

San Francisco Superior Court Realizes Substantial Time and Cost Savings by Implementing LexisNexis® File & Serve in Asbestos Litigation

Overview

Location: San Francisco

Industry: Legal services

Customer Profile: The San Francisco Superior Court is one of 58 Superior Courts throughout California and is committed to assuring that its services are fair and accessible for everyone in the diverse and dynamic County of San Francisco.

Business Situation: The San Francisco Superior Court carries the largest asbestos litigation caseload of any of California's 58 Superior Courts—more than 1,660 active pending cases.

Solution: After successfully using File & Serve on a limited basis for several years, the Court appointed two judges to oversee the creation and implementation of File & Serve for all e-filing of documents in asbestos cases. The service was fully implemented in 2006 and has proven to be a reliable service that eases operational burdens on the Court.

Benefits:

- Increased work productivity and substantial time savings for Court's staff members
- Faster workflow of documents between litigants and the Court
- Additional verification on all document filings that allows clerks to confirm filings have been accurately submitted
- Significant reduction in costs (paper costs, fax transmissions, mailing expenses and off-site file storage)
- Streamlined processing of all filing fees (\$13.3 million in fees collected by File & Serve in first three years of full implementation)

Product Summary

Litigation Solutions
File & Serve

The San Francisco Superior Court is one of 58 Superior Courts throughout California and is committed to assuring that its services are fair and accessible for everyone in the diverse and dynamic county of San Francisco. Together, the Court's 591 employees strive to provide the public with courteous and efficient customer service. Likewise, the Court's 51 judges and 13 commissioners are committed to providing fair and just outcomes for all those who use the courts.

Situation

A little-known fact about the San Francisco Superior Court is that it carries the largest asbestos litigation caseload of any of California's 58 Superior Courts. The Court has more than 1,660 active pending cases, which account for about two-thirds of the asbestos caseload in the state.

"As far back as 1998, we were looking for a way to leverage technology in order to help manage the massive amounts of documents involved in complex litigation," said Gordon Park-Li, chief executive officer of the San Francisco Superior Court. "This was of great concern to us because of the large number of asbestos cases filed here in San Francisco."

The Court's research indicated that the trend in asbestos filings was likely to continue—and perhaps accelerate—in the coming years. Indeed, to this day, national forecasts indicate that the pool of claimants is not yet dwindling. The Congressional Budget Office estimates that another 1.7 million claims will be filed nationwide over the next three decades. These statistics are telling for a Court that will continually face the challenge of devising strategies for the fair administration of justice and the efficient handling of cases that often involve multiple defendants and insurance companies.

In 1998, the San Francisco Superior Court implemented e-filing and e-service in its complex asbestos cases using the File & Serve service from LexisNexis®. A few law firms started sending documents electronically to the Court voluntarily, but even years after the initial launch of e-filing, the majority of law firms were still filing in paper format with the Court and serving paper on other law firms.

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— Judge Tomar Mason
San Francisco Superior Court

“The initial step we took to help ease the burden on our operations was to adopt File & Serve for voluntary e-filing on asbestos cases,” explained Judge Tomar Mason. “This was a welcome new resource, but adoption was slow as many attorneys were hesitant to dive into a new technology platform called electronic filing.”

Solution

According to Judge Mason, the Court ultimately concluded that the paper filing of documents for the growing number of asbestos cases in their docket had just become too overwhelming for them to manage. In 2004, they began exploring how they could transition from a voluntary to a mandatory policy for e-filing of all documents in asbestos cases.

The Court spent two years collaborating with LexisNexis on the development of a more robust e-filing platform that would support its rollout on a more ambitious scale. When the system was in place, the Court issued its mandatory order.

“In 2006, we made the decision to expand our use of File & Serve and implemented a new policy that requires attorneys in our court system to use the File & Serve service for e-filing of all documents in asbestos cases,” said Park-Li.

File & Serve is an electronic filing application that allows law firms to file documents electronically with the court 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.

For courts, File & Serve makes documents quickly and easily accessible through a secure, reliable online system. Customizable options for judges further streamline court workflow as the service’s functionality for judges is customizable to the individual preferences of each judge.

With File & Serve, incoming pleadings may be automatically routed to judges for review and action, or even grouped and routed by category according to the level of attention and action required on the part of the judge and the judge’s staff. They can also be categorized by filing type to set in motion different sequences of events.

Then when it comes time for the court to respond in some way, court-issued documents may be created and served to all parties online, partially created and stored for completion at a later time, or scheduled for delivery at a later date and time. When a matter is resolved, File & Serve enables courts to instantly convert proposed orders to signed orders and to electronically transmit them to the litigants’ attorneys.

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— Gordon Park-Li
Chief Executive Officer
San Francisco Superior Court

“Throughout the two-year development process, the LexisNexis team was tireless in responding to our inquiries and suggestions,” recalled Judge Mason. “They helped us to overcome myriad potential objections by the attorneys involved in the asbestos litigation, as well as practical procedural hurdles. They were simply excellent at marshalling their own internal resources to effectively problem-solve at all levels.”

Results

The San Francisco Superior Court has realized a number of significant benefits from the implementation of mandatory e-filing on all asbestos cases, thanks to the use of File & Serve.

1. Increased worker productivity

“In the first three full years of using File & Serve for all asbestos cases, 332,172 documents—which totaled 3,986,476 pages—were e-filed in our court system,” said Park-Li. “We no longer have clerks dedicated to handling these huge volumes of paper documents, then storing them in an office somewhere for ready reference. You can immediately appreciate the boost that has meant to the productivity of our staff members.”

2. Faster workflow of documents

The Court also realized a dramatic impact on document workflow with File & Serve. As a result of the paperless filing, documents move much faster between the litigants and the Court, reducing time and expense for all of the parties involved.

3. Additional verification on all filings

“We have been very pleased with how File & Serve provides extra verification on the filings that are submitted to the Court,” said Judge Mason. “By giving the clerks an extra tool to check that the individual document filings are accurate, we have more confidence that any errors will be caught right away so they can be addressed.”

4. Significant reduction in costs

“We’ve been able to significantly reduce the costs previously associated with large quantities of paper copies, fax transmissions, mailing expenses and off-site file storage,” said Park-Li. “This is particularly important in this economic era, given our extremely tight budget constraints.”

5. Streamlined processing of filing fees

Judge Mason reports that through File & Serve the court has collected more than \$13 million in filing fees from documents filed via File & Serve in the past three years. That is substantial revenue that would have otherwise required two full-time Court employees to manually collect and pursue from attorneys.

“Over the course of my nearly 38-year career with the courts, I’ve seen a number of changes—some for the better, some for the worse—but the biggest change has been that we now treat the management of courts as a business enterprise,” said Park-Li. “This is particularly true in California, where our financial resources are extremely tight, and File & Serve from LexisNexis has helped us to fulfill this mission.”

About LexisNexis

LexisNexis® (www.lexisnexis.com) is a leading global provider of content-enabled workflow solutions designed specifically for professionals in the legal, risk management, corporate, government, law enforcement, accounting and academic markets. LexisNexis originally pioneered online information with its Lexis® and Nexis® services. A member of Reed Elsevier [NYSE: ENL; NYSE: RUK] (www.reedelsevier.com), LexisNexis serves customers in more than 100 countries with 18,000 employees worldwide.