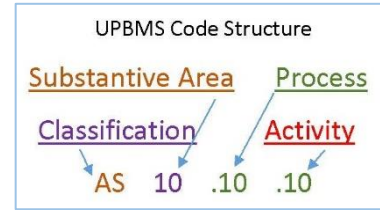




Legal Branch Substantive Areas (Code Sets)

Substantive Areas represent the second highest organizational level within the ALA UPBMS Codes and are designed to be easily and independently identifiable.



Each Substantive Area represents a single code set that contains a logical grouping of Processes. Below is a description of each Substantive Area followed by a summary of the Processes each contains.

Litigation (LT) Classification

LT10 Case Assessment, Development and Administration

Understanding the facts of matter, developing strategy, working with experts or consultants, organizing file materials, managing budgets, and participating in settlement activities.

Processes within this Substantive Area:

- LT10.10 Fact Investigation/Development
- LT10.15 Property and Exemplars
- LT10.20 Analysis/Strategy
- LT10.25 Experts/Consultants
- LT10.30 Document/File Management
- LT10.35 Budgeting
- LT10.40 Settlement/Non-Binding ADR

LT15 Pre-Trial Pleadings and Motions

All pleadings and pretrial motions and procedures other than discovery.

Processes within this Substantive Area:

- LT15.10 Pleadings
- LT15.15 Preliminary Injunctions/Provisional Remedies
- LT15.20 Court Mandated Conferences
- LT15.25 Dispositive Motions
- LT15.30 Other Written Motions/Submissions
- LT15.35 Class Action Certification and Notice



LT20 Discovery

A category of procedural devices employed by a party to a civil or criminal action, prior to trial, to require the adverse party to disclose information that is essential for the preparation of the requesting party's case and that the other party alone knows or possesses.

Processes within this Substantive Area:

LT20.10	Written Discovery /Interrogatories
LT20.15	Document Production
LT20.20	Depositions
LT20.25	Expert Discovery
LT20.30	Discovery Motions
LT20.35	Discovery On-Site Inspections

LT25 eDiscovery

Discovery in litigation or government investigations which deals with the exchange of information in electronic format (often referred to as electronically stored information or ESI). This data is subject to local rules and agreed-upon processes and are often reviewed for privilege and relevance before being turned over to opposing counsel.

Processes within this Substantive Area:

LT25.10	Identification
LT25.15	Preservation
LT25.20	Collection
LT25.25	Processing
LT25.30	Review
LT25.35	Analysis
LT25.40	Production
LT25.45	Presentation
LT25.50	EDRM Project Management

LT30 Trial Preparation and Trial

Preparing for or participation in a judicial examination and determination of facts and legal issues arising between parties to a civil or criminal action.

Processes within this Substantive Area:



LT30.10	Fact Witnesses
LT30.15	Expert Witnesses
LT30.20	Written Motions/Submissions
LT30.25	Trial Preparation and Support
LT30.30	Trial and Hearing Attendance
LT30.35	Post-Trial Motions/Submissions
LT30.40	Enforcement

LT35 Appeal

Timely resorts by an unsuccessful party in a lawsuit or administrative proceeding to an appropriate superior court empowered to review a final decision on the ground that it was based upon an erroneous application of law.

Processes within this Substantive Area:

LT35.10	Appellate Proceedings/Motions Practice
LT35.15	Appellate Briefs
LT35.20	Oral Argument

LT40 Exemplar and Exhibit Disposition

The retention, storage and proper disposition of property and exemplars (models).

Processes within this Substantive Area:

To be identified

[Transaction/M&A \(Project\) \(TN\) Classification](#)

TN10 Deal Management

Managing project activities, i.e., time spent overseeing the management of the matter based on assuring that scope, time and cost are evaluated, monitored and communicated. Includes adjusting the level of effort and assignment of work, communicating among the team and with the client/customer on changes in circumstances and evaluation of budget against actual.

