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# DRI Brief Bank and Other Trial Service Procedures, Operations and Costs Revised

James D. Ghiardi

Marquette University Law School, james.ghiardi@marquette.edu

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## DRI Brief Bank And Other Trial Service Procedures, Operations And Costs Revised

PROF. JAMES D. GHIARDI  
Milwaukee, Wisconsin

**E**FFECTIVE January 1, 1971, the complete operation of what has heretofore been known as the Defense Information Office (DIO) will be assumed by the Defense Research Institute. Services previously offered by the Defense Information Office including the Brief Bank, Expert Witness Index, individual inquiry research and bank of economists' testimony transcripts will continue and also be expanded and improved under the DRI operation.

The Defense Information Office was created in 1961 by the three insurance trade organizations — American Insurance Association, American Mutual Insurance Alliance and National Association of Independent Insurers. Since 1965 DIO has been managed by DRI at its Milwaukee office, with a financial subsidy from the three sponsoring groups. The direct annual subsidy for the operation ended in 1970.

In the belief that the services which have been offered to defense attorneys and insurers are valuable, the DRI Board has authorized the Milwaukee office to continue its operation under procedures which would make this service function of DRI self-sustaining. For the present, the services offered will now be available only to DRI members, both individual and corporate.

### NEW PROCEDURES

The DRI services fall into four general categories.

#### *Brief Bank*

At the present time briefs from over 2800 cases which involve personal injury, workmen's compensation, professional liability, product liability, insurance law, practice, procedure and evidence are on file. An active program to solicit new briefs for the bank is in force. Briefs on file are indexed by the issues they cover so that the Brief Bank serves as a valuable

research tool. Indexes to the brief holdings are published periodically.

Under the new procedures, every DRI member may borrow briefs in the Brief Bank for a period of four weeks. A uniform handling charge for the loan of briefs will be \$20 per request, not per brief furnished. However, the number of briefs that will be furnished on one request will ordinarily be limited to those from three case files. If the request for briefs involves issues from more than one claim, client case file or law suit, an additional handling charge of \$10 will be added for each additional claim, client case file or law suit, for which briefs are requested. A special handling charge will be established for the loan of briefs that are of extraordinary size and character (e.g., a brief several hundred pages in length).

#### *Expert Witness Index*

There are now over 1200 expert witnesses listed in the Expert Witness Index at the DRI office. The procedure of providing DRI members with the names of qualified experts in fields other than medicine and of supplying biographical information on the experts when available will be continued. Efforts are constantly being made to keep the index current and to expand the index and the nature of the services offered as an adjunct to its operation.

Commencing January 1, 1971, a \$10 handling fee will be charged per request for experts to help defray administrative costs associated with maintaining and expanding this service. This handling fee will be per request and will not depend on the number of experts that are suggested.

#### *Individual Inquiries*

Under present procedures, the DRI staff conducts limited legal research on problems submitted in the form of inquiries by DRI members. This is usually done when briefs from the Brief Bank are not found on the

subject of the inquiry or when the inquiry is not a direct request for specific briefs. Using the Brief Bank facilities and DRI's specialized library and research files, an attempt is made to provide the person making the inquiry with citations to pertinent cases, articles or other research material.

Commencing January 1, 1971, to help defray administrative and research expenses, a handling charge of \$10 per hour will be established for individual inquiries with a minimum charge per inquiry of \$20. When a request for briefs is combined with an individual inquiry, the hourly research handling charge will be added to the handling charge for brief loan, but the minimum two-hour charge will not be applied. The established charge will be in addition to that for duplicating materials that are furnished to the person making the inquiry. All research is conducted under the supervision of DRI staff attorneys.

#### *Economists' Testimony*

With the expanded use of experts by plaintiffs' lawyers in wrongful death and disability cases becoming more prevalent, DRI recognizes the need to provide defense counsel with adequate information which can be used to meet the theories on damages advanced by these experts. The Milwaukee office has collected transcripts of cases in which economists, employment specialists and other experts had been successfully cross-examined as well as other relevant material. In October 1967, a monograph, *Economists' Testimony*, was published which catalogued all the transcripts and collateral material on file. That monograph was updated by a similar publication issued in December 1968. At the present time a third publication, which brings current holdings up to date and

also contains suggestions for defense tactics in these cases has been prepared and is available.

The economists' transcript bank and allied material is being expanded and efforts are continuing to make the information more readily accessible. With the publication of the new *Economists' Testimony* monograph an up-to-date listing of the holdings on this matter has been provided to DRI members. However, to cover administrative expenses a handling fee of \$5 per request for transcripts will be charged in addition to the charge for duplicating the material as set forth in the monograph.

#### *Need To Improve Services*

The officers and board members of DRI believe that the continuation of the services, formerly rendered by DIO, will prove increasingly beneficial to the members of DRI. The various handling fees or charges that have been established are nominal but necessary for its continued operation. They were established in the belief that those who use the services should contribute to its continued operation.

With DRI assuming the full responsibility for this service, effort will be directed toward expansion and improvement. To do this, the help of all is needed. DRI members should support the program by making use of the services it has to offer. In addition, contributions of briefs, memoranda, names of experts and transcripts of economists' testimony are needed. The output of this service program can only be as good as its input.

Anyone wishing additional information about the procedures related to the Brief Bank and allied service should write the Defense Research Institute, 1212 West Wisconsin Avenue, Milwaukee, Wisconsin 53233.