

WEST CASE NOTEBOOK CASE STUDY

Forman & Cardonsky

AFFORDS ATTORNEY MORE TIME TO FOCUS ON QUALITY
OF HIS WORK PRODUCT

Forman & Cardonsky

AFFORDS ATTORNEY MORE TIME TO FOCUS ON QUALITY OF HIS WORK PRODUCT

"It can be quite daunting to be surrounded by stacks of paper a couple of feet high as you stare at them and think, 'What have I missed?'" said Mark Lawrence, an associate with Forman & Cardonsky, a small law firm in Elizabeth, New Jersey. The firm, which primarily represents plaintiffs in personal injury, employment discrimination, and civil rights violation claims, is very driven to deliver results for its clients.

Many attorneys like Lawrence ask themselves, *"What have I missed?"* when faced with time constraints, staff limitations, and volumes of case documents, testimony, and other information.

INFORMATION OVERLOAD

When Lawrence had to maintain his paper files, it required photocopying, scanning, filing, and annotating hundreds of relevant documents.

Because of the uncertainty involved when working with so many key documents, Lawrence often would feel compelled to *"go through it all one more time."* And, as the sole attorney on a case with limited support staff, Lawrence found time to be a precious commodity. He believes when less time can be spent sifting through boxes of documents, more time can be invested in working his case. *"If I save time searching for documents, I am able to use that time to research more thoroughly and explore more avenues for developing winning arguments,"* commented Lawrence.

Earlier this year, while working a big case, Lawrence was dismayed by how much of his time was consumed navigating Bankers' Boxes full of documents. *"I had a big brief to write, and I sat down surrounded by piles of deposition transcripts and printed cases. I spent half my time flipping through the depositions trying to find something I knew was in there somewhere."*

To prepare for the trial, which included a particularly large number of depositions, Lawrence first tried a program designed to search across multiple files.

"It was described as some kind of product that would allow you to take your deposition transcripts and cut parts of them out, with references to the transcripts. They were advertising it as a tool for preparing for a trial by just cutting and pasting deposition transcripts," explained Lawrence. However, the program fell short of meeting his needs. *"It wasn't compatible with anything. And it would only search one word; it didn't allow Boolean type stuff,"* said Lawrence.

SOLVING THE PROBLEM

What Lawrence needed was the ability to search through all of the case documents and his notes quickly. Lawrence found the solution to his problem when he learned about West Case Notebook.[®]

Lawrence met with Stephanie, his West law firm consultant. *"I asked her, 'Can it do that?' And as she explained more of the features, I became more interested – mostly in the searchability of everything."*

Forman & Cardonsky decided to purchase Case Notebook, and it has since changed the way that Lawrence spends his time. The hours he used to lose while sorting through documents are now devoted to researching his cases more thoroughly and fortifying his arguments.

IMPROVING THE WAY HE WORKS

Case Notebook has become an integral part of Lawrence's practice. *"I use it every time I do any significant research ... I use it every day. I use it in every federal case because in federal court everything has to be electronically filed. I don't even bother printing it out now because it goes right into Case Notebook."*

EASE OF USE

West provides installation, training, and ongoing support as part of their package, but Lawrence hasn't yet needed to take advantage of these services. So far, the product has been intuitive. Even without speaking to West trainers, he was using Case Notebook less than

two hours after installing it. *“It was like a new toy – I didn’t wait for them to help me.”*

Lawrence asked his firm’s IT technician to install Case Notebook on the server. *“But installing it on my own computer was no problem at all. I downloaded and dived right in to using it. I think I downloaded the manual, but I probably never read it. It didn’t take me long to click on every menu button to see what they do. Easy.”*

FASTER SEARCHES

Lawrence can now search every case document with a few keystrokes. He estimates that the time it took him to write a brief has been *“cut in half.”*

The Case Notebook search function allows him to find and sort information using a remembered word or phrase. *“If in the back of your head you know a judge’s opinion has used a particular nifty term or phrase, and you can only remember one of the words ... you can punch it in and find it – out of 100 cases.”*

The search function also allows him to sort information associated with a specific issue. This proves particularly useful when preparing his own documents. *“I’ll go through ten depositions and mark everything that supports an inference in a particular color. And then as I do my statement of facts, I just have all the facts lined up – it’s just a matter of cutting and pasting and paraphrasing. I spend the extra time I have just doing extra research and trying to refine it.”*

BETTER RESEARCH

When researching, Lawrence says that every case he studies might point him in a new direction. Each case is a new lead to follow. But in the past, printing cases required immediate notation. Before pulling a case from Westlaw,[®] he’d ask himself, *“Am I going to print this out and add it to the pile and not remember why I printed it out in the first place – unless I sit down and make notes?”* The necessary note taking prevented him from *“following the ideas”* effectively, deadening the momentum of his research. And, if he didn’t contextualize his notes, he found himself reading the entire case again.

Case Notebook allows Lawrence to gather information quickly, without stopping to mark up the document. The highlighting function allows him to indicate areas of interest. *“I can just download it into Case Notebook into the appropriate place and know that if it’s one of the cases I remember later – or that really does speak to that issue – it’s going to be there.”*

REDUCED ANXIETY

In the past, creating a thorough document might mean *“flipping through pages to make sure there wasn’t a highlighted section I hadn’t remembered to include or something like that.”* To locate highlighted sections in Case Notebook, Lawrence says, *“I’ll just tell it to run that report.”*

A user can make annotations to excerpts in a document – like assigning a color-coded issue, a key fact, or making notes about the excerpt. The report feature then allows users to run reports on those specific issues and key facts, as well as to isolate the user’s own work. It also provides the ability to run reports on information in a specific folder, such as the Pleadings, Transcripts, or Research folders.

Lawrence also reports a more qualitative advantage: *“a reduction in the anxiety that I am missing something.”* With total and immediate access to information, *“I feel like I am more in control.”*

CASE PORTABILITY

Case Notebook allows Lawrence to take work home with him more easily, without hauling boxes of files. *“I do most of my writing from home, outside work hours, because there’s less distractions. So instead of having to cart all this stuff home, I can now store everything on the server at work. Then I just remote desktop in from wherever I am and I have access to all the documents from the case... I can find anything in an instant.”* The fact that Case Notebook is on the server also makes it centrally accessible to all members of the litigation team.

THE ADVANTAGE AT TRIAL

Lawrence plans to use Case Notebook at his next trial. *“I think at trial it’s going to give an advantage – to be able to react to the unexpected very quickly.”*

In his previous cases, an unexpected comment from a witness could present an imposing challenge. *“Someone will say something at trial and you think, I know they contradicted that somewhere. But it’s not something that you anticipated them saying or that you prepared for. You may have 500 pages of deposition testimony to go through to find where they said that other thing. I mean, I went to court every day with full bankers’ boxes. And that was frightening.”* Going through so much material by hand was virtually impossible in a courtroom setting. But Case Notebook makes all case documents and notes searchable. *“Even if I can’t do an immediate search, a five-minute recess would be enough to find out anything in the whole file.”*

THE END RESULT – BETTER QUALITY

For Forman & Cardonsky, Case Notebook has expedited the tasks of its attorneys. Searching and sorting more efficiently allows them to organize case information more effectively. For Lawrence, Case Notebook not only streamlined litigation tasks, it affected the kind of decisions he makes while researching and afforded him the time to do his best work. *"It gives me the time to attempt to get better quality."*



THOMSON REUTERS™

**To order or for more information,
contact your West Representative, at
1-800-762-5272.**

Westlaw®