

Special Master Realizes Huge Time Savings by Converting Litigants to Electronic Filing with File & Serve from LexisNexis®

Overview

Location: Monterey, CA

Industry: Legal services

Customer Profile: Jonathan Margolis, P.C. is a firm headed by Jon Margolis, who has acted as Special Master, mediator or arbitrator in more than 500 cases.

Business Situation: In 2005, Margolis opened his own alternative dispute resolution (ADR) practice in Monterey. Based on his 25 years of experience as an attorney handling a wide range of civil litigation, he knew firsthand the high volume of paper that flows through the litigation process and understood the importance of using an electronic filing system in order to realize the efficiencies his staff would need in the new practice.

Solution: Based on his past experience using File & Serve, Margolis decided to establish File & Serve as the e-filing system for disputes brought to him. For each matter he handles, he issues an order to counsel (signed by the judge in the case), which directs all parties to use File & Serve for the electronic filing of documents.

Benefits: Huge time savings for all parties, as notices in the case go out immediately, instead of in several days. Significant cost-efficiencies realized by substantial reduction in the use of paper, fax transmissions and mail. Paperless filing leads to faster flow.

For 25 years, Jon Margolis has specialized in all aspects of dispute resolution and civil litigation, including construction litigation, real estate, business litigation, insurance, bad faith, personal injury and product liability matters.

During a successful career as an attorney at the highly regarded Northern California law firm of Low, Ball & Lynch, Margolis was frequently called upon to serve as a mediator in various cases. He also lectured throughout the U.S. on various topics in dispute resolution, construction litigation, civil litigation and California law, and has been a panelist for Continuing Education of the Bar (CEB) since 1998. His “side practice” as a Special Master, arbitrator and mediator took over an increasing amount of his overall law practice as the years passed.

In 2005, Margolis decided to take his robust ADR practice and venture out on his own. So in April of that year, he joined with his longtime legal assistant, Linda Clark, and launched his own Monterey-based firm, specializing in dispute resolution.

Situation

As Margolis and Clark settled into their new offices, they realized they would need to make full use of every possible efficiency tool in order to manage a busy caseload without the resources of a full-service law firm to support them. Margolis’ vast experience with the document-intensive world of litigation led him to conclude that he needed to find ways to reduce the “manual labor” burden on Clark as she stayed on top of multiple case files—so one area they discussed right away was the importance of requiring electronic filing of documents for every matter heard by Margolis.

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“In 2004, the Contra Costa County court system had implemented File & Serve, the e-filing system from LexisNexis, and required all of the attorneys in the county to use File & Serve for electronic service of documents in a case,” said Clark. “We were apprehensive about this new technology at first, but quickly became huge fans. We were impressed with how it allowed you to provide instantaneous service on a paperless platform, which replaced our paper-intensive process of printing documents and faxing them around to the litigants.”

With this positive experience guiding them, Clark sought out her LexisNexis representative and began to work closely with him on the development of a File & Serve platform for use by the newly formed Jonathan Margolis, P.C.

Solution

File & Serve is an electronic filing application that allows law firms to file documents electronically with the court (or other “trier of fact”) and serve them to other counsel through a secure, Web-based system. Each individual must have a user name and password to access the online case file and to file or serve documents.

File & Serve enables attorneys to deliver documents to the court or ADR professional online, instead of using couriers or runners. The judge or Special Master reviews the documents and is able to issue orders back out to the attorneys through the File & Serve system. Automated e-mail alerts keep all of the parties up-to-date on new activity in the cases, and an online case file is created for easy access to documents.

Importantly, electronic filing differs from e-mail or fax delivery of documents in that File & Serve stores electronically filed documents in online case files that are accessible to court staff and law firm participants. Each transaction that is electronically filed or served has an online record of when the document was served and to whom. E-mail delivery does not allow for that level of tracking and very often spam filters and firewalls may interfere with document delivery.

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“The LexisNexis team really invested in building a relationship with me and took the time to listen to my specific needs, answering every single question I asked and for as long as it took to explain it to me,” said Clark. “I think the result of that time investment has been the deployment of a very stable e-filing system that is adopted by every litigant with a matter before Jon.”

Results

At the outset of every case he agrees to hear, Margolis issues an order to counsel for both sides (which is first approved by the judge in the matter) that they are requested to use File & Serve for electronic service.

“The only challenge we ever experience with attorneys is persuading them to get started with using e-filing for the first time,” said Clark. “Once we work with them and help them begin using the system, their hesitation is quickly replaced with excitement. File & Serve has converted dozens of attorney skeptics to true believers in the value of electronic service.”

According to Clark, there are four primary benefits that Margolis’ practice has realized from its implementation of File & Serve:

- **Saves time**—Since electronic notices go out immediately, rather than working their way through the paper shuffle and being mailed out days later, they compress the amount of time it takes to move cases through the ADR process.
- **Very cost-efficient**—Electronic filing virtually eliminates the cost of disseminating documents to other parties in the matter; there is nothing to be photocopied, no need for postage and none of those runaway phone bills for lengthy fax transmissions.
- **Paperless**—With File & Serve, none of the documents ever needs to be printed, which significantly reduces the risk of error in the servicing process and the number of headaches among staff members.
- **Leaner File Storage**—Since LexisNexis retains all of the electronic files that are transmitted through File & Serve, Clark is able to be more selective about the paper files from a case that she chooses to save, box up and store. This reduces costs and, again, saves time.

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“The bottom line is that we are able to manage dozens of cases at one time with just one full-time and one part-time employee in the office, which means Jon is free to handle between 70 – 75 cases per year without having to take on a lot of overhead to run the firm,” explained Clark. “We would be far less productive and capable of resolving far fewer disputes if it weren’t for the efficiency gains we realize from File & Serve.”

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