

I discussed this subject in a recent meeting of the Southern California Region and the reaction of some members of the group was rather interesting. They felt that it was somehow unseemly for one's decisions to be so available without the arbitrator's knowledge. Perhaps some were thinking of the free BNA bound volumes that come with a published decision.

### Conclusion

There is no doubt that computers have made things dramatically different for arbitrators. However, there is no computerized Easy Arb and there can never be, because machines lack judgment—that priceless commodity which the members of the Academy are engaged to employ.

## III. WORD PROCESSING AS A TOOL OF THE ARBITRATOR'S TRADE

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This presentation could be aptly titled "You can teach an old dog new tricks." After initially resisting the rush to computers, I now find myself wondering how I did without one for so long. The decision to buy a Kaypro II was based on three considerations: cost, portability, and the accompanying software, particularly the word processing programs. The Kaypro II cost \$1,995 purchased in December, 1982. It now costs \$1,295. That model has been supplemented by two additional portable models. The Kaypro IV uses double-sided floppy, or flexible, disks instead of the single-sided disks used in the Kaypro II. The Kaypro 10 uses one 10 megabyte hard disk. The price includes the following software: M-basic, S-basic and C-basic; Wordstar and The Word Plus spelling checker for word processing; plus Mailmerge, Calcstar, and Microplan for filing, accounting, and spreadsheet work. Two additional programs, dBase II and Superterm, come with the Kaypro IV and 10. The software alone would be worth about \$2,000 if purchased separately. I have been using Perfect Writer, which was the word processing

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program which came with the Kaypro II when I purchased it, and have found it an excellent tool. Wordstar, the current word processing program which comes with all Kaypro models, also has an excellent reputation.

Since my wife and I both use the computer at home and I sometimes want it at the office, portability was critical. The 26 pound, self-contained machine is relatively easy to travel with, particularly with a luggage rack. The rigors of home-to-office travel have not caused problems with the computer.

I use a Smith-Corona TP1 printer, purchased for about \$700. It now sells for about \$550. This is a daisy-wheel, letter quality printer which prints in one direction at the rate of 12 characters-per-second. For about \$160 I later bought a track feeder to hold continuous feed paper in place so that I can leave the printer and not have the paper drift during the printing. The printer produces a product which looks as good as typed copy, but it is extremely slow. Therefore, I would not recommend it. The more sophisticated printers are more flexible and will produce a better looking product. With recent improvements, there are now dot matrix printers which provide an excellent correspondence quality product. These can be purchased for \$1,000 or less, are much faster than similarly priced daisy-wheel printers, and, depending on the make, may be programmed to print in many more configurations than daisy-wheel printers.

The decision whether to be an "atari arbitrator" obviously precedes the decision about what kind of equipment to buy. The more compatible your current work style is with the use of a computer, the easier it should be to make the transition. I have always worked from note cards on which my hearing notes are organized and a rough outline. All drafts were composed at the typewriter, not written by hand or dictated. The move from the typewriter keyboard to the computer keyboard was easy as I maintained a consistent work pattern. Work style may be an important consideration, since changing a long-standing work pattern and learning to use a computer at the same time might be more frustrating than helpful.

I believe the most important consideration when contemplating whether to use a computer is not the computer itself, but what you want to do with it. This can include word processing, maintaining case files and financial records, using statistical packages for academic research, playing word games, using graphics, and other possibilities. After deciding what the com-

puter will be used for, the second consideration is what software packages will best work for you. The final consideration is what computer will handle the software that you think is best.

I have grossly oversimplified the decision process. You will find a number of software packages that probably will be satisfactory and a number of different computers that might meet your needs. Find somebody knowledgeable in whom you have confidence and ask for their help and advice. There are some excellent people in the computer business, but do not assume that all sales people are knowledgeable or concerned with your best interests. This is a large investment, as you will probably spend a minimum of \$2,000 for the computer and printer, and it is easy to spend several thousand dollars more.

Using the Kaypro has been physically easier and faster than using an electric office typewriter. Lines automatically "wrap around," eliminating the need to use the equivalent of a typewriter carriage return except for skipping lines between paragraphs or before and after headings. When typing the draft, there is no need to worry about indenting, double spacing, underlining, or centering headings. These items will be taken care of with a set of format commands which govern the printing. When I first began, I would draft the award and then go back and put in the appropriate format commands. With practice and familiarity, I now enter the format commands as I go, saving additional time.

