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Evaluating Preferences For Online Legal Research Tools

May 8, 2008



Lieberman Research Worldwide
1900 Avenue of the Stars LA, CA 90067
310.553.0550p 310.553.4607f
www.lrwonline.com

OBJECTIVE OF STUDY

1. LRW was retained by Thomson West to conduct a survey with litigators who perform legal research online for use in litigation case evaluation, investigation and trial preparation.
2. The purpose of this survey was to determine via reliable, valid, and unbiased research which legal information service is preferred by litigation attorneys.

METHOD

Who Was Interviewed

3. This survey was based on computer-aided online interviews conducted with 275 people who qualified to participate out of the 583 people who were screened. All participants were targeted as those identified as attorneys by the panel company E*Rewards.
4. The email invites were sent to a random stratified cross-section of the panel. Data representing the composition of the litigator market was unascertainable; however, data that represents the general legal market was found from the American Bar Association (ABA): attached as Exhibit A. The survey invitations were emailed in such a manner as to increase the likelihood that the distribution of the completed interviews would approximate the composition of the general legal market (ABA).
5. All participants were screened on the bases that they self-identified as litigators and that they personally perform online legal research for use in litigation case evaluation, investigation and trial preparation.
6. About three-quarters (73%) of the interviews were conducted with men and about one-quarter (27%) were conducted with women. Three percent of the respondents were 29 years old or less, 17% were 30-34 years old, 17% were 35-39 years old, 12% were 40-44 years old, 27% were 45-54 years old, and 24% were 55 years old or older.
7. Sixty-nine percent of the respondents worked for a law firm, 20% practiced law for the government, and the remaining 11% worked for a business, corporation or other source.

1 Of the 69% of respondents who work for a law firm, 38% were the only lawyer with their
2 firm, 28% worked for a firm of 2-5 lawyers, 14% worked for a firm of 6-20 lawyers, and
3 20% of respondents worked for a firm of 21 or more lawyers.

4 5 **Weighting**

- 6 8. The data was weighted to compensate for minor compositional distribution differences with
7 the overall attorney population (ABA). The ABA demographics used for weighting are
8 attached as Exhibit A.

9 10 **How Interviewing Was Done**

- 11 9. The study was conducted online among a random stratified sample based on the ABA
12 attorney population. The sample consisted of E*Rewards panel members identified as
13 attorneys. The interviewing for this survey was conducted from March 31, 2008 through
14 April 16, 2008.
- 15 10. The interviewing field instructions were prepared by the Lieberman Research Worldwide
16 Field Department, Los Angeles, CA. LRW's online data collection partner, E*Rewards,
17 was personally briefed by Lieberman Research Worldwide. A sample plan was set up by
18 LRW to determine and monitor how many invites and reminder emails were to be sent.
19 The sample plan was designed to reduce non-response bias and to distribute the data
20 collection process over a course of approximately two weeks. A copy of the sample plan
21 is contained in the attached Exhibit B.
- 22 11. Double-blind procedures were used; that is, neither the panel partners, nor the
23 respondents, were informed of the objectives of the study, nor did they know who
24 sponsored the study. A copy of the interviewing field instructions used in this survey is
25 contained in the attached Exhibit C.

1 **Screening Questionnaire**

- 2 12. In order to determine whether respondents were eligible for inclusion in this investigation,
3 the following questions were asked:
- 4 13. The respondents were asked in what industry they worked. If they did not work in the
5 “attorney/legal services” industry, the interview was terminated.
- 6 14. The respondents were then asked their legal title. If they were any title other than
7 “attorney,” the interview was terminated.
- 8 15. The respondents were asked if they identified themselves as litigators. If they were not
9 identified as litigators, the interview was terminated.
- 10 16. The respondents were asked if they perform online legal research for use in litigation case
11 evaluation, investigation, and trial preparation. If they did not use online tools to perform
12 such tasks, the interview was terminated.
- 13 17. The sex and age of respondent were ascertained.
- 14 18. The respondents’ place of employment was ascertained. If a respondent worked for a law
15 firm, the firm size was also established.
- 16 19. Thus, the respondents interviewed consisted of male and female litigators, who personally
17 performed online legal research for use in litigation case evaluation, investigation, and trial
18 preparation.

