

WEST CASE NOTEBOOK CASE STUDY GRODSKY & OLECKI

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ORGANIZE AND MOBILIZE

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Michael Olecki is a partner at Grodsky & Olecki LLP, a small Santa Monica firm that takes pride in its sharp and exceedingly thorough analysis of every case it handles. In Michael's words: *"If the partner on the case is not in there looking at documents, or not drafting and answering interrogatories – they're detached from the case. And we do our best thinking when we're involved in the case."*

Michael's practice focuses solely on litigation. The firm's emphasis is on trade secrets and unfair competition, and intellectual property and entertainment cases.

For a practice like Michael's, the big challenges are about managing information and time intelligently. The firm works collaboratively; almost every case it handles is tried by a pair of attorneys. How can legal assistants, associates and partners work well together without creating redundant files? How can they thoroughly review case documents without spending hours sorting through boxes full of paper, searching for a single page of a deposition?

To conquer the challenges associated with managing case files and information, Grodsky & Olecki purchased West Case Notebook,[®] a case analysis tool. This software is saving the firm thousands of dollars a month by making it easier for Michael and his colleagues to access case information and share their ideas.

SMART, CLEAN COLLABORATION

Day-to-Day

Like most firms that work collaboratively, attorneys at Grodsky & Olecki would often make duplicates of the same document. Keeping multiple copies made sharing information laborious. Michael recounts the process: *"I'd*

look at a copy of a document and say, 'That's a great document.' Then I'd make a photocopy of it. Then I'd take a highlighter and I would highlight the things that are really interesting. And then in my chicken-scratch writing I would make some notes. Now, that's my copy; I don't put it in a central file. I might put it in a notebook. I might put it in a witness file, but it's mine. And probably no one's going to look at it, unless it's one of ten key documents in the case." And even when his colleagues did cart the case file to their desks for review, they'd often return to Michael's office to say, *"Well, I can't read what you wrote here."*

Paper files also made for an overwhelming number of redundancies: a document that's important for several reasons could be photocopied and filed many times over. *"Maybe you put it in the jurisdiction folder, or maybe you put it in the witness folder. Maybe you put it in the Hot Docs folder, or maybe you put it in all three."* Michael explains that filing one document in several places created a host of problems. *"The secretary hates you because you're causing extra work. The environment hates you because you are killing three times as many trees. And, your fingers hate you because you are getting paper cuts as you are going through it each time."*

Now that they have moved to West Case Notebook, the file stays clean and all the important documents are in one place. Michael simply asks his colleagues to review the top 30, 40, or 50 documents in any given case. *"All they have to do is sit at their desk and open up one file, and just browse through it. And I don't have to sit down with them and walk them through document-by-document explaining what my writing means ... Now when they do a witness outline, they're totally up to speed."*

Motion Practice

The accessibility of electronically annotated files has made it easier for Michael's firm to respond to an opponent's arguments. For example, if the attorneys on the other side serve a motion that refers to several specific documents, Michael and his colleagues have immediate access to those documents in Case Notebook. *"They are in our system. They've got my notes. They've got my associate's notes. And as we prepare our opposition to the motion, we go back and review those ... It's helping each of us make our ideas better and our investigation better."*

At Trial

Grodsky & Olecki usually tries cases in teams of two, which allows for teamwork in realtime. Michael describes a civil rights case that he recently tried, working with two lawyers from another firm. As one of the other attorneys conducted his cross-examination, the witness testified about an issue worth exploring. Michael remembers, *"We hadn't prepared on that point; it wasn't in our outlines ... but it was a propitious moment."* He knew that the crucial issue was mentioned somewhere in the case file, so he punched the keywords into Case Notebook. Immediately, Michael found exactly the section of the deposition transcript that contained the reference he remembered. He discreetly shared the information with the other attorney, who was still in the midst of his examination. *"I opened the depo transcript and I handed that to him with a note that pointed him to the impeaching testimony."*