Corrections, additions, and deletions become far easier to make with the computer than with the typewriter. Even if errors are found in a printed draft, it is easy to make corrections in the computer, and then print another draft. The word processing program allows text to be inserted or deleted easily. When typing awards, I sometimes ignored the need to tighten loose phrases when substantial retyping would result. Now changes are entered in the computer and the computer and printer do the retyping. I make more changes than before and have improved my final product as a result. Even with the additional changes, I spend less time writing because it is faster on the computer.

Because changes are easier to make, I am more likely to draft fact situations and preliminary remarks shortly after the hearing and before receiving briefs. Whereas previously the need for revision might have resulted in considerable retyping, the addition of contract language, if suggested in a brief, or modification

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of a fact situation after reading a brief, takes minutes instead of possibly hours.

Three particularly useful aspects of word processing are worth special mention. With the aid of The Word Plus, the spelling checker, I have become much smarter. The spelling checker will identify misspelled words, show them in the sentences in which they were used, and will often show the correct spelling, which can be substituted simply by hitting a single key. It will not identify correctly spelled mistakes such as "to" rather than "too" or "grieved" rather than "grieving." It doesn't eliminate proofreading, but it does cut down on errors.

A program named Punctuation and Style suggests improvements in phraseology. The program does not come with the Kaypro and costs about \$100. One part of the program suggests alternative words to replace overly lengthy phrases or unnecessarily complex words. Instead of "at that time," the computer will suggest that you write "then." The program will also remind you that words such as "thus" or "while" are not always necessary. A second part of the program identifies possible mistakes in punctuation and spacing. Not all of the suggestions are worthwhile or correct. But, the program has helped to simplify and clarify awards and avoid sloppy writing habits. Lastly, as part of the Perfect Writer word processing package, it is possible to format a draft to have footnotes sequentially numbered in the text and printed at the bottom of the appropriate page, though no numbers are actually entered when the footnotes are originally typed. If you use footnotes, or would like to if you didn't have to worry about spacing, this is an attractive aspect of word processing.

Those of you thinking about, or now using, a computer may be interested in the truly portable computers—those small enough to fit into an attache case. Such computers would allow efficient use of airport, airplane, and hotel room time. Data put in the briefcase computer when on the road could then be fed into the larger machine at your home or office. I have not used a briefcase portable, but there are Academy members who are enthusiastic about them.

None of this is meant to suggest that computers are without problems. The learning process has been frustrating. The computer still does things which I do not understand and which can cause havoc. I have been reduced to "shop talk" on many occasions. Instructions sometimes seem to have been written for the

expert, not the novice. Most arbitrators might make poor computer specialists. But there are many writers of computer instructional manuals who, considering the lack of clarity in their manuals, would never be able to adequately convey the rationale behind an arbitration award. I have inadvertently hit the wrong key and erased text. I have been sabotaged by a bad spot on a floppy disk, though the problem did not appear when I first used the disk. And, for reasons that I still cannot discern, I have had a manuscript "eaten" by the computer, because it refused to acknowledge the paper's existence. An unwritten code of ethics requires me to warn you that a computer is a useful tool, not the promised land.

On balance, however, I have used the computer to advantage both as an arbitrator and an academician. My course outlines, lecture notes, and related teaching materials are all stored on floppy disks. Changes are easy to make and I am a hero to the departmental secretaries since I have reduced their work load. And, of course, I use the word processing packages to write journal articles and other manuscripts.

The bottom line is that I have improved the quality of my awards and reduced the time it takes to write them. I don't know if my repeat clients can tell the difference, and the new ones obviously cannot. Yet, they are getting more for their money—a rare occurrence these days. The computer and printer, which, of course, are deductible business expenses, were well worth the cost.

#### IV. HOW I PICKED MY WORD PROCESSOR—AND WHY

ALEXANDER MACMILLAN\*

If you are here today, and you don't already have a word processor or personal computer, I assume you're more or less convinced it would be a worthwhile investment (particularly now that the I.R.S. will split the cost with you), but are wondering which machine, at what price, makes sense in your case.

First of all, let there be no mistake: no self-employed writer should be without a word processor. As they used to say about Packards, "just ask the man who owns one!" Nevertheless, there

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