

By Carole Levitt

Using the Association's New Civil Register Database

Attorneys benefit from the increasing accessibility of court dockets on the Internet

Attorneys have always sought easy access to court dockets, and now, thanks to the Internet, this can be accomplished more easily than ever. Of particular importance to attorneys practicing in Los Angeles are the dockets of the civil division of the superior court, to which practitioners can gain access through the court's own Web site (located at www.lasuperiorcourt.org/civil). However, most practitioners should probably visit the Los Angeles County Bar Association's civil register database (found at www.lacba.org/showpage.cfm?pageid=1589), which features a powerful search engine that offers users the capability of conducting in-depth analyses of historical court dockets.

These and additional online court docket sites can be used for business development, client relations, and general awareness, among other tasks. By checking court dockets, attorneys can keep a client informed by searching, for example, for notice of a lawsuit filed but not yet served. Some attorneys use docket research as part of their routine

due diligence—for example, to conduct background checks on prospective clients, partners, or employees. Has the prospective client or partner been involved in a bankruptcy? Is a prospective client litigious? Has a prospective client filed a malpractice lawsuit or been sued for attorney's fees?

Dockets can also be used to discover the types of cases that a particular court typically hears, giving users who are appearing in the court for the first time a chance to familiarize themselves with the court. Lawyers can also save time by obtaining a complaint or a motion from a court's docket and then modifying the document for their needs. One firm recently employed this technique when it needed to file a motion to freeze assets. In the press of time the firm decided to search for a motion on the docket site of the court in which the case was being heard instead of drafting the motion from scratch. Knowing of a similar case, the firm was soon able to find a useful motion with a docket check.

Docket searching can also be used to increase general awareness by searching, for example, by the subject matter categories of federal civil cases. These subject categories and their corresponding codes may be found at <http://pacer.psc.uscourts.gov/natsuit.html>. For instance, a personal injury attorney can search code 310 (airplane) to keep abreast of personal injury suits involving airplanes.

These category searches can be conducted at the government's site, but they can also be run automatically at some commercial sites (such as Court Express or Court Link).

To discover which courts provide dockets online, use the LlrX site (www.llrx.com/courtrules/) or Legal Dockets Online (found at <http://www.legaldockets.com/research.html>). Both are free, but Legal Dockets requires registration. The two sites attempt to link to all federal, state, and local dockets on the Web. Legal Dockets' links may be browsed by state, while LlrX users can search more than 800 sources of state, local, and federal court dockets (and court rules and court forms) through keyword searches. Users may also browse by court type (for example, the Tax Court), jurisdiction (federal or state), or state. LlrX also has useful descriptions of each site.

Legal Dockets has a broader interpretation of "docket," providing links to some sites not found at LlrX. For example, Legal Dockets links to the San Diego Superior Court's docket site (found at www.sandiego.courts.ca.gov/superior/index.html) and to Stanford Law School's securities class action dockets (<http://securities.stanford.edu/search-advanced.shtml>), neither of which are complete docket sites. The San Diego link is only a list of new filings, and the Stanford site focuses on only one area of law. Nonetheless, some may find each one useful. The Stanford database is searchable by company name, ticker symbol, court where the case was filed, or the year or month of the filing (or

any combination of these fields). There are enough differences between LlrX and Legal Dockets to make it advisable to check both sites. For those interested in being alerted via e-mail each time Legal Dockets finds a new docket site, register for free.

Most docket databases are Web accessible, but some are still accessible only by the old-fashioned dial-up system. Many courts offer free access to dockets, while some charge fees. Two Web-accessible options exist for access to the dockets of the Los Angeles Superior Court: the court's site and the Association's new civil register database. The Los Angeles Superior Court added general civil dockets to its Web site in the summer of 2000. The court register includes a brief description of the documents filed, the decisions rendered, and the proceedings conducted. The court refers to this data as "Case Summaries" on its Web site. Users can access this docket information only by case number, and the information gained is then limited to that particular case.

LACBA's Civil Register Database

The Association's civil register database, created in November 2001, offers attorneys the ability to search the register and tabulate results in ways that are not available anywhere else. Unlike the court's database, the Association's database is searchable by any number of criteria. For example, users may search by a judge's name and the term "peremptory challenges filed" to discover the number of times peremptory

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challenges were filed against the judge. In addition, the Association's database is searchable by case type (e.g., intellectual property), parties, law firms, attorneys (if sole practitioners), referees, private judges, mediators, and arbitrators. The database can also tell users who the bench officer is, the number of demurrers sustained with or without leave to amend, summary judgments granted or denied, motions for new trials granted or denied, class actions settled or denied, arbitration awards vacated, continuations granted or denied, attorney's fees awarded, and the number of days spent in trial. Verdicts or judgments generally are not available online, and neither are the documents themselves.