With the new information in hand, the attorney was able to continue his line of questioning without calling for a recess or interrupting the examination. *"He's asking a question, he gets an answer, he glances at that and he goes with it ... seamless."* Without instant access to case documents, Michael says the maneuver would have been impossible: *"There's just no way."*

FASTER SEARCHES SAVE TIME AND MONEY

Streamlining the Search

Working with volumes of paper files in a case makes it difficult to retrieve any given document quickly. *"Almost invariably when you put something in a folder, you name that folder whatever you want to call it at that moment."*

Six months later you are going through 10, 12, 17 handwritten or typewritten labeled folders to find it again ... so, by the time you are ready for trial, you're on your ninth generation of copying, you've redrafted a document fifteen times. And there's a lot of time spent looking for the thing – you can't remember exactly what folder it was in – and when you find it, you find the copy that was written on by somebody. It's just always an ugly little mess."

Because of the paper system they used, a frustrating amount of Michael's time was consumed simply looking in the paper file: *"Sometimes somebody else has taken the file and it's buried under stuff on their desk. Well, I'm in the office on a Saturday ... I need the complaint. Where's the complaint? It's in the file. Where's the file? It's not in the file folder. I make a phone call and I don't reach somebody, I leave a voicemail. You dedicate an hour and fifteen minutes to finding something. It's horrible."*

Michael found that importing and locating documents into Case Notebook is easier than what the firm was doing before. Because Case Notebook utilizes Optical Character Recognition technology (OCR), all documents imported into Case Notebook, even scanned documents, are fully searchable. *"Before Case Notebook," Michael said, "we'd have to go that one extra step of OCR'ing the document after import. In Case Notebook, it's automatically OCR'ed."*

Because the OCR functionality in Case Notebook can be completed on import or at a more convenient time, the firm usually chooses to run the OCR function overnight.

The next morning *"you just search for keywords – like promissory note – and you'll get 37 hits."* All the key documents are searchable, including transcripts, documents, research, and pleadings. A user's notes are searchable, too. Michael is able to click through each reference and find exactly what he's looking for, fast. *"You are saving money for your client, you are saving money for your firm, and you are making it less aggravating for everybody."*

An Office without Borders

Searching for documents and information when working outside of the office was also a challenge before Case Notebook. *"My wife and I own a ranch about three hours*

outside of L.A. and I do a lot of work from outside the office. When I don't have client meetings or depositions or trials, I'm likely to be found there for a stretch of 7 to 10 or 12 days." In the past, when Michael was away from the office, he could only access the documents that his firm created in-house. "I almost never had the digitized versions of file documents – the ones that have the actual proofs-of-service." The incomplete library of documents at his disposal made for an inefficient workflow: "I'd be calling my assistant and saying, 'Can you email me this? Can you email me that? Can you do this, can you do that?' This interfered with her day. And when she's not there, or the office is closed, I'd be frustrated."

Case Notebook users can access their key documents from anywhere, at any time. Michael says, "It made my ability to work outside the office a lot smoother, a lot easier. Now, I've got everything readily accessible." With Case Notebook, Michael reports, "I'm a lot more self-sufficient."

THE BOTTOM LINE

Inefficient searching could also introduce billing concerns. Paper documents may be located in different places, and it can take some time to find the document you need. "Could you bill the client for that? In most instances I wouldn't, because I don't think that's fair to do." Michael estimates for each incident that he doesn't have to spend time tracking down files, "for me and my firm personally, it saves us \$500." And these kinds of things happen frequently in small firms.

Michael acknowledges that law firms like his have to be especially careful about the products to which they commit their budget. "Whenever a small firm makes a decision to invest in some kind of software product, there's obviously an expense issue." Case Notebook, however, has more than paid for itself. "It wouldn't surprise me if after six months of using it we've saved \$10,000, \$15,000 worth of time ... let's put it this way, the savings have paid for the product – easily. We can look back and say, 'Boy, that was an easy, smart decision to make.'"



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