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CASE STUDY

Building a Collaborative Network

By Chris Gentile

Health Care Indemnity (HCI) manages the claims and lawsuits associated with Hospital Corporation of America (HCA), employing over 80 law firms nationwide and processing over 5000 claims annually. While HCI had assembled a talented defense team, there was no day-to-day collaboration among the attorneys. The effects of a rallying annual meeting would last a few weeks, and then each attorney would return to his or her individual practice, focusing on the task directly in front of him/her. If our attorneys in New Mexico were faced with cross-examining an expert, they might spend 40 hours researching and preparing, unaware that our firm in Virginia may have already done the same exact work with the exact same expert. The results: unknowing reinvention of the wheel on recurring issues and witness development, and inconsistent case management.

To increase their effectiveness, efficiency and collective strength, and eliminate duplicative legal costs we needed to leverage the resources and intellectual capital of this national team of attorneys. Our solution was ultimately a two-pronged approach: First to provide counsel with technology to enable collaboration and sharing of resources in real time; and second, to gather the data to analyze the effectiveness and efficiencies of counsel and identify, encourage, and enforce best practice collaboration.

In order to ensure participation in this new endeavor, the solution needed to be easy to use, and needed to provide a common and easily accessible platform that would not require each law firm to overhaul its own network or purchase and install expensive software.

Vendor Selection and Implementation

After careful consideration, we selected TrialNet to build and maintain our defense network. TrialNet provided a secure Web-based solution that enabled our dispersed law firms to access the system easily and without incurring the cost of infrastructure changes. Because it is Web-based, the system was available 24/7, thus serving our East and West Coast law firms equally. The vendor managed implementations for all law firms, including user set-up and training. The vendor's flexibility in meeting the company's needs and its established reputation in the collaboration arena also led to the decision to go with TrialNet.

Within 3 months of our decision, the site was live and over 60 of our 80 law firms were on board. TrialNet provided initial law firm training at HCI's annual defense counsel meeting and followed up with on-line training for each law-firm user. A separate on-site training session was held for HCI users. Once the network was live, TrialNet provided ongoing customer support through a live help desk and e-mail.

Through this network, our law firms can access and contribute to shared resources, such as witness and document databases, best practices brief banks, and venue, judge, mediator and arbitrator resources. We achieved immediate teamwide communication through encrypted e-mail, threaded discussion rooms and forums, bulletin boards and counsel directories. Instead of distributing HCA/HCI resource material such as corporate policies individually through mail or e-mail, we posted the information to the secure site where it was easily and immediately available for download by each firm.

Law Firm and Client User Reactions

Despite its ease of use and accessibility, the collaboration network still depended on a human element — the willingness of its participants to incorporate the technology into their day-to-day activities, using it constructively to foster specific, articulated goals. When we first launched our network 8 years ago, the initial reaction by both law firm and HCI users was mixed. Some users took to it immediately, becoming HCI conference room junkies — posting messages and replies on a daily basis. Others delegated those absolutely necessary logons to support personnel.

To encourage member participation, we used the system exclusively to publish certain communications and resources, forcing its members to access the network if they wanted to stay abreast of current events and information. We stressed the priority of network use in our meetings with outside counsel and through our own use of the

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system. For ease of notification and access, TrialNet pushed key information links out to our users through e-mail and case management reports. And we provided user statistic reports to help pinpoint those occasional users who needed additional "encouragement" to try out the system. As Internet use became more prevalent among our team members, and as the word spread about litigation successes achieved through network participation, more users logged on.

E-billing Follow Up

With the collaboration network in place, we needed a way to monitor and enforce our goals of collaboration and efficient matter management. We had published practice management guidelines that identified acceptable and unacceptable tasks, as well as resource sharing and collaboration goals. Electronic billing could provide the means of more consistently monitoring and enforcing outside counsel's compliance with these guidelines. Further, it would give us the ability to mine billing data to determine the efficiencies and effectiveness of its counsel. And as an added benefit, e-billing could significantly improve the internal efficiency of our legal bill review and approval process. So in 2001, a few years after the launch of a collaboration network, we implemented an electronic billing software solution.

Residing on our internal servers, the e-billing software flagged guideline violations for claims manager review and significantly streamlined our invoice workflow and approval process, enabling us to shorten our bill review cycle by over 40%. The software also allowed us to gather invoice data to identify exactly where our legal budget was being spent. Through reports generated from the billing system vendor, we could compare firm and matter spending patterns to identify those firms providing the most effective and efficient case management.

The downside to the software was that it did not allow the submitting law firms to view the invoice status online throughout the review process. It did not provide collaborative tools for invoice dispute resolution, nor did it provide an effective means for timekeeper and rate approval or synchronized pre-auditing of invoices using HCI's billing guidelines. So when TrialNet provided a Web-based solution 2 years later, we made the decision to migrate to TrialNet's Web-based e-billing service as well.

A Truly Integrated Network

The decision to go with TrialNet was thoroughly reviewed, but was an obvious and easy choice. Throughout our 8-year relationship, TrialNet had provided stellar support to our users. Its development team was flexible and had been quick to respond to our requests. TrialNet's Web-based electronic billing system is robust and feature rich, providing our users with more functionality than that provided by the other e-billing vendors we reviewed.

TrialNet's library of available financial custom reports and as well as an ad-hoc reporting tool significantly enhances our ability to analyze billing data, and its flexibility in providing report downloads and automatic delivery of preformatted reports streamlines our bill management even further. Once we made the decision, our conversion to Web-based e-billing was smooth and on target. The vendor met every milestone, from migration of legacy e-billing data to integration with our existing internal matter management system and report building.

Within 4 months of contract finalization, our Web-based e-billing system was live, supporting all of our law firm members as well as our internal staff. Once again, training and law firm set up was handled by the vendor, making our transition an easy one; especially since the majority of our law firms were already established TrialNet users familiar with the system and its functionality.

The benefits of the integrated network are significant. The choice of TrialNet for e-billing has reinforced our commitment to the collaborative network with HCI law firms. The system's Web-based platform fosters further partnering with our firms by providing them direct access to the invoice process and streamlined interaction with their case managers. For example, firms can pre-audit their uploaded invoices to determine whether they have any guideline violations and correct these violations online *before* submission to HCI, thus streamlining the review process even further. Firms can view the status of their pending invoices online, throughout the invoice approval process. They can submit requests for rate changes and timekeeper approvals directly through the system and will receive swift feedback from our staff. Case managers who have questions about a line item entry can e-mail the firm's timekeeper directly from the invoice review screen to resolve the issue swiftly without holding up the review and payment process. Our firms' responses to Web-based e-billing have been enthusiastic. They have more direct access and are better informed about the bill review process, they are more fully aware of our expectations, and their billing cycle is shortened significantly.

The beauty of this truly integrated system is that as a network member, I can access both the law firm's bills and its resulting work product from the same secure site. When an invoice summary indicates that one of HCI's firms has spent 35 hours preparing a definitive motion to dismiss, in a click or two, I can see the final product and be assured that this motion can be accessed and used by other HCI firms on our network. When a query shows that Virginia counsel has spent 40 hours to investigate and depose a national expert, I can immediately check that witness' online file to review the results and determine the value of that effort. And when the same expert shows up the next time in New Mexico, the research will be immediately available online for New Mexico counsel, not stored in several dusty boxes in a Virginia file room.