The Association's database also identifies the lawyers who appeared or tried cases before particular bench officers, allowing users an opportunity to contact the lawyers for information about judicial proclivities. Users can also learn about a mediator's experience by searching for the mediator's name in the database. The results should indicate the number and type of cases that the mediator has heard and list the firms with which the mediator has been involved.

The Association's fully searchable database is easy to use, with many menus designed specifically for use with the Los Angeles Superior Court. There is a small subscription fee for firms and corporate law departments that allows unlimited searches for 12 months. If all Los Angeles lawyers in the office are Association members, the service is free. The Association's civil register database includes data for all general jurisdiction Los Angeles civil cases back to 1997 (except Van Nuys, for which data only goes back to January 9, 2001). In February 2002, the Association updated this database and stated that updates will be made on a regular basis (probably every few weeks). (For more information about the Association's civil register database, call the Member Service Department at 213-896-6560).

California Courts

In the realm of state law, the California Court of Appeal has a database on its site that may be accessed for free. In 2002 the California Supreme Court added its docket to the same database (<http://appellatecases.courtinfo.ca.gov/index.html>). Case information is added hourly to the database on business days. Users may search for case information by case number (that of the trial court, court of appeal, or supreme court) or by case caption, attorney, or party. Users can also link to dockets from the opinions database by clicking on the "i" icons (visit <http://www.courtinfo.ca.gov/opinions> for an example of how this works).

To access federal district, appellate, and bankruptcy court dockets (and sometimes the documents themselves), the most economical but cumbersome method is to use Pacer (Public Access to Court Electronic Records), which is provided by the U.S. judiciary. Registration and billing for all federal dockets is handled via the Pacer Service Center Web site (<http://pacer.psc.uscourts.gov>), but each court maintains its own internal electronic case management system and has a different URL or modem number.

A login and password will be issued free, with a charge of \$.07 per page for online access to Pacer or \$.60 per minute for dial-up

access. By 2005, a new system called Case Management/Electronic Case Files, or CM/ECF, will replace each federal court's internal electronic case management system and will also provide for electronic filing. For details about this new system, users should visit www.uscourts.gov/Press_Releases/pacer.html.

Federal Filings in California

Pacer also includes a party and case index that covers most federal filings. To see a list of the courts that do not participate in this index, visit <http://pacer.psc.uscourts.gov/cgi-bin/miss-court.pl>. All California federal



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courts are participating in the index. Searching technique varies from court to court. For example, one can search by party name or Social Security number in the bankruptcy index but only by party name or nature of the suit in the civil index. One searches by defendant name in the criminal index and party name in the appellate index. The index displays the party name, court, case number, and filing date. These records may not be accessible in the future. Recently, the Judicial Conference of the Administrative Offices of the Federal Courts recommended that some of the personal identifier data, such as Social Security numbers, be removed from the case files to which the public has electronic access and that criminal case files not be placed on the Internet at all.

The U.S. Supreme Court dockets are not part of the Pacer system. They are available from the Court, but only current and prior-term dockets are archived (at <http://www.supremecourtus.gov/docket/docket.html>). Users may search by the Supreme Court or lower court docket number, case name, or any word or phrase, including an attorney's name.

For search capabilities that are more comprehensive and user-friendly than those of Pacer, and for services (including case tracking and docket tracking) that Pacer does not offer, users may visit Court Express, where most charges are \$6 per search (www.courtexpress.com/default.cfm). Another similar service is Court Link, which is now owned by Lexis. At Court Link, most charges are \$8 per search (www.courtlink.com). Some of the documents listed in the docket sheets may be available for immediate download or may be ordered through Court Express's online document delivery service. Customers may also order documents by phone for delivery within 24 hours or file a request through any document retrieval company listed at Court Link.

Finally, California attorneys may be interested in Courthouse News Service, which sends a daily e-mail summary of new cases filed in many courts throughout the United States. The service covers the Bankruptcy Court (California chapter 11 filings), the U.S. Central District Court, the Los Angeles County Superior Court, Downtown (and weekly summaries of the branches), and the San Francisco County Superior Court. Users may visit <http://www.courthousenews.com/subinfo.html> for a complete list of courts. The news service summary includes the case caption, a brief description of the issues and facts, and the name of each party's attorney. If the complaint is available for immediate download (for a fee), this will be indicated; otherwise, the user must phone the service to request a fax. ■