19
20 **Main Questionnaire**

- 21
- 22 20. In order to determine which legal information service is preferred by litigation attorneys for
23 case evaluation, investigation and trial preparation, the questions below were asked.
- 24 21. The respondents were asked to share their opinions regarding their
25 preferences when doing online legal research. They were first asked, “Overall, which of
26 the following do you prefer to use when doing online legal research” to determine which
27 online tool was preferred on the whole. They were shown five online legal services in

1 random order: Casemaker, LexisNexis, Loislaw, VersusLaw and Westlaw. The final two
2 options were “Other” and “I have no preference” and were not shown in random order.
3 These two options appeared at the bottom of the online legal services list.

4 22. Respondents were subsequently asked “Which of the following do you prefer to use when
5 doing online legal research **specifically for...**” and were asked individually for the
6 following legal content categories, also shown in random order: Administrative Law,
7 Appellate Case Law, Citators, Secondary Sources, Statutory and Trial Court Documents.
8 For each legal category, respondents were shown the same five online legal services in
9 the same order as shown in the overall preference question: Casemaker, LexisNexis,
10 Loislaw, VersusLaw and Westlaw. The final two options were “Other” and “I have no
11 preference” and were not shown in random order. These two options appeared at the
12 bottom of the online legal services list.

13 Quality Assurance

14 23. To verify the efficacy of the survey program, extensive testing of the program was
15 conducted by LRW. The program was tested for flaws in logic, skip patterns and
16 randomness. The program passed these tests.

17 24. A data scan was then produced from the initial interviews to confirm the program and data
18 collection were correct. The responses were checked line by line to validate the logic and
19 skip patterns.
20

21 Data Entry

22 25. In order to ensure that the data was properly entered, interviewees were required to
23 confirm their answers by re-viewing their answers on a summary screen at the end of the
24 survey. If the answers were not inputted correctly, the interviewee was re-asked the
25 question in order to verify that both the answer and the answer entered for confirmation
26 matched. Once answers were confirmed correct, either initial responses or re-inputted
27

1 responses, the respondent provided an electronic signature with their initials and the date.

2 3 **Statistical Significance Testing**

4 26. Statistical significance testing at a 90% (the standard used in most marketing research)
5 and a 95% confidence level was conducted to confirm that the differences in preference
6 are unlikely to be a random artifact of the sample. The approach used looks at the base of
7 respondents who prefer Westlaw over each alternative source. It calculates the proportion
8 of these respondents that prefer Westlaw and uses a z-test to determine whether this
9 proportion is larger than 50%, which indicates a significant preference for Westlaw. A one-
10 tail test was used (Westlaw prefer > 50%) to test the hypothesis that Westlaw is preferred
11 over the alternatives.

12 27. Statistical differences in the detailed findings section of this report are represented as
13 follows: a “ α ” symbol represents a 90% statistical significance for Westlaw over alternative
14 sources and a “ β ” represents a 95% statistical significance for Westlaw over alternative
15 sources.

16 17 **Vendors**

18 28. Interviewing Services of America (ISA) programmed the survey for online administration.

19 29. E*Rewards was responsible for providing the attorney sample, as well as contacting the
20 respondents via email invitation. E*Rewards was also the host of the online survey.

21 30. The Laurus Group provided data tabulations and a data file in the format of SPSS. They
22 received tabulation instructions attached as Exhibit D.

1 **SUMMARY AND CONCLUSIONS**

2 **Survey Findings**

3 31. The survey findings indicate that there is a significant preference overall for Westlaw over
4 any other source whether weighted or unweighted data is used.

5 32. Westlaw is significantly preferred over all the alternative sources overall and for all of the
6 following applications: Administrative Law, Appellate Case Law, Citators, Secondary
7 Sources, Statutory and Trial Court Documents.

8 33. The data supporting these findings are summarized below. The complete tabulations from
9 the survey are attached as Exhibit E.