Processes within this Substantive Area:

To be identified



TN15 Preliminary Matters

Supporting preliminary matters (letter of intent, confidentiality agreements, exclusivity, inducement, break fee information memorandum, auction process, service provider engagement agreements). Includes drafting, negotiating and amending preliminary stage agreements, establishing bidding and auction procedures, and drafting, negotiating and amending engagement agreements with service providers (e.g., accountants, environmental consultants, investment bankers, etc.).

Processes within this Substantive Area:

To be identified

TN20 Initial Document Preparation

Drafting transaction documents and opinions prior to delivery and soliciting input/guidance from specialists on terms and provisions. Includes all related communications regarding engagement.

Processes within this Substantive Area:

To be identified

TN25 Due Diligence and Disclosure Schedules

Reviewing documents, attending management presentations, preparing due diligence questionnaire, setting up data room, negotiating due diligence reliance letters, and conducting other due diligence searches (e.g., liens, litigation, background checks, etc.). Includes time related to drafting, reviewing and negotiating disclosure schedules.

Processes within this Substantive Area:

To be identified

TN30 Negotiation/Revision/Response

Supporting the negotiation of and amendment to initial transaction documentation as a result of such negotiations, drafting ancillary agreements, attendance at meetings, and associated responses.

Processes within this Substantive Area:

To be identified



TN35 Financing

Drafting, negotiating and amending any sale or acquisition financing (e.g., bank loans, debentures, equity financing, security agreements, guarantees, etc.).

Processes within this Substantive Area:

To be identified

TN40 Regulatory and Specialty Matters

Support of consultations regarding particular areas of expertise.

Processes within this Substantive Area:

TN40.10	Antitrust / Competition
TN40.15	Data Security/Privacy/Data Protection/Cyber Security
TN40.20	Employment, Labor and Employee Benefits
TN40.25	Executive Compensation
TN40.30	Environmental
TN40.35	Intellectual Property and Technology
TN40.40	Real Property
TN40.45	Securities Regulatory Matters
TN40.50	Tax

TN45 Shareholder/Board Matters

Supporting Board presentations regarding due diligence findings and the transaction, drafting of minutes and resolutions of the board, review of fairness opinions, and advising the board regarding fiduciary duties/shareholder meetings.

Processes within this Substantive Area:

To be identified

TN50 Closing Matters

Drafting and supporting the negotiation of closing documents (e.g., certificates, bills of sale, legal opinions, closing agenda, powers of attorney, etc.) and attending the closing.

Processes within this Substantive Area:

To be identified



TN55 Integration Matters (M&A)

Support of post-closing integration matters, including restructuring of subsidiaries and post-closing transfer of assets and liabilities within a party's corporate structure.

Processes within this Substantive Area:

To be identified

TN60 Post-Closing Requirements, Disputes & Adjustments

Assisting with post-closing requirements, disputes and adjustments (working capital, indemnification, earn-out), post-closing working capital, purchase price adjustments, earn-out and other adjustments, and negotiating and litigating indemnification claims.

Processes within this Substantive Area:

To be identified

TN65 Maintenance and Renewal

Subsequent maintenance and renewal requirements under the terms of the transaction or project such as monitoring of lease agreements, routine waivers and coordination of lien perfection (UCC and other) requirements.

Processes within this Substantive Area:

To be identified

Patent (PT) Classification

PT10 Assessment, Development, and Administration

Fact investigation and development, analysis and strategy, document and file management, and budgeting.

Processes within this Substantive Area:

PT10.10	Fact Investigation and Development
PT10.15	Property and Exemplars
PT10.20	Analysis/Strategy
PT10.25	Document/File Management



- PT10.30 Budgeting
- PT10.35 Other Assessment, Development, or Administration

PT15 Patent Investigation and Analysis

The state-of-the-art, patentability, clearance, validity, infringement, and status investigations, and publication watches.

