

Chapter 7 - Managing Litigation Information Using Technology

Setting up a Digital Trial Notebook

Just think about it. Your case is set for trial tomorrow and your electronic trial notebook is ready.

- The jury selection process will be enhanced with jury evaluation software that has the local area profiles and other relevant data of a cross section of individuals. This will assist in comparing the voting propensities of your potential jurors.
- Your exhibits, graphics, video, and other material for your opening statement are on a CD-ROM for easy access and presentation.
- Your direct and cross examination outlines are linked directly to the underlying supporting data, such as text and videotaped depositions, expert reports, documents, and case material. Access to these materials is at the touch of a key or barcode. You use a light pen to draw on the exhibits to point out the major points you want to make to the jury.
- Legal authorities are on your CD-ROM disk with an open telephone line or wireless to one of the legal publishers or the Internet for location of other legal and factual material as needed.
- The court reporter is providing a real-time text and video feed back to your computer and over the telephone line to your expert in his office located 500 miles away, since he will not be testifying for another week, and to your other office.
- Legal motions are substantially prepared, needing only testimony for the motion for directed verdict or other motions, which will be taken from the court reporter's live testimony feed into your computer.
- Bullet charts supplement your closing argument and other materials prepared during trial and easily integrated into your prepared arguments.
- The jury instructions are modified in your computer and "published" to the jurors by use of the monitors in the courtroom.

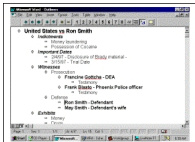
Farfetched? No, these technologies are available today and used to varying degrees during trials. But what is still eluding the legal profession is the ultimate "integrator" of these hardware and software technologies so that the litigator has one simple but powerful entry and linking of his legal and factual materials in his trial notebook.

A digital trial notebook should duplicate electronically the primary function of the written, manual case notebook. It should be your electronic paralegal designed to provide direct access to the correspondence, pleadings, documents, facts, and law of your cases. It should be a customizable system that lawyers immediately recognize and can identify as the approach they use when preparing a case. It should provide you the command post to access your case's facts, documents, and law instantaneously using your favorite software programs.

The digital trial notebook should enable you to custom organize your case in a simple, yet flexible manner. It should provide direct access to specific case information in any Windows or DOS software application. So at the click of your mouse, you should launch from the theory of your case into your favorite software programs to the essential information about your case.

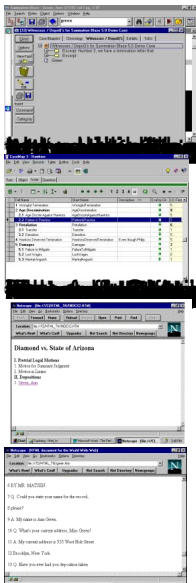
Organizing litigation information involves all computer application programs: word processing, spreadsheets, databases (legal and factual), images, full text, video, presentation tools, and other programs, such as PIMs. Not only does one use all these programs, but it is then necessary to thread and chain together the legal and factual issues with the witnesses testimony to enable the user to prepare for direct, and cross examination, as well as other aspects of the litigation process.

Many a software company has tried and many have failed in trying to provide the “ultimate” litigation trial notebook, attempting to be everything to everyone. Usually, they provide one or more of the different computer applications, such as full text and imaging, but neglect the critical connecting links with other 3rd party programs, such as a database or outliner. So, what is the answer? What should a digital trial notebook be?



A digital trial notebook should give one the capability to automatically access the specific case information in all other software applications. It should record your keystrokes or pathnames of the other programs so that you can automatically launch into other Windows programs, saving valuable time. Whether it is a form document, deposition, or access to trial exhibits, one mouse click should provide you direct access to this valuable information. Such software should be able to be used in ANY area of law that you practice to replicate the “lawyering process”, whether it is tort, corporate, business transactions, domestic relations, criminal, and so on.

Outliners & Integrators. One possible interface solution is to use an outliner or integrator as the front end to the electronic trial notebook. This should provide the necessary links and interface to the computer applications that you will use to automate the legal processes of your case.



Sign up for a free trial of our digital trial notebook software. You can also purchase a license for your organization. For more information, please contact us at sales@digitaltrialnotebook.com.