A Tech-Savvy Litigation Team

Bill Jeter and Kathy Burnett
A paralegal-attorney team combines trust and technology in a successful litigation practice.

Every once in a while, the legal profession produces a relationship stronger than a winning case, one built on years of trust and loyalty. At a small construction litigation firm, the Law Offices of William M. Jeter in Memphis, Tenn., Bill Jeter, the principal attorney, and Kathy Burnett, the lead paralegal, enjoy that unique collaboration in a field marked by attrition and disenchantment.

After more than a decade of trusting each other, valuing the skills each brings to bear and enjoying their work, Jeter and Burnett have created a successful partnership, both personally and professionally. Having some of the best technology in town has not hurt either.
for Success

By Ari Kaplan

Photos by Bruce Meisterman, Germantown, Tenn.

The Beginning

Before becoming a paralegal, Burnett worked for a daily newspaper and also with a public relations firm where her bachelor's degree in journalism and minor in English from the University of Southern Mississippi came into play. It was only after she started temping at a law firm when her daughter was young that she became involved with the law — and she never looked back. Her optimism and strong performance earned her a permanent full-time paralegal position at Thomason Hendrix Harvey Johnson & Mitchell in Memphis.

After working at Thomason Hendrix for about eight years, one of Jeter's former secretaries told Burnett that Jeter was looking for a paralegal to work with him at Glassman Jeter Edwards & Wade, also based in Memphis. "I had not been looking for a job, but I thought 'why not?'' Burnett said. Eleven years later "it turned out to be the best decision I have ever made in my professional career," she said. Hiring her for her confident attitude, Jeter calls the decision the "best money I ever spent."

Six years after hiring Burnett, Jeter, a 1976 graduate of Memphis State University and married father of two, was in search of a change in his work environment, and decided to open his own firm. "I had several opportunities that came to pass that made me realize it was the right time to go out on my own, and I have never regretted it for one second," Jeter said.

The duo left Glassman Jeter, where Jeter had practiced law for 26 years, and moved into their current offices on the banks of the Mississippi River. Burnett was only one of six people Jeter told he was leaving his former firm. In fact, Burnett requested a higher salary when he moved with Jeter to his own firm, and he agreed to personally make up the difference. "I have never had even a remote thought of
questioning my selection of her originally or in asking her to move with me," he said.

The Work
Jeter focuses on construction law. He has defended large engineering firms, solo engineers, architects, construction companies and aggrieved homeowners with construction defects or mold issues. The firm also handles insurance defense matters including auto accidents, slip-and-fall cases, and other individual and commercial liability cases.

On the legal side, Burnett responds to all discovery, initial disclosures and related materials, and reviews files to make sure they are updated. As the head paralegal, she is in constant contact with the firm's clients.

In an office with three attorneys (one of whom works from home), one secretary, one full-time clerk who also works as a receptionist and a college student who works as a clerk and runner, Burnett is responsible for many administrative duties as well. She screens and hires staff and essentially is the human resources manager. According to Jeter, this has saved the firm a great deal of time and money.

The Office Technology
When Jeter opened his doors for business in September 2000, he and Burnett realized that with his growing practice and the varied case files, the firm needed better organization and superior technology. The firm initially hired an outside consultant, and selected Gavel & Gown's Amicus Attorney V as the core component of the firm's network.

For a small firm, the Law Offices of William M. Jeter has big technology. Its operating system is Windows NT with a Dell PowerEdge server and a telephone/fax server making each desktop capable of sending faxes through the T1 line. Everyone in the office has a 21-inch monitor and a high-speed laser printer at his or her desk. In addition, Burnett has a high-speed flatbed scanner in her office and uses a Dell notebook computer for trial presentations.