10
11 **Detailed responses to each question are listed below.**

12
13 **DETAILED FINDINGS**

14 **The percent of respondents preferring each source overall for online legal**
15 **research:**

	<u>Unweighted</u>	<u>Weighted</u>
16 Westlaw:	52%	51%
17 LexisNexis:	23% α β	24% α β
18 Casemaker	6% α β	7% α β
19 VersusLaw:	1% α β	1% α β
20 Loislaw:	1% α β	<1% α β
21 Other legal service:	7% α β	7% α β
22 No preference:	10%	10%

23
24 Westlaw is significantly preferred over each alternative source regardless of whether
25 unweighted or weighted distributions are used.

1 The percent of respondents preferring each source specifically for Administrative Law
2 when conducting online legal research:

	<u>Unweighted</u>	<u>Weighted</u>
3 Westlaw:	34%	34%
4 LexisNexis:	15% α β	15% α β
5 Casemaker	3% α β	3% α β
6 Loislaw:	1% α β	<1% α β
7 VersusLaw:	1% α β	<1% α β
8 Other legal service:	5% α β	5% α β
9 No preference:	41%	42%

10
11 Westlaw is significantly preferred over each alternative source regardless of whether
12 unweighted or weighted distributions are used.

13
14 The percent of respondents preferring each source specifically for Appellate Case Law
15 when conducting online legal research:

	<u>Unweighted</u>	<u>Weighted</u>
16 Westlaw:	51%	50%
17 LexisNexis:	22% α β	22% α β
18 Casemaker	5% α β	6% α β
19 VersusLaw:	1% α β	1% α β
20 Loislaw:	<1% α β	<1% α β
21 Other legal service:	6% α β	7% α β
22 No preference:	15%	14%

23
24 Westlaw is significantly preferred over each alternative source regardless of whether
25 unweighted or weighted distributions are used.

The percent of respondents preferring each source specifically for Citators when conducting online legal research:

	<u>Unweighted</u>	<u>Weighted</u>
Westlaw:	47%	46%
LexisNexis:	23% α β	23% α β
Casemaker	4% α β	4% α β
VersusLaw:	1% α β	1% α β
Loislaw:	0% α β	0% α β
Other legal service:	4% α β	5% α β
No preference:	22%	22%

Westlaw is significantly preferred over each alternative source regardless of whether unweighted or weighted distributions are used.

The percent of respondents preferring each source specifically for Secondary Sources when conducting online legal research:

	<u>Unweighted</u>	<u>Weighted</u>
Westlaw:	43%	43%
LexisNexis:	22% α β	22% α β
Casemaker	4% α β	5% α β
VersusLaw:	1% α β	<1% α β
Loislaw:	<1% α β	<1% α β
Other legal service:	7% α β	8% α β
No preference:	22%	22%

Westlaw is significantly preferred over each alternative source regardless of whether unweighted or weighted distributions are used.

1 The percent of respondents preferring each source specifically for Statutory when
2 conducting online legal research:

	<u>Unweighted</u>	<u>Weighted</u>
3		
4 Westlaw:	45%	44%
5 LexisNexis:	17% α β	17% α β
6 Casemaker	9% α β	10% α β
7 Loislaw:	1% α β	<1% α β
8 VersusLaw:	<1% α β	<1% α β
9 Other legal service:	14% α β	17% α β
10 No preference:	13%	13%

11 Westlaw is significantly preferred over each alternative source regardless of whether
12 unweighted or weighted distributions are used.

13
14 The percent of respondents preferring each source specifically for Trial Court
15 Documents when conducting online legal research:

	<u>Unweighted</u>	<u>Weighted</u>
16		
17 Westlaw:	32%	32%
18 LexisNexis:	21% α β	20% α β
19 Casemaker	2% α β	3% α β
20 Loislaw:	<1% α β	<1% α β
21 VersusLaw:	<1% α β	<1% α β
22 Other legal service:	13% α β	14% α β
23 No preference:	31%	31%

24 Westlaw is significantly preferred over each alternative source regardless of whether
25 unweighted or weighted distributions are used.