Processes within this Substantive Area:

- PT15.10 State-of-the-Art Investigation
- PT15.15 Patentability Investigation
- PT15.20 Clearance Investigation
- PT15.25 Validity Investigation
- PT15.30 Publication Watches
- PT15.35 Infringement Investigation
- PT15.40 Status Investigation
- PT15.45 Other Patent Investigation and Analysis

PT20 Domestic Patent Preparation

Provisional, non-provisional, and design application preparation, plant and validation patent and continuing application preparation for domestic patents.

Processes within this Substantive Area:

- PT20.10 Provisional Application Preparation - Domestic
- PT20.15 Non-Provisional Application Preparation - Domestic
- PT20.20 Design Application Preparation - Domestic
- PT20.25 Plant Patent Preparation - Domestic
- PT20.30 Continuing Application Preparation - Domestic
- PT20.35 Validation Patent Application
- PT20.40 Other Patent Application Preparation – Domestic

PT25 Domestic Patent Prosecution

Information disclosure, preliminary amendment, official communication, quasi-judicial administrative proceedings, post-issuance remedial action, and other patent prosecution activities for domestic patents.

Processes within this Substantive Area:

- PT25.10 Information Disclosure Statement - Domestic



PT25.15	Preliminary Amendment - Domestic
PT25.20	Official Communication - Domestic
PT25.25	Quasi-Judicial Administrative Proceedings - Domestic
PT25.30	Post-Issuance Remedial Action- Domestic
PT25.35	Other Patent Prosecution - Domestic

PT30 International Patent Preparation

Provisional, non-provisional, and design application preparation, plant and validation patent and continuing application preparation for international patents.

Processes within this Substantive Area:

PT30.10	Provisional Application Preparation - International
PT30.15	Non-Provisional Application Preparation - International
PT30.20	Design Application Preparation - International
PT30.25	Plant Patent Preparation - International
PT30.30	Continuing Application Preparation - International
PT30.35	Validation Patent Application Preparation - International
PT30.40	Other Patent Application Preparation – International

PT35 International Patent Prosecution

Information disclosure, preliminary amendment, official communication, quasi-judicial administrative proceedings, post-issuance remedial action, and other patent prosecution activities for international patents.

Processes within this Substantive Area:

PT35.10	Information Disclosure Statement - International
PT35.15	Preliminary Amendment - International
PT35.20	Official Communication - International
PT35.25	Quasi-Judicial Administrative Proceedings - International
PT35.30	Post-Issuance Remedial Action - International
PT35.35	Other Patent Prosecution – International

PT40 Other Patent-Related Tasks

Opinion preparation, portfolio analysis and management, assignments and security interests, and licensing.



Processes within this Substantive Area:

PT40.10	Opinion Preparation
PT40.15	Portfolio Analysis and Management
PT40.20	Assignments and Security Interests
PT40.25	Licensing
PT40.30	Exemplar and Exhibit Disposition

Trademark (TM) Classification

TM10 Assessment, Development, and Administration

Fact investigation and development, analysis and strategy, document and file management, and budgeting.

Processes within this Substantive Area:

TM10.10	Fact Investigation and Development
TM10.15	Analysis/Strategy
TM10.20	Document/File Management
TM10.25	Budgeting
TM10.30	Other Assessment, Development, or Administration

TM15 Trademark Investigation and Analysis

The investigation to verify ability to register, clearance and opposition investigations, publication watches, enforcement investigation, and status investigation.

Processes within this Substantive Area:

TM15.10	Registrability Investigation
TM15.15	Clearance Investigation
TM15.20	Opposition Investigation
TM15.25	Publication Watches
TM15.30	Enforcement Investigation
TM15.35	Status Investigation
TM15.40	Other Trademark Investigation and Analysis

TM20 Domestic Trademark Application Preparation

Application preparation and filing for domestic trademarks.