The firm uses both Amicus Attorney and CaseSoft's CaseMap (purchasing one of the first 10 copies of it ever sold) as its knowledge management tools for all of its files. Every file opened in the office begins with an entry in Amicus Attorney, with the basic information accessible from every computer to every person in the office. This gives employees authorization to read all correspondence and key events associated with a case they are handling. Important documents, including court filings, are linked to the system. This serves as both a case management tool, as well as an aid in responding to discovery requests and preparing for depositions. "We have an extensive diary and tickler system that we use through Amicus Attorney, and everyone is charged with reviewing that calendar and to-do system regularly to make sure we are on top of our files," Burnett said.

Burnett also said the firm benefits from Amicus Attorney's Telephone Pro component. "It automatically dials our telephone calls, generates e-mails and integrates with [LexisNexis] PCLaw to make sure calls and e-mails are billed," she said. "This maximizes our billing potential."

Working in a small office allows Burnett to work on virtually every aspect of a file, including collaborating with clients, answering discovery, attending depositions, monitoring exhibits, taking notes and even suggesting lines of questioning. "I talk and e-mail with our clients all the time and have been able to get to know many of them," she said.

A recent addition to the firm's trial preparation strategy is to videotape many of its depositions so the team has the ability to synchronize the video and transcript for both mediation and trial presentation. Burnett is, of course, the videographer.

When the trial arrives, Burnett marks the exhibits, prepares the electronic trial presentation and drafts timelines and other materials. She meets with the clients before trial to make sure they are ready. Even during jury selection she said her opinion is valued. "Bill always listens to my opinions and will almost always come to me and the client before ending his questioning of a witness to see if we have any input," Burnett said.

Kathy Burnett operates high-tech presentation software to assist Bill Jeter in court.
Trial Presentation

Not surprisingly, taking a case to trial is Burnett's favorite part of the job. "There is nothing like it," she said. When the team takes a case to trial, which they have done six times already in 2005, Burnett prepares the courtroom materials and exhibits and advises Jeter of their status.

"We use courtroom presentation technology in all of our cases," Jeter said. "Kathy operates the technology in virtually every aspect, and for sure in the courtroom."

The team prepares their cases largely through the use of CaseMap, into which all of the pertinent dates, documents, facts, people, places and things are loaded. All of the depositions are loaded into CaseSoft's TextMap and the testimony can be linked to the CaseMap file. They also frequently use Microsoft OneNote to record deposition testimony as an audio file. Finally, the scanned exhibits or other documents, as well as the deposition transcripts can be migrated into Verdict Systems' Sanction II for trial use.

She also generates files for possible arbitration or mediation, loading materials into Sanction II. "Our trial preparation is insane because we don't want any glitches at a crucial moment. I, especially, don't want a judge, jury, witness or lawyer looking at me if I am fumbling for an exhibit," Burnett said.

During their first trial using the new technology, the duo used Microsoft PowerPoint to present photos of damage to the home at issue, CaseMap and CaseSoft's TimeMap to set forth the chronology of events, and Sanction II as the primary trial presentation software. Burnett affectionately refers to this maiden voyage as the "dog and pony show" because a number of other lawyers came into the courtroom to watch. "Now, we don't know what we would do without [trial technology]," she said. "Our clients love [the technology] almost as much as we do."

Jeter and Burnett also use Summation and CaseSoft's TimeMap. Relying principally on those products with the strongest (and friendliest) tech support staffs — CaseSoft and Sanction II — Jeter and Burnett have lobbied the technology companies for convenience modifications. Some of these suggestions have been implemented, such as the new TimeMap-Sanction II link.

Although Burnett said she feels some pressure from the audience watching the trial presentation, she is excited by the process and enjoys observing Jeter's skill and effectiveness in the courtroom. "It's great to have worked in the trade for many years and still to be learning and growing professionally and having a good time doing it," Burnett said.

Jeter said he trusts Burnett to make her own decisions and any necessary changes to the courtroom presentation to ensure maximum effectiveness in the presentation, while preserving the original exhibits. "I know that the compliments we have received on our trial work are a result of her efforts," Jeter said. The ability to assign projects to Burnett with the knowledge they will be completed successfully with minimal supervision enables Jeter to more effectively represent his clients' interests when it counts the most. "In many cases, she reads my mind," he said.