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Demographics

<u>Age</u>	<u>Unwtd</u>	<u>Wtd</u>
Less than 35 years old	20%	19%
35-44 years old	29%	29%
45+ years old	51%	52%

<u>Gender</u>	<u>Unwtd</u>	<u>Wtd</u>
Male	73%	73%
Female	27%	27%

<u>Place of Employment</u>	<u>Unwtd</u>	<u>Wtd</u>
Law Firm	69%	74%
Government	20%	12%
Business / corporation/ other	11%	14%

<u>Number of Lawyers at Law Firm</u>	<u>Unwtd</u>	<u>Wtd</u>
<i>(Among those who work for a law firm)</i>		
One lawyer	38%	47%
2-5 lawyers	28%	15%
6-20 lawyers	14%	14%
21+ lawyers	20%	24%

Exhibit A

ABA Demographic Data

LAWYER DEMOGRAPHICS

Number of Licensed Lawyers - 2006: 1,116,967

Source: ABA Market Research Department, 6/2006

<u>Gender</u>	<u>1980</u>	<u>1991</u>	<u>2000</u>
Male	92%	80%	73%
Female	8%	20%	27%

Sources: *The Lawyer Statistical Report*, American Bar Foundation, 1985, 1994, 2004 editions

<u>Age</u>	<u>1980</u>	<u>1991</u>	<u>2000</u>
29 yrs. or less	15%	10%	7%
30-34	21%	16%	12%
35-39	15%	18%	14%
40-44	9%	18%	15%
45-54	16%	18%	28%
55-64	12%	10%	13%
65+	13%	10%	12%
Median age	39	41	45

Sources: *The Lawyer Statistical Report*, American Bar Foundation, 1985, 1994, 2004 editions

<u>Race/Ethnicity</u>	<u>1990*</u>	<u>2000*</u>
White, not Hispanic	92.6%	88.8%
Black, not Hispanic	3.3%	4.2%
Hispanic	2.5%	3.4%
Asian Pacific American, not Hispanic		
Hispanic	1.4%	2.2%
American Indian, not Hispanic	0.2%	0.2%
Native Hawaiian or Pacific Islander, not Hispanic	--	0.04%
2+ races	--	1.20%

*Source: 1990, 2000 U.S. Census, Bureau of the Census

NOTE: U.S. Census considers Hispanic an ethnicity, not a race. Persons of Hispanic origin can be of any race.

Law Students

<u>Academic Year</u>	<u>1995-96</u>	<u>1999-2000</u>	<u>2003-04</u>
Total JD enrollment	129,397	125,184	137,676
Gender			
Male	56%	53%	51%
Female	44%	47%	49%
Minority enrollment	19.7%	20.2%	20.6%

Source: ABA Section of Legal Education & Admissions to the Bar

<http://www.abanet.org/legaled/statistics/stats.html>

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Practice Setting

<i>% of lawyers in...</i>	<u>1980</u>	<u>1991</u>	<u>2000</u>
Private Practice	68%	73%	74%
Government	9%	8%	8%
Private Industry	10%	9%	8%
Retired/Inactive	5%	5%	5%
Judiciary	4%	3%	3%
Education	1%	1%	1%
Legal Aid/Public Defender	2%	1%	1%
Private Association	1%	1%	1%

Sources: *The Lawyer Statistical Report*, American Bar Foundation, 1985,1994, 2004 editions

Private Practitioners

<i>% of private practitioners...</i>	<u>1980</u>	<u>1991</u>	<u>2000</u>
Solo	49%	45%	48%
2 – 5 lawyers	22%	15%	15%
6 – 10 lawyers	9%	7%	7%
11-20 lawyers			
21 – 50 lawyers	6%	8%	6%
51 – 100 lawyers	7%	5%	4%
101 + lawyers	*	13%	14%

Sources: *The Lawyer Statistical Report*, American Bar Foundation, 1985, 1994, 2004 editions

* Largest firm size for 1980 data was 51+ lawyers.