Processes within this Substantive Area:

- TM20.10 Application Preparation and Filing - Domestic
- TM20.15 Other Domestic Trademark Application Preparation and Filing

TM25 Domestic Trademark Prosecution and Renewal

Affidavits, petitions, extensions, declarations and other filings, preliminary amendments, official communications, and quasi-judicial administrative proceedings for domestic trademarks.

Processes within this Substantive Area:

- TM25.10 Affidavits, Petitions, Extensions, Declarations and Other Filings - Domestic
- TM25.15 Preliminary Amendment - Domestic
- TM25.20 Official Communication - Domestic
- TM25.25 Quasi-Judicial Administrative Proceedings - Domestic
- TM25.30 Other Trademark Prosecution – Domestic

TM30 International Trademark Application Preparation and Renewals

An application preparation and filing for international trademarks.

Processes within this Substantive Area:

- TM30.10 Application Preparation and Filing - International
- TM30.15 Other International Trademark Application Preparation and Filing

TM35 International Trademark Prosecution and Renewal

Affidavits, petitions, extensions, declarations and other filings, preliminary amendments, official communications, and quasi-judicial administrative proceedings for international trademarks.

Processes within this Substantive Area:

- TM35.10 Affidavits, Petitions, Extensions, Declarations and Other Filings – International
- TM35.15 Preliminary Amendment - International
- TM35.20 Official Communication - International
- TM35.25 Quasi-Judicial Administrative Proceedings - International
- TM35.30 Other Trademark Related Tasks



TM40 Other Trademark Related Tasks

Opinion preparation, portfolio analysis and management, assignments and security interests, licensing, domain names, and quasi-judicial administrative proceedings for domain names.

Processes within this Substantive Area:

TM40.10	Opinion Preparation
TM40.15	Portfolio Analysis and Management
TM40.20	Assignments and Security Interests
TM40.25	Licensing
TM40.30	Domain Names - gTLDs
TM40.35	Domain Names - ccTLDs
TM40.40	Quasi-Judicial Administrative Proceedings - Domain Names
TM40.45	Other Trademark Prosecution

Workers' Compensation (WC) Classification

WC10 Initial Assessment

The initial assessment of case and/or issue and outcomes. Includes fact investigation, analysis, strategy development, identifying experts, budgeting, and settlement/mediation activities and associated alternative fee arrangements (AFA's).

Processes within this Substantive Area:

WC10.10	Fact Investigation/Development
WC10.15	Analysis/Strategy
WC10.20	Experts/Consultants
WC10.25	Budgeting
WC10.30	Settlement/Resolution
WC10.35	Alternative Fee Arrangements (AFA's)

WC15 Pleadings/Preliminary Proceedings

Developing and preparing pleadings, meetings and conferences with judge up to Hearing, and associated alternative fee arrangements (AFA's).

Processes within this Substantive Area:

WC15.10	Pleadings
WC15.15	Conferences with Judge



WC15.20 Alternative Fee Arrangements (AFA's)

WC20 Discovery/Document Production

Written discovery, document production and acquisition, depositions, expert discovery, discovery motions, discovery on-site inspections and visits, and associated alternative fee arrangements (AFA's).

Processes within this Substantive Area:

WC20.10 Written Discovery
WC20.15 Document Production/Acquisition
WC20.20 Depositions
WC20.25 Expert Discovery
WC20.30 Discovery Motions
WC20.35 Discovery On-Site Inspections/Visits
WC20.40 Alternative Fee Arrangements (AFA's)

WC25 Hearings/Trial Practice

The examination of fact and expert witnesses, written motions/submissions, Hearing preparation and support, hearing appearances, post-hearing activities, subrogation claims, and associated alternative fee arrangements (AFA's).

Processes within this Substantive Area:

WC25.10 Fact Witnesses
WC25.15 Expert Witnesses
WC25.20 Written Motions/Submissions
WC25.25 Hearing Preparation and Support
WC25.30 Hearing
WC25.35 Post-Hearing
WC25.40 Subrogation Claims
WC25.45 Alternative Fee Arrangements (AFA's)

WC30 Appellate Practice

Appellate proceedings/motions; appellate briefs, oral arguments/post submission, and associated alternative fee agreements (AFA's).