According to Jeter, the impact of courtroom presentations to a jury is very important, and he takes comfort in knowing that when he delivers a closing argument to a jury, the screens will adjust in sync with the correct visual. "This allows an attorney to concentrate on his job," he said.

The Success

Jeter and Burnett recently had a case involving the insured of one of the firm's largest insurance clients. It involved a fire that destroyed a company and a claim for subrogation of more than $1 million.

"Small by some standards, but very important to our client and we were ready," Burnett recalled. At the conclusion of the plaintiff's case, the judge directed a verdict in their client's favor. The courtroom personnel and even the plaintiff's counsel complimented the duo's trial presentation and demeanor.

Other recent successful cases include a complicated estate matter in which the firm's client was sued in connection with his management of the estate, and a dispute in which numerous apartment complexes were sued by the U.S. Department of Justice for noncompliance with regulations associated with the Americans with Disabilities Act.

Burnett said she believes the duo's success is a direct result of the mutual respect for the strengths they recognize in one another. The two have come to rely on those strengths to enhance their professional lives. "It's very fulfilling when you know your boss appreciates your hard work," she said.

Jeter doesn't hesitate to compliment Burnett for a job well done or to support her when something goes wrong. In
turn, she said, "I believe he knows he can count on me to step up to the plate when he needs me."

In addition to her professional relationship with Jeter, Burnett credits her technology and educational training with the positive experience she has had in her legal career. "I have been lucky enough to attend numerous seminars and training sessions during my career, and I have had the pleasure of speaking at quite a few events on topics as varied as discovery techniques and changing ethics requirements for paralegals," she said.

Jeter recently sponsored her attendance at a two-day training session in Tempe, Ariz., related to the use of Sanction II. She also has been trained in the use of Summation, CaseMap products and other legal software.

Duplicating the Relationship
From the lawyer's perspective, Jeter recommends employers find someone they trust and in whom they can place their confidence. The key, he said, is to treat them with respect and make sure they have all the training necessary to do the tasks. "Then, convince them to believe in you, make sure they are well compensated and they share in the firm’s financial health," he said. In this regard, Jeter recommends attorneys set a formula for bonuses and stick to the established criteria. "When you succeed, they succeed," he said.

As a paralegal, Burnett said having a boss who is receptive to her ideas has been key in their successful relationship. To that end, she encourages legal assistants to be patient when they first begin working with an attorney, but voice concerns when appropriate. For example, the first time Burnett joined Jeter at a client meeting, Jeter forgot to introduce her. At an appropriate break when the client was out of the room, she suggested that he introduce her to the client because she would be his main contact in the office. Jeter appreciated the suggestion, agreed with Burnett, and immediately made the introduction. He has done so at every meeting ever since. She notes that the courage to offer constructive opinions is important, but it must be done in a way that is not overly judgmental. Burnett pointed out that Jeter did not fail to introduce her intentionally, it just slipped his mind.

Burnett also suggests paralegals stay involved in the paralegal community. She is a member of the Greater Memphis Paralegal Alliance and attends monthly meetings, regular training seminars and symposia, all of which allow her to network and make professional alliances. Jeter is very supportive of Burnett's activities in the GMPA, as he also is active in legal associations: He is a member of the American Bar Association, the American Trial Lawyers Association and the Tennessee Bar Association. He also serves on the Board of Directors of the Memphis Bar Association.

Burnett also is considering taking the National Association of Legal Assistants' Certified Legal Assistant exam, a national standardized paralegal certification. "I think it would be good for professional purposes," she said. The CLA certification would require Burnett to learn about different areas of the law, which she thinks would give her a higher standing in the legal assistant community. "It’s like passing the bar exam for a paralegal," she noted.

Growing as a Team
Both Jeter and Burnett recognize increased enhancements to their technological repertoire are essential for growing the practice and maintaining their level of success in court.

With the continued success of their business relationship, their trust and confidence in each other keeps grow-