

Developing a law school clinic case management system: An opportunity for collaboration?

Troubleshooting Clinic

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Overview of this session

1. What is a case management system?
2. What are law schools doing at present?
3. What are the benefits of having an integrated case management system in clinic?
4. What are the obstacles?
5. What are the possibilities?

What is a case management system?

“Legal case or matter management software has two primary functions: it helps to better use, manage, consolidate, share, and protect information, and it tracks and shapes the business process. Because the most useful forms of such software can integrate data from multiple systems, departments, users, and business entities, its use can increase a firm's business advantage.”

Wikipedia: https://en.wikipedia.org/wiki/Legal_case_management

Data Storage	Document Production	Document Management	CRM and Business Development
Task Management	Costs Budgeting and Management	Workflow	Time Recording
Time tracking	Billing	Matter Management	Reporting

What are law schools doing at present?

Option 1	Option 2	Option 3
No formal system, but a series of processes in place	Purchased/donated system	Bespoke/designed system
<ul style="list-style-type: none">• <i>Paper based</i>• <i>Excel spreadsheets</i>• <i>Electronic documents stored on University server</i>• <i>Password protection</i>• <i>University email addresses</i>	<ul style="list-style-type: none">• <i>CLIO</i>• <i>LexisNexis Case Map</i>• <i>DevonThink</i>• <i>Intralinks...</i>	<ul style="list-style-type: none">• <i>Development funded by:</i><ul style="list-style-type: none">• <i>Law School;</i>• <i>University;</i>• <i>External funding;</i>• <i>Alumni donations.</i>

What are the benefits of having an integrated case management system in clinic?

Experiential learning	Employability	Security
Operational	Research	
Anything else...?		

What are the obstacles?

Legislation, regulation and compliance

SRA Code of Conduct:

Outcome 7(2): *“you have effective systems and controls in place to achieve and comply with all the Principles, rules and outcomes and other requirements of the Handbook, where applicable”*

Outcome 7(3): *“you identify, monitor and manage risks to compliance with all the Principles, rules and outcomes and other requirements of the Handbook, if applicable to you, and take steps to address issues identified”*

Outsourcing: Outcome 7(10):

“...where you outsource legal activities or any operational functions that are critical to the delivery of any legal activities, you ensure such outsourcing:

(a) does not adversely affect your ability to comply with, or the SRA's ability to monitor your compliance with, your obligations in the Handbook;

(b) is subject to contractual arrangements that enable the SRA or its agent to obtain information from, inspect the records (including electronic records) of, or enter the premises of, the third party, in relation to the outsourced activities or functions;

(c) does not alter your obligations towards your clients; and

(d) does not cause you to breach the conditions with which you must comply in order to be authorised and to remain so”

What are the obstacles?

Legislation, regulation and compliance

Confidentiality: Outcome 4(4):

“you have effective systems and controls in place to enable you to identify risks to client confidentiality and to mitigate those risks”

Client care: Outcome 1(2):

“you provide services to your clients in a manner which protects their interests in their matter, subject to the proper administration of justice”

What are the obstacles?

Legislation, regulation and compliance

Data Protection Act 1998: Requires personal data to be kept within the European Economic Area (subject to exceptions)

General Data Protection Regulation - in force in the UK from May 2018

What are the obstacles?

Functionality	Information Security Risks
Regulatory and legislative risks	Costs

What are the possibilities?



Next steps...

Matching the 'wish list' with existing systems

An application for funding to develop a system?

Your feedback

Any questions or final comments?

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