

RULES SUGGESTION
to the
ADVISORY COMMITTEE ON CIVIL RULES

I am writing to respectfully suggest the addition of a new requirement for pleadings called a Document of Direction of Claims (or DoDoC) which has the purpose to create a visual method of showing claims against different parties in a suit that contains multiple plaintiffs or defendants. In today's complex Civil landscape there is a need to make things easier for all parties and the court and creating a visual attachment to pleadings will help secure a speedy determination. With modern technology the creation of the DoDoC will not be an expensive burden to plaintiffs or defendants in the creation of their filings. Lastly, during the process as the case moves through the system, documents like this are already being made internally by judges and clerks and this brings them out of the shadows.

To describe what a DoDoC is, an example will be the best start. In court case 3:19-cv-02854-JRK in the Northern District of Ohio was a case that got so complex in their claims that the unwinding of it through various motions took significant effort¹. Attachment A would be an example of a DoDoC that would have been submitted with Document 161 showing the status of all claims of the suit. I started with Document 161 and worked backwards to get a current DoDoC, and it took approximately three hours of research. If each party was amending their DoDoC with the status as the suit progressed it would not have taken as many hours in total as each new DoDoC can build off the previous ones. By putting this visually it helps unwind the web that is caused in the current complex legal environment.

The FRCP is meant to provide speedy and inexpensive determinations and this kind of document will help all courts with increasing their speed while not creating an expensive cost in either time or money. For speed, these documents are meant to help provide clarity to all parties and the court. Judges are already creating these kinds of diagrams internally and this shifts that burden to the parties, the true keeper of their claims. This burden should not be expensive either. If the committee even starts to consider this proposal a legal tech company could produce a website to generate this diagram rather quickly. Also, I can foresee the open-source community building one as I am a part of that community and have seen their work firsthand. After spending about five hours, I created the start of a software that would allow lawyers and clerks to do this easily. You can see the output and test it yourself with the link to the website on attachment B. The DoDoC would help the court, would not be expensive to create, and aligns perfectly with the rules of the FRCP.

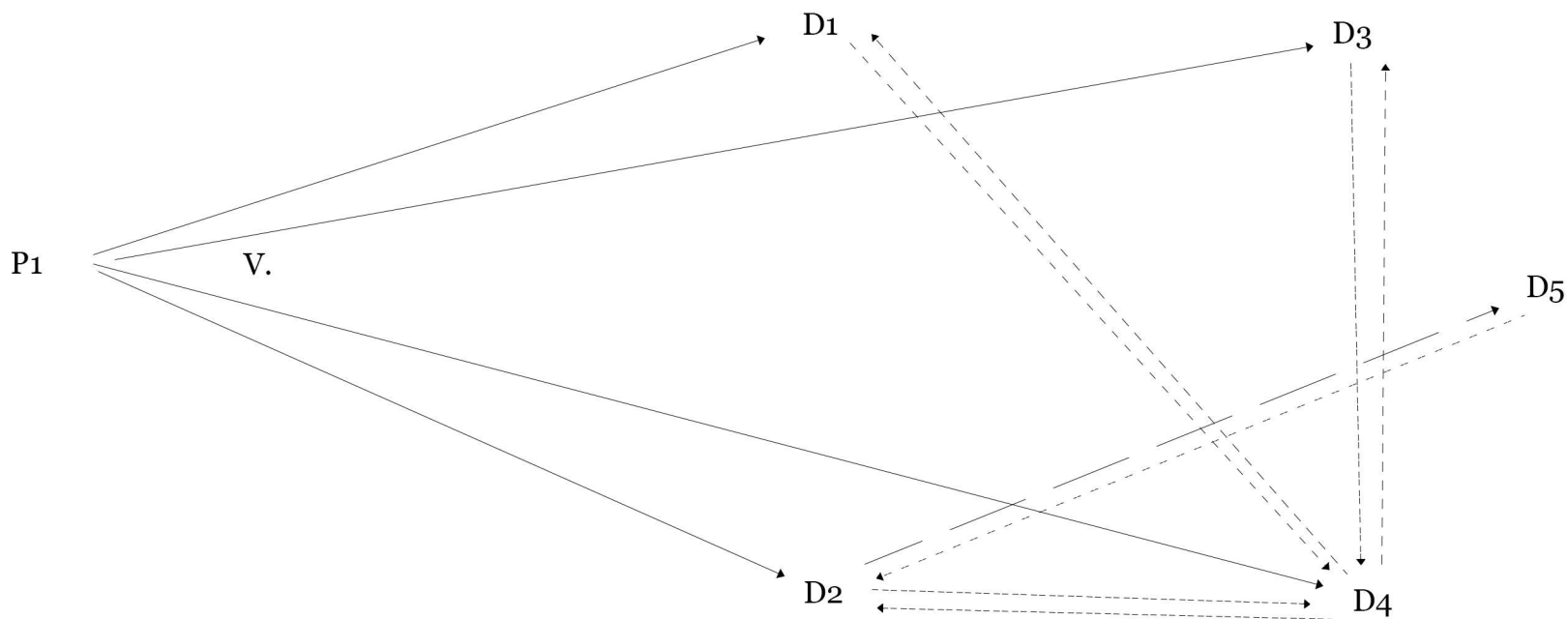
My suggestion is that Rule 10 to be amended to create the requirement of this document. The description of the diagram should be neutral and describe the function and not the form. It should describe what information should be in the diagram but not things like color, fonts, or other descriptive styles. It could be as simple as "[t]he Diagram shall visually indicate all parties and the number and types of claims between each." The rule should limit when the diagram would be included in the pleading, my thought is any time there is either multiple Plaintiffs or multiple Defendants. Other requirements could be the total number of claims or the total number of unique party interactions for claims.

¹ https://www.govinfo.gov/content/pkg/USCOURTS-ohnd-3_19-cv-02854/pdf/USCOURTS-ohnd-3_19-cv-02854-1.pdf

Thank you for your consideration of this rule and document that I believe would bring a positive impact to the legal world and show that our profession can evolve with technological tools to help speed up processing of claims.

Richie Muniak
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ATTACHMENT A



P1 = Sinmier, LLC

D1 = Bankers

D2 = Everest/EverSports

D3 = Berkley

D4 = Vintro

D5 = Grewal

—————> Original Claims

- - - - -> Cross Claim

.....> Counter Claim

- · - · -> 3rd Party Claim

ATTACHMENT B

