**Suggested Elements of a Docket Control System**

**WARNING AND DISCLAIMER: The following information was prepared by The Bar Plan for general information purposes, and should not be construed as legal advice or legal opinion with regard to any specific circumstance or set of facts. This list is not inclusive of all the possible or required contents for such letters, and each attorney preparing such a letter must make an independent evaluation of the necessary and required contents, given the circumstances of the representation.**

Ideally, a Docket Control System will provide for, at a minimum:

1) A central-source system available for review by all firm members (Lawyers’

personal, individual docket or diary system are not a substitute for a firm-wide system);

2) The immediate and automatic entry of dates through a systematic incorporation

of the firm’s data acceptance and entry routines (i.e. mail, electronic, and procedural data acceptance vis-à-vis data entry into the docket control system);

3) Double checking of all entries by a primary and secondary controller;

4) Allowance for adequate time to accomplish tasks when prompted by the

system;

5) Definitive action taken when deadlines are prompted to timely address the

reason for the prompt. For example, “Waiting for the next red flag” is not definitive action.). “Definitive action” should include consideration of withdrawal from the representation early enough to avoid adverse affects on the client’s interests (review *NMRA, 16-116*);

6) Follow-up checking on the accomplishment of events after prompting occurs,

and;

7) The back-up of system information maintained in secure location other than at

the site of the original system information.

For the system to work optimally, *everyone in the firm must participate in the system.* Performance evaluations should take into consideration the timeliness and accuracy of a lawyer’s or staff member’s participation with appropriate rewards and demerits accounted for in salary and/or bonus considerations.

**General Considerations**

Have an attorney designated as primary docket controller

Have *at least one* staff person designated as back-up controller

Each designated controller should be *thoroughly* trained in the system

Include specific questions about deadlines for action (e.g. statute of limitations) on the

new client/matter form

Deliver *every* new matter directly to controller for immediate input into the system

**The System Should Notify All Users of:**

Completion of scheduled or deadline activities

Adjournment of activities

Addition of all new scheduled events

Regular notification of the clients of the status of the matter

Circulation of periodic docket control reminder sheets

Vacation schedules of attorneys and support staff

Regularly scheduled holidays

System should provide at least three reminders of essential dates and deadlines

**Specific Matter Types:**

Litigation Matters

Statute of limitations deadlines

Pleading deadlines

Court dates – filing and appearances

Discovery dates

Adverse party deadlines

Tax, Trust, Probate and Estate Matters

Tax return deadlines

Litigation deadlines

Real Estate Matters

Contract deadlines

Loan and other documentation deadlines

Closings

Lien notification

Recording deadlines

Corporate and Commercial Matters

Annual meeting dates

Regulatory filing deadlines

Tax return and financial statement deadlines

Regulatory Matters

All filing and reporting deadlines

All Practice Areas

All appointments and meetings

All self-imposed deadlines and checklist dates

Regular (at least monthly) communication with client

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