

DOCKET CONTROL FOLLOW-UP

One of the most important aspects of docket control is to follow up once a reminder is made to confirm that a task is actually accomplished prior to its deadline date. Unfortunately, this is also one of the most overlooked requirements of a good docket system.

On occasion, an item will be held for one final review. Make sure the item does not get buried on a desk or in the file. If an item is sent by certified mail, enter a follow-up date to verify the return receipt came back to the office. If an item is filed, check to be sure that the item was received by the court. When sending documents out for service, enter a follow-up date to check with the process server confirming that service has been accomplished. This is especially crucial if service is required within 60 days of filing the complaint when there is a statute of limitations problem.

Use your docket or follow-up system for any matter that has an irrevocable deadline, such as giving notice of a claim, filing a complaint, effecting service of summons, or filing notice of appeal. Some other important dates include: notices of annual meetings for corporations, probate deadlines, notice of sale in foreclosures, tax filing deadlines, and intangible dates such as when to have a will or pension and profit-sharing plan completed. There are specific deadlines and dates for each practice area. For checklists and forms, consult the PLF practice aids available online at <https://www.osbplf.org/>, BarBooks available online at <https://www.osbar.org/>, as well as your CLE materials.

Important steps in the docket control system:

1. Set spam or junk email filters to allow receipt of e-notices from the courts in which you practice, otherwise you may miss an important deadline or notice. You may need to make this change at the Internet Service Provider (ISP) level and in the settings of your specific email program. This assures that neither your ISP (i.e., Comcast) nor your email program (i.e., Outlook) will block email from the court.
2. Some electronic case filing systems only generate e-notices to the attorney-of-record. Firm addresses (docketing@johndoelawfirm.com) or staff email addresses may not be permitted. If this is the case, create a rule in your email program to duplicate and forward copies of court notices from the attorney-of-record to appropriate staff.
3. The final deadline should be immediately entered on the central calendar and individual calendars of the attorney and the attorney's assistant.
4. Sufficient lead-time should be determined for completion of each task, and appropriate reminder dates entered in the calendars of the attorney and assistant, as well as the central docket system.
5. Final reminders should be specially indicated (i.e., bolded or color-coded).
6. Reminder notices and follow-ups should be brought to the attorney's attention and tasks should be marked off when completed and by whom. A separate follow-up log for each case can be maintained so that these important actions, deadlines, and follow-up tasks are noted, along with information about when they were accomplished and by whom.
7. This is the most important step: If the assistant or docket clerk does not receive notice that the task has been completed by the due date, that person should immediately contact the responsible attorney to find out why the task has not been completed.

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8. In the event a final notice is ignored, or the responsible attorney is unavailable for any reason, the supervising/managing attorney should be notified of the problem by the assistant or person in charge of the docket. A firm policy should be created to address this potential situation. See also Oregon RPC 5.1 Responsibilities of Partners, Managers, and Supervisory Lawyers.

IMPORTANT NOTICES

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