

Burney Reviews West Case Notebook 2.5

By Brett Burney

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West Case Notebook 2.5

west.thomson.com/casenotebook

TechnoScore: 4.8

1 = Lowest Possible Score;
5 = Highest Possible Score

With all the focus on ediscovery, many legal vendors seem to have forgotten that there's more to litigation than document review. But not Thomson Reuters. The company's Westlaw Litigator suite of products focuses on ediscovery as well as all the other aspects of litigation. In this TechnoFeature article, independent ediscovery consultant Brett Burney reviews West Case Notebook, one of the products in this suite. West Case Notebook enables you to organize the key facts and issues in your cases — characters, legal research, transcripts, exhibits, etc. — to help you develop insights and prepare for depositions, settlement conferences, and even a trial if necessary. As always, Brett has written a comprehensive review that will help you make a decision.

INTRODUCTION

It seems like litigation has been consumed by ediscovery given that's all anyone writes about. But ediscovery is just one component of litigation, a complex and vast field. There's a lot more information to juggle in a litigation matter beyond the documents collected during discovery. You have to keep track of pleadings, deposition

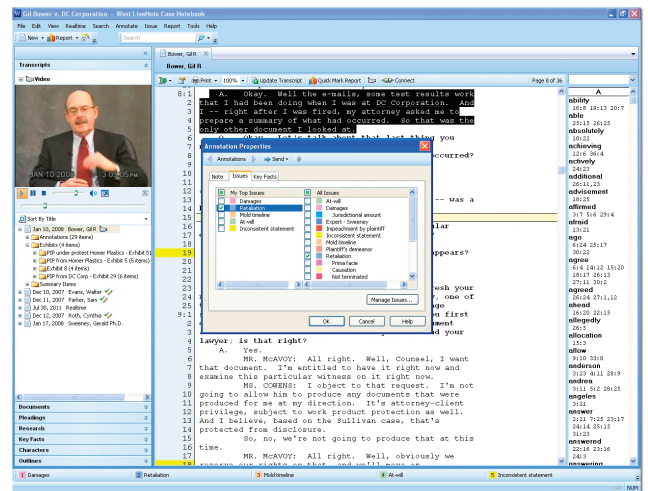
transcripts, characters and organizations, exhibits, facts, chronologies, etc. While document review platforms are essential for ediscovery, tools like West Case Notebook help you keep track of everything else.

YOUR DIGITAL NOTEBOOK

For many years, CaseMap has reigned as the king of "case analysis" software. And while I'm still a huge fan of the CaseSoft products now owned by LexisNexis, I was eager to use its competitor from Thomson Reuters. Thanks to TechnoLawyer's editors, I received a free copy of West Case Notebook so I could do exactly that and report on my experience.

A little background is useful to better understand the product. Thomson Reuters acquired the popular transcript management system LiveNote in 2006. LiveNote had become the gold standard for transcript management, but many wondered how it would complement the existing group of products offered by Thomson Reuters.

LiveNote remains available as a standalone product now known as West LiveNote, but all of the time-tested LiveNote functionality has been baked into the more expansive West Case Notebook. That's good news for folks who have used LiveNote for years.



West Case Notebook is part of the Westlaw Litigator suite of products that includes:

- **West LiveNote**
- **West Case Timeline** (a graphical timeline creator)
- **Westlaw CaseLogistix** (a document review platform)
- **Westlaw Drafting Assistant** (a document drafting tool)

These products easily share information among each other.

West Case Notebook is basically an electronic organizer for all of the factual information related to your case — key facts, characters, transcripts, exhibits, research, issues, etc. Every litigator has to keep track of this information. From my experience, it's normally scribbled down on a yellow legal pad, or just kept "in my head." At best, the information is tracked

in a Microsoft Word table or an Excel spreadsheet.

DEPOSING THE INTERFACE

When you launch West Case Notebook and select (or create) a case, you're treated to a clean, simple interface.

On the left, you see a pane that shows the transcripts loaded in the case. Below the transcript list you'll find sections for Documents (Exhibits, etc.), Pleadings, Research, Key Facts, Characters and Outlines.

When you doubleclick a transcript from the left pane, the main window displays the text of the transcript. A word index (aka "word wheel") is displayed on the far right in a smaller pane.

Lastly, the top border of the main window houses a "tab" for each transcript or document that's opened. If you're familiar with tabs in your Internet browser, you'll appreciate the ability to jump back and forth between the open transcripts and documents.

While document review platforms are essential for eDiscovery, tools like West Case Notebook help you keep track of everything else.