Processes within this Substantive Area:

WC30.10 Appellate Proceedings/Motions
WC30.15 Appellate Briefs



WC30.20 Oral Arguments/Post Submission
WC30.25 Alternative Fee Arrangements (AFA's)

Bankruptcy (BK) Classification

BK10 Administration

Case administration, asset analysis or recovery, asset disposition, relief from Stay/Adequate proceedings, meetings and communications with creditors, fee/employment applications and objections, avoidance action analysis, assumption/rejection of leases and contracts, and other contested matters.

Processes within this Substantive Area:

BK10.10 Case Administration
BK10.15 Asset Analysis and Recovery
BK10.20 Asset Disposition
BK10.25 Relief from Stay or Adequate Protection Proceedings
BK10.30 Meetings of and Communication with Creditors
BK10.35 Fee or Employment Applications
BK10.40 Fee or Employment Objections
BK10.45 Avoidance Action Analysis
BK10.50 Assumption or Rejection of Leases and Contracts
BK10.55 Other Contested Matters
BK10.60 Non-Working Travel

BK15 Business Operations

Business operations, employee benefits/pensions, financing/cash collections, tax issues, real estate, and Board of Directors matters.

Processes within this Substantive Area:

BK15.10 Operations
BK15.15 Employee Benefits and Pensions
BK15.20 Financing and Cash Collections
BK15.25 Tax Issues
BK15.30 Real Estate
BK15.35 Board of Directors Matters



BK20 Claims Administration and Plan Disclosure

Claims administration and objections and Plan Disclosure Statement.

Processes within this Substantive Area:

- BK20.10 Claims Administration or Objections
- BK20.15 Plan Disclosure Statement (Incl. Business Plan)

BK25 Related Advice

The support of general bankruptcy advice/options; restructuring.

Processes within this Substantive Area:

- BK25.10 General Bankruptcy Advice/Opinions
- BK25.15 Restructuring

Other Practices (CN) (Counseling) Classification

CN10 Fact Gathering

Initial inquiries, meetings and instructions. Includes the identification and collection of information relevant to the assignment.

Processes within this Substantive Area:

- CN10.10 Informational Meetings
- CN10.15 Information Review

CN15 Research Law

Legal research tasks, including internal meetings and consultations with those with special expertise.

Processes within this Substantive Area:

- CN15.10 Consultations
- CN15.15 On-Line Research
- CN15.20 Other Legal Research



CN20 Analysis and Advice

The analysis of facts or research performed and communicating related opinions or advice to clients.

Processes within this Substantive Area:

CN20.10	Analysis
CN20.15	Advice

CN25 Third Party Communications

Communications with third parties not otherwise covered in this Substantive Area. Includes communications with regulators or parties to contracts with the client.

Processes within this Substantive Area:

CN25.10	Contract Party Communications
CN25.15	Regulatory Communications
CN25.20	Other Communications

Lobbying (Government Relations) (LB) Classification

LB10 Lobbying Administration

Administration and oversight of lobbying efforts and related support activities.

Processes within this Substantive Area:

To be developed.

LB15 Lobbying Strategy

Efforts to define and develop a plan to govern and direct lobbying efforts and related activities.

Processes within this Substantive Area:

To be developed.

LB20 Lobbying

Efforts to persuade members of the government to make decisions that would benefit a particular group or special interest.



Processes within this Substantive Area:

To be developed.

LB25 Lobbying Research

Efforts to monitor, research, and analyze legislation or regulatory proposals and attending congressional hearings and other public meetings.

Processes within this Substantive Area:

To be developed.

Questions?

For further information about the ALA UPBMS or the public comment process, please contact:
alaupbms@alanet.org.