

A Partnership for Efficiency

By Jeffrey M. Baill, YOST & BAILL, LLP

This issue of the *Subrogator* is dedicated to the subject of efficiency. In any business dealing with a high volume of files, there is always a need to continue to explore ways to make the process more efficient. This is certainly true with Insurance Subrogation Departments and Law Firms. Frankly, that is stating the obvious. What may not be as obvious is that both entities have a unique ability to make each other better.

One example of a part of the process that Insurers and Law Firms can help each other with is the transferring of files from one office to the other. Today, some of my files come in on paper. Some come by email. Others are transmitted by CD. Some clients use a dedicated web site to transmit materials. From the Law Firm's perspective, accommodating various file intake methods is a process all its own.

If I could write the rules, I would ask each of my clients to transmit files electronically, all organized and indexed in the same way. Liability information would be in one section, damages in another. Log notes would also have their own section. This would be far different (and far better) than the oft voluminous and un-organized fashion that file materials arrive in my office. I venture to argue that subrogation departments would benefit from an efficiency stand-point if the information it were providing to its law firms was provided to them in a more user-friendly manner. The ability to know exactly where to look to retrieve a certain piece of information, every time, would undoubtedly save time for all parties.

I have always maintained that a contingent subrogation law firm is a real partner with its clients. Both sides have an incentive to enhance productivity. When both entities work together to refine their processes, efficiency results and recovery is enhanced.

In addition to file transmission, Subrogation Units and their Law Firms can work together to become more efficient in other ways. Some examples of areas where efficiency matters are: 1) communicating with each other 2) status requests and responses; 3) transfer of funds; and 4) granting and receiving settlement authority.

This raises the ultimate question: How often do Subrogation Units meet with their counsel to discuss ways to make each other better at their jobs? We often meet to discuss substantive issues like spoliation or other legal issues. But, how often do we meet to discuss process in a way that can make us all more efficient. I think we all know the answer; not very often, if ever. The fact is, we need to work together for both of our interests. That is what partnership is all about.