IMPORTING AND WORKING WITH TRANSCRIPTS

Importing transcripts into West Case Notebook is a simple process. The application will accept a long list of file formats such as ASCII (TXT), PTX, PTF, or LEF.

As soon as you open a transcript, West Case Notebook is ready for you to start highlighting text for creating annotations or assigning issues. By default, you're in "Annotate Mode," which means when you highlight text, a box entitled "Annotation Properties" pops up ready for you to add a note, associate the text with an issue, or create a Key Fact.

One convenient feature in the "Annotation Properties" box is the "Send" button. Clicking this button gives you the option of "sending" a copy of the highlighted text to Microsoft Word, WordPerfect, PowerPoint, Sanction, TrialDirector and even CaseMap. West Case Notebook has some very powerful tools for summarizing and outlining a case, but I found myself using the "Send" button quite often for copying text to a Word document I was working on (you can also "Send" text by right-clicking text that you've highlighted).

SUMMARIZING TRANSCRIPTS

One of the most powerful tools in West Case Notebook is "Transcript Summary." Every litigator has their own method for summarizing transcripts — some use Word, others use Post-It Notes, and still others just jot notes down on their trusty legal pad. Most lawyers ignore the software tools that have been developed over the years to help them efficiently summarize transcripts.

That might change with West Case Notebook, however, as I found the "Transcript Summary" tool to be surprisingly simple, intuitive, and effective. To create a new summary, you simply click the "New" button and select "Transcript Summary."

That opens a box at the bottom of the main window (below the transcript text) where you specify the beginning and ending page line numbers and type a "title" for the summary. Then you have a box for freeform typing — you can add your own notes and summarize the section exactly the way you choose.

When you finish creating all of the "summaries" for a transcript, one button enables you to create a "Transcript Summary Report" showing the Page:Line reference, the Subject/Title, and the text of your Summary. It's formatted beautifully and works flawlessly.

West Case Notebook is part of the Westlaw Litigator suite that includes West LiveNote, West Case Timeline, Westlaw Drafting Assistant and Westlaw CaseLogistix. These products easily share information among each other.

DOCUMENT AND PLEADINGS

Your exhibits, pleadings and other documents can be loaded into West Case Notebook so that you have access to everything in one place. Documents can be loaded as Word, WordPerfect, PDF, or TXT files, or you can load scanned files in TIFF, PDF or JPG files formats. You can perform OCR on scanned documents when importing them. This process will populate

the word index to the right of each document.

Once exhibits and documents are loaded into West Case Notebook, you can annotate them in much the same way as transcripts. Documents can also be associated with the Key Facts of the case.

I found West Case Notebook impressive.

KEYING IN ON THE FACTS

When you come across a piece of information that is critical to your case, you can create a new “Key Fact” in West Case Notebook. I tend to think of this more as the chronology of events for the matter.

Each Key Fact can have multiple “sources” associated with the information such as transcript designations, exhibits or documents that have been imported into West Case Notebook. You can also associate “Characters” with each Key Fact.

Unfortunately, you can’t “filter” the list of Key Facts as you can in other competing products, although you can sort by columns such as Date or Issues. I would like to see additional options for customizing the layout of

the Key Facts table. West Case Notebook does enable you to create custom reports from all or select Key Facts.

THE CAST OF CHARACTERS

It’s imperative in any matter that you keep track of all the parties, individuals, and organizations involved. West Case Notebook makes this easy with the “Characters” section — you enter characters as an individual or an organization.

Even better, West Case Notebook can recognize “Aliases” for each Character name. For example, West Case Notebook can identify Robert Smith as the same person regardless of whether he’s referred to as Rob Smith, Bob Smith, Dr. Smith, or Robby. Since the same individual may be referred to in different ways in transcripts or documents, this feature is an excellent way to ensure consistency across the database.

West Case Notebook automatically creates “Smart Tags” for the names of individuals found in transcripts. A Smart Tag is denoted by a dashed blue hyperlink. You can obtain information about each Character by right-clicking the Smart Tag.

CONCLUSION

I didn’t have a chance to explore the tight integration that West Case Notebook now has

with bringing in research from Westlaw and WestlawNext. You can send case law and articles to West Case Notebook directly from WestlawNext so you don’t always have to access the online site.

In addition, West Case Notebook works very well with Westlaw CaseLogistix and West Case Timeline. That means you can associate facts and information from West Case Notebook with documents loaded into Westlaw CaseLogistix, and you can export Key Facts and other information out to West Case Timeline.

I found West Case Notebook impressive and much improved in the most recent version 2.5. I believe it will continue to improve and provide even better tools for keeping track of all the information associated with a litigation matter.



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