be useful in smaller cases in which task-level detail is not needed.
6. **Task.** This represents more detail under the phase level in the coding hierarchy. All tasks roll up to a phase. Tasks are intended to capture tangible work product produced or business results achieved. Tasks (or phases) are one of two fields to be recorded by timekeepers.
7. **Activity.** This is a code intended to describe how work is accomplished (e.g., communicating, drafting). Activities represent the second field to be recorded (optionally) by timekeepers.

### C. Principles

The following list of guiding principles has informed the development of the Litigation Code Set. These principles emerged throughout a number of meetings held during 1994 and early 1995 and discussions of the various options under consideration.

1. **Support of business objectives and processes.** A primary, recurring consideration has been to focus on the purposes and uses of standardized coding. A number of business objectives and administrative processes that should be supported by the coding scheme were identified. These include planning and budgeting, time entry, status monitoring and reporting, bill preparation, electronic transmission of bills and payments, bill review and analysis, development of alternative financial arrangements, and practice and profitability analysis. Consistently, the group returned to the question: How are we going to use the data to be tracked?
2. **Simplicity.** The Litigation Code Set must be simple and straightforward to ensure widespread use. This includes limiting the total number of codes to a manageable level. The team consistently returned to this fundamental principle as it explored a wide range of alternatives, which frequently suggested more detailed coding schemes than we developed.
3. **Ease of use.** In practice, the Litigation Code Set should be easy for attorneys and other staff to use. The codes should be intuitive and capture an attorney's logical work processes.
4. **Suitability for all size offices.** Currently-available technology will be an important asset in the efficient implementation of the coding scheme. Still, the group has assumed that not all law offices will have advanced technology solutions at their disposal to facilitate the capture and analysis of time. For the coding scheme to be used widely, law offices and attorneys must be able to use the codes in a manual fashion.
5. **Avoidance of multiple interpretation..** A primary concern with some existing code sets is the multitude of ways in which a single time entry can be coded, depending on individual interpretation. The codes should minimize opportunity for multiple interpretation.
6. **Flexibility to track both tasks and activities.** Some team members value the ability to analyze work according to categories of activity (e.g., communication, drafting) in addition to task (e.g., deposition). Others emphasize the importance of tracking and analyzing the level of effort expended to complete tangible work product, segments of a case, or defined business objectives. For this group, simply

using task codes is sufficient. As an option for those seeking activity detail, the System permits firms and departments to code activities separately from tasks.

#### **D. Assumptions**

Following is a list of assumptions that guided the development of the Litigation Code Set. These assumptions were drawn from discussions during initiative meetings.

1. **The fundamental coding structure has two fields: tasks (embedded within phases) and activities.** Whereas task codes track time associated with tangible work product accomplished (e.g., motion, deposition), activity codes describe how the work was performed (e.g., communicating, drafting). Not every law office will wish to use activity codes, but the coding scheme is flexible to accommodate those who value activity analysis. The team discussed the desirability of coding at a lower level below task. In the interest of simplicity, though, this additional detail may be captured using narrative rather than adding more levels. This experience was borne out by those team members with direct experience coding time.
2. **Narrative time entries will be retained.** The Litigation Code Set does not envision the elimination of narrative descriptions of time entries. However, the need for this level of detail may be reduced in smaller, less complex cases with successful adoption and implementation of the coding scheme.
3. **For purposes of tracking and analysis, a matter type code distinguishes among various types of matters.** A matter type designation can be used to distinguish among various types of litigation and to identify alternative dispute resolution matters.
4. **The Litigation Code Set focuses on meeting the requirements of most matters.** The Litigation Code Set has been designed to be suitable for use with most matters. However, there may exist cases of such size, complexity, or other unique characteristics that the codes are not sufficiently detailed. The objective was to develop a code set for the vast majority of cases and to provide a framework in which more detailed codes can be developed for extraordinary cases.

## Litigation Code Set

[Overview](#) | [Litigation Code Set](#) | [Sample Budget Format](#) | [Definitions](#) | [Background, Definitions, Principles, and Assumptions](#) | [Participants & Liaisons](#) | [Disclaimer & Copyright](#)

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