Law Firm Size

<i>% of law firms with...</i>	<u>1980</u>	<u>1991</u>	<u>2000</u>
2 – 5 lawyers	81%	75%	76%
6 – 10 lawyers	12%	13%	13%
11-20 lawyers	4%	7%	6%
21 – 50 lawyers	2%	3%	3%
51 – 100 lawyers	1%	1%	1%
101 + lawyers	*	1%	1%
Total # firms	38,482	42,513	47,563

Sources: *The Lawyer Statistical Report*, American Bar Foundation, 1985, 1994, 2004 editions

* Largest firm size for 1980 data was 51+ lawyers.

Note: Numbers may not add to 100 due to rounding. Compiled by the ABA Market Research Department.

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	SAMPLE - Unweighted	ABA #'s (2000)	SAMPLE - Weighted
<u>Gender</u>			
Male	73%	73%	73%
Female	27%	27%	27%
<u>Age</u>			
29 -34	20%	19%	19%
35-44	29%	29%	29%
45+	51%	52%	52%
<u>Place of Employment</u>			
Business or corporation/ Other	11%	14%	14%
Government	20%	12%	12%
Law firm	69%	74%	74%
<u>Firm Size</u>			
One Lawyer	38%	48%	47%
2-5	28%	15%	15%
6-20	14%	13%	14%
21+	20%	24%	24%

Exhibit B

Sample Plan

Lawyer Study 185-080255

Sampling Plan / Sampling Management

47% qualification rate, 17% response

Targeting Criteria: attorneys

	Date	FRESH # of invites	Reminders	Completes		
				Daily	Reminder	Total
1st WEEK						
Day #1	31-Mar	300	No	21	0	21
Day #2	1-Apr	800	No	55	0	55
Day #3	2-Apr	200	No	14	0	14
Day #4	3-Apr	200	No	14	0	14
Day #5	4-Apr	200	#1R 29	14	3	17
Day #6	5-Apr	200	#2R 62	14	3	17
Day #7	6-Apr	0	#3R 13	0	3	3
2nd WEEK						
Day #8	7-Apr	400	#4R 29	28	3	31
Day #9	8-Apr	285	#5R 21	20	3	23
Day #10	9-Apr	400	#6R 18	28	3	31
Day #11	10-Apr	300		20	0	20
Day #12	11-Apr	0	#8R 26	0	3	3
Day #13	12-Apr	0	#9R 13	0	3	3
Day #14	13-Apr	0	#10R 41	0	3	3
3rd WEEK						
Day #15	14-Apr	100	#11R 9	7	3	10
Day #16	15-Apr	100		7	0	7
Day #17	16-Apr	100		7	0	7
TOTAL		3585	261	248	30	278

Current Quota Target Assumptions

Available Attorney Sample: 19826

Fresh Sample: 17% response rate, 47% qualifying rate

Reminders: 3% response rate, 47% qualifying rate

Drop off Rate: 15% after panel member clicks

Goal 275

*Sample Target: Attorneys / Lawyers

**R=Reminders will be sent out 4 days after the first initial invite.

***Based on sample management practices, the amount of sample reminders that are sent to respondents will vary daily.

Respondents are contacted on a limited basis to maximize response rates and help prevent non response bias.

Actuals	# Sent	Completes
Lawyer invites	3585	252
reminders	261	23

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Exhibit C

LIEBERMAN RESEARCH WORLDWIDE, INC.

1900 Avenue of the Stars

Los Angeles, CA 90067 USA

(310) 553-0550

(310) 553-4607 FAX

To: Supervisor

From: Jo Ancheta

Re: Legal Claims Study - LRW #185-080255

Date: March 2008

STUDY OVERVIEW

This is a nationally representative research study of litigation attorneys in assessing which online legal information service is preferred.

PROGRAMMING & HOSTING

All programming and hosting services will be handled by ISA. The contacts are:

Dan Parcon - dparcon@isacorp.com

Dianna Rose - DRose@isacorp.com

1 **SAMPLE**

2
3 All respondents will be generated from E-Rewards online panel in the US. Invites will be
4 sent out to target attorneys/lawyers.

