

## LITIGATION SUPPORT A Special Report

# Gear Up for Great War Rooms

Ban distractions, keep the coffee flowing, and don't forget a pillow.



BY STACY JACKSON

When most people use the term “war room,” they might conjure up images of camouflaged men and the thud-thud-thud of helicopter blades. But in reality, a properly planned litigation war room can become a respite from the day-to-day grind of trial, a place where, in addition to everything else, you can brainstorm new ideas and strategies with your fellow trial attorneys.

A properly planned war room can be a sanctuary, where you can run and make extra copies, grab a backup CD because yours does not work, or fax an important document to your expert witness. Although trial is analogous to war, your war room doesn't have to be warlike.

Even if your trial is in the same town where you regularly do business, you may want to have a war room that is close to the courthouse, such as in a conference room in a nearby hotel. It will serve as your central gathering place where you assemble your trial team to get the brunt of your trial work done.

And even if your firm has a war room set up where you work, I suggest that you set up war rooms close to the courthouse for major cases, cases with lots of witnesses, or cases with high stakes. It allows you to focus completely on the matter at hand without the other distractions of the office.

### ALL IN THE PLANNING

When you plan your next war room, here are some considerations.

**Timing:** Timing is crucial. Make sure you scope out locations early in the process, as hotels and conference rooms can fill quickly. Think ahead if your site is in a town with large events or a seasonal resort town. Attempting to book a space at the last minute in Pasadena, Calif., during the Rose Parade is futile.

Since you have to seek out your location early, have a full understanding of the facility's cancellation policy and the costs if your case settles before trial. On the flip side of cancellation

fees, consider a contingency plan if your trial lasts past the allotted reservation time. Is it necessary to schedule an extra week or month? Ask the hotel staff to notify you immediately if the room will be booked the week after your trial, and ask if they will give you the right to book the room if it appears that someone else is planning to book it instead.

**Site requirements:** The real estate mantra “Location, location, location” applies here. Naturally, you want your war room to be near the courthouse where your trial will take place, and, preferably, it should be within walking distance.

To make the war room as comfortable as possible, you should also investigate the surrounding area. Is there an office-supply store nearby with convenient hours for necessary and last-minute supplies? Is the office-supply store capable of producing oversize exhibits, and can it mount these on foam board in the middle of the night after a last-minute change? What is the customary turn-around time, and what software applications does the store support? More important, what software applications doesn't the store support?

Is there a coffee shop within walking distance so you can grab a morning latte? Take note of the eateries in the nearby vicinity, and ask if they deliver.

Proximity may not always be the most important point: You may not want your war room too close to the action, as you may not wish the other side to see all of your troops. Likewise, you may want to verify that your opponents are not lodging at the same hotel. Your case can easily be compromised if your opponents hear you talking about it in the elevator or in the hallway.

**Space requirements:** You need to determine how many people—lawyers, paralegals, expert witnesses, fact witnesses, and support staff—will use your war room.

After gauging the maximum number of people at any given time, you need to decide how many of them need work stations. Certainly the attorneys, paralegals, and support staff need a work space. If room is still available after these individuals are taken

care of, decide on one or two “guest spaces” for witnesses to check their e-mail, view evidentiary documents in your Web-based repository, or make phone calls during breaks.

Remember that small creature comforts make life more bearable in the war zone. Temperature control is key. With the war room packed with equipment, it is crucial that the computers remain at a proper temperature. If you cannot adequately cool the space, your computers may not function optimally.

Likewise, do you control the lighting? If there is inadequate lighting, purchase task lighting for the work stations. Take inventory to ensure that you have enough power outlets, surge protectors, and extension cords to meet your power demands. In addition, make sure that the room can handle the needed power, since you certainly do not want to blow fuses while executing your battle plan.

**Site amenities:** If you are setting up your war room in a hotel conference room, catalog the amenities the hotel offers. For instance, does the hotel have 24-hour IT staff? This may be critical if all of your equipment blows up at once. You may want to meet with the IT staff to gauge their level of knowledge and expertise. We once used a hotel that claimed to have a “24-hour technical concierge,” a position filled by the head janitor who, however well intentioned, could not assist in the event of a crisis.

**Internet and phone requirements:** Assess the technical services that the site offers. Foremost, Internet access is required so that you can remain in touch with your behind-the-lines headquarters, perform online research, and view documents in your repository. Most hotels have DSL or T1 connections.

If the site’s offerings do not meet your requirements, check with an Internet service provider to see how long it will take to install what you need, such as a T1 instead of DSL. Test all connections in advance with all of the equipment you will be running. If you are running a deposition war room, which some firms set up in addition to the traditional war room, make sure you test your equipment with the court reporter.

Some smaller metropolitan areas do not have the Internet capability that we often take for granted in the bigger urban jungles. We have often experienced situations where large hotels in major cities touted themselves as technically advanced but were not able to provide the bandwidth necessary to meet our needs; thus, we were forced to lay cable in the hotel.

The phone system in your war room deserves several considerations. Obviously, evaluate how many lines are needed. Will dial-up serve as your backup plan if the T1 goes down? If so, verify that you have enough phone lines and accounts. Will you

be making conference calls, and do you have enough lines to support these? In a case where we desperately needed one more phone line for our war room, we resorted to bribing the person in the room next to the conference room to relocate and strung a 20-foot phone cord down the hallway. Correctly assessing the number of lines is essential, especially when you don’t want to go to jail for bribery.

In addition, verify your cell phone reception inside the facility.

**Security and access requirements:** Do you have 24-hour access to your site, or do you have to close up shop at a certain time? When you close for the night, can anyone else get into the war room? Speak with the facility staff about who has access to your war room, such as janitors. Attempt to have the entire room secured by changing or adding locks. If that is not possible, get a locking file cabinet for important documents and evidence.

**Backup:** Make sure you have a backup plan for everything—dial-up Internet access in lieu of DSL, a way to swap out rented equipment on the fly, an easel and paper in lieu of your electric whiteboard. Arrange to use the hotel business center if your fax or copy machine dies or if you need to increase capacity. Take note of the business center’s hours and arrange to acquire a key for late-night work.

**The comforts of home:** Lastly, and maybe most important, make it comfortable. This will be your home away from home for a while, so you might as well make it livable. If you are not staying close to the war room, bring pillows and blankets in case an all-nighter is in the cards. Likewise, make sure you have a change of clothes and toiletries to freshen up in the morning.

**Shut-down plan:** Almost as important as scoping out your war room site in advance is having a plan to close up shop when the case is over. War rooms gradually build up over time: First the copy machine comes, then the computers, then the refrigerator, and so on. In the end, all the equipment is removed en masse. Take a moment to plan for the breakdown of the war room.

Your war room doesn’t have to be a war zone. If you properly plan, assess your needs, and scope out your options, the war room can be a most hospitable place. It can take the edge off the daily stress of trial because it has everything you need at your fingertips and ready to go.

---

*Stacy Jackson is corporate counsel at IE Discovery, a provider of discovery management solutions with offices in Arlington, Va., Cypress, Ca., and Austin, Texas. She can be reached at [sjackson@iediscovery.com](mailto:sjackson@iediscovery.com).*