5 E-Rewards Contacts are:

6 Simon Groner - SGroner@e-rewards.com

7 Brooke Wagner - bwagner@e-rewards.com

8 Gaurav Sawhney - gsawhney@e-rewards.com

9
10 **THE SCHEDULE**

11 Following is a detailed schedule:

<u>ACTIVITY</u>	<u>DATES</u>
Field soft launch	Monday, March 31, 2008
Data Scan	Tuesday, April 1, 2008 AM
Field FULL LAUNCH	Tuesday, April 1, 2008 PM
1 st Partial data dump	Friday, April 4, 2008
End Interviewing	Wednesday, April 16, 2008
Final data dump	Wednesday, April 16, 2008

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23 **DATA TRANSMISSIONS**

24 Data deliveries must be made to both Jo Ancheta and Nicholas Christiansen.

25
26 **PROGRESS REPORTS**

27 The daily progress report should include the cumulative counts of all completes, as well
28 as, cumulative counts of all terminations. Please format the online report link to match

1 the progress report sent to you.

2 **RESPONDENT QUALIFICATIONS**

- 3
- 4 • Must select attorney/legal services at Q.A
 - 5 • Must select attorney at Q.B
 - 6 • Must be a self-identified litigator at Q.C
 - 7 • Personally perform legal research online for use in litigation case evaluation, investigation and trial preparation at Q.D

7 **QUOTAS**

8 The overall total quota is n=275.

10 **CONTACT NAMES/NUMBERS**

11 Here are the critical contact names and phone numbers for this study:

12 Jo Ancheta (310) 557-7942

13 Cris Sunada (310) 557-7902

14 Nicholas Christiansen (310) 552-7754

1 **Form to sign prior to going into field**

2 **Before starting data collection, we need to have the Agreement Section below.**

3
4 **AGREEMENT SECTION**

5
6 Thank you for your willingness to help LRW with this important market research
7 study.

8
9 **By signing this page you agree that you have read and fully understand the**
10 **instructions stated in the Supervisor Instructions and that you agree to fulfill the work**
11 **as specified in these instructions. If the instructions are not fulfilled as specified,**
12 **payment will be adjusted according to the previously agreed pricing. Any changes**
13 **to these instructions will be sent to you in writing and will supersede these**
14 **instructions.**

15
16 We look forward to working with you on this study. Please sign this agreement
17 section and return it to LRW.

18
19 Company Name: _____

20
21 Company Representative: _____ Date: _____

22
23 To LRW, Attn: _____

24
25 email: _____ or Fax to 310-553-7775

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Exhibit D

Data Tabulation Specs

			Table Title		Base Format		Punch		Ranking		Notes/Special Requests
Table #	Q#	# of Tables	Table Title	Base Description (Location And Label)	TR	ThR	SP	MP	Desc %	Q're	
1	A	1	Industry	Total Respondents	x		x			x	
2	B	1	Title	Total Respondents	x		x			x	
3	C	1	Litigator	Total Respondents	x		x			x	
4	D	1	Perform Online Legal Research	Total Respondents	x		x			x	
5	E	1	Gender	Total Respondents	x		x			x	
6	F	1	Age	Total Respondents	x		x			x	
7	F	1	Age	Among Those Responding		x	x			x	Do not include those answering "prefer not to answer" in base or as a stub
8	G	1	Place Of Employment	Total Respondents	x		x			x	
9	H	1	Number Of Lawyers At Firm	Among Those Who Work For A Law Firm (Those Answering "Law Firm" in Q.G)		x	x			x	
10	1	1	Overall Preference	Total Respondents	x		x		x		
11	1	1	Overall Preference	Among Those With A Preference		x	x		x		Do not include those answering "I have not preference" in base or as a stub
12-17	2	6	Preference For [INSERT LEGAL CATEGORY]	Total Respondents	x		x		x		
18-23	2	6	Preference For [INSERT LEGAL CATEGORY]	Among Those With A Preference		x	x		x		Do not include those answering "I have not preference" in base or as a stub

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Exhibit E

CROSS-TABULATED DATA (UNWEIGHTED)

Under Separate Cover

CROSS-TABULATED DATA (WEIGHTED)

Under Separate Cover