

The Value of Doing Legal Research

We are committed to providing our clients with the best representation at the most-reasonable price. Part of our representation involves our legal professionals' utilization of online information resources, such as those provided by LexisNexis®.

We expect our legal professionals to research thoroughly all matters that affect a particular client's case, whether it is case opinions, statutes, public records, news or something else. We do this because we know that the most-critical piece of information, the difference maker, can sometimes be uncovered in the most unlikely of places. We also do this because we know the cost of not conducting such research can be devastating.¹

Years ago, the information that legal professionals needed to provide adequate representation was found almost exclusively in books that filled the shelves of traditional law libraries. Today that is no longer the case. The information now essential to represent a client effectively—such as unpublished opinions, public records and news—is only available, or can be retrieved far more efficiently, online.

In an information-rich age it is critical that we provide research options that meet the needs of both you and our legal professionals. Legal research is primarily conducted in one of two ways: through books, periodicals and loose-leaf publications (referred to as print research) and online using both the World Wide Web and pay services like LexisNexis.

There are times when it is both cost effective and productive to conduct print research. This can be especially true when searching analytical sources within a specific area of law. There will always be a need for book research and we will continue to support this approach to research. However, it would be virtually impossible for our legal professionals to search through tens of thousands of print publications to find the same information that can be found today through online resources. Often, access to a judge's prior rulings (whether published or unpublished), opposing counsel's representation history, the criminal history of a witness, an expert's television interviews, or even a juror's personal background can only be found online. This information thus enables us to make decisions that are better informed and more strategically sound.

We also recognize (like the vast majority of the legal community) that conducting research online, as opposed to conducting it in the traditional manner (e.g., using print resources, hiring private investigators, etc.), can be very cost-effective. As a result, our legal professionals' use of online research services actually lowers your overall exposure to "research" fees, as it reduces the amount of time our legal professionals spend researching client matters. Accordingly, we not only provide our legal professionals with access to a wide

variety of print materials; we also provide them online resources and give them extensive training in the effective and productive utilization of both print and online research.

Because Reputations are at Stake

Your attorney stands between you and a costly legal mistake. Being right isn't preferable—it's imperative. There are:

- 150 million court cases entering the legal system every year;
- 3,000+ federal statutes and 10,000+ federal regulations;
- 4,700+ printed legal publications.

And on the World Wide Web there are:

- 100+ million Web sites;
- 11.5 billion Web pages.

There is simply too much information available for any individual to sort through effectively and efficiently. With online legal research our attorneys can pinpoint information impossible to find manually.

With online legal research our attorneys can effectively and efficiently:

- Search 5 billion "qualified" online sources (LexisNexis);
- Search 3.8 billion Public Records (LexisNexis);
- Access formatted reports for 46M companies (20M U.S. / 26M international) (LexisNexis).

Because You Get More for Less

More than 15 years ago LexisNexis commissioned a study showing the value on online legal research.² The results still hold true today.

AVERAGE COST

Online Legal Provider (LexisNexis).....	\$ 6,087.87
Manual Research.....	\$12,071.60

AVERAGE COMPLETENESS

Online Legal Provider (LexisNexis).....	476 Documents
Manual Research.....	245 Documents

AVERAGE SPEED

Online Legal Provider (LexisNexis).....	29 Hours/01 Minute
Manual Research.....	141 Hours/29 Minutes

OUR COMMITMENT TO YOU

We are committed to providing you the best legal service possible in the most efficient manner. Our legal professionals are talented and have an outstanding track record of achieving superior results for our clients. We continually provide our legal professionals with educational seminars on and practice tips concerning efficient online research.

Our law firm has grown and been successful because of online legal research services like LexisNexis. We continue to strive to meet your strategic and legal information needs. We are committed to the thoroughness and efficiency of our work. A major part of our commitment involves helping you understand the power, quality, productivity and financial implications of using online research tools.

What you miss by not doing online legal research:

Case Study 1

Performing Internet-based research is an essential part of today's practice of law. Consider the developments in the JonBenet Ramsey case in August 2006. As authorities were bringing John Karr, the individual who they believed could have committed the crime, back to Boulder, a very prominent handwriting expert gave several interviews in which he stated that he was "99.9 percent certain that John Mark Karr wrote the ransom note found near the scene of JonBenet Ramsey's murder."³ In fact, the expert "said he was staking a large part of his reputation on his judgment that Karr wrote the ransom note."⁴

Despite the expert's opinion, on August 28, the Boulder District Attorney dropped the charges against Mr. Karr because of the lack of DNA and other evidence. Notably, the handwriting expert's bold but incorrect analysis has now been "memorialized" in dozens of articles and interviews (e.g. CNN, ABC News Now, etc.), thereby likely significantly damaging his career as an expert witness. Yet how would a researcher assigned to gather information about this expert uncover this damaging information (found only in the news—and not in a case opinion) absent the ability to conduct online research?

Case Study 2

Finding such information via Web resources is now a necessity. For example, a securities litigation defense firm was defending a claim against a commodities trader who had suffered major losses in the market. He sued the brokerage house alleging that his family's financial situation was such that he should never have been allowed to trade in such risky investments. Sure enough his tax returns revealed only a modest income and he claimed to live in a "modest" home. However when the law firm checked the LexisNexis services, it discovered the trader owned a 25,000 square-foot home on the water in the Florida Keys, along with an airplane, boat and other assets belying his minimal income claim. The discovery went a long way toward dispelling his "moderate investor" claim.

Case Study 3

Not only can online research tools be used to find hard-to-find information, but their use can be very cost-effective. Consider this recent example:

"When preparing for her daughter's birthday party, a Florida woman thought it would be fun for the children to play with spray string. But during the party, a can of the string fell onto the cake's lit candles and ignited in what one person called "a gigantic fireball." The accident left an 11-year-old girl with serious facial burns.

After the girl's mother talked to a lawyer, the lawyer's paralegal researched the company that made the string. The paralegal uncovered a wealth of information—including details about an earlier recall of the product, because it could catch fire, and a video produced by the Consumer Product Safety Commission, showing government tests where spray string hitting a lit candle turned into a flamethrower.

Using traditional legal research methods, uncovering this information would have taken months or even years. In this case, it took only about an hour. How did the paralegal do it? By using a powerful litigation research tool, one that's available to all but overlooked by many: Google.⁵

Though the above examples concern Google, their applicability extends far beyond that resource—particularly when you consider that the vast majority of the information available via the Internet cannot be found via search engines such as Google.⁶ Accordingly it is imperative that today's researcher utilize not only Google but also other resources, such as LexisNexis, as well.⁷

1 Consider the case of the attorneys in Chicago who discovered, after the jury had rendered its verdict, that the opposing expert had falsified his credentials (e.g. an engineering degree from West Point). The judge rejected those attorneys' request for a new trial and reminded them of their duty to conduct thorough research: "In preparing a case for trial," [Judge] Gordon explained, "many attorneys take for granted that when an expert provides a CV that everything in the document is true. However, it is plaintiff's job in preparing a case for trial to learn as much as possible about an adverse party's expert witness, including verifying his qualifications as an expert." Garmisa, Steven P., Expert's credentials questioned too late to trigger new trial, Chicago Daily Law Bulletin, October 6, 2004.

2 Altman Weil Pensa study commissioned by LexisNexis. 1991.

3 Kilzer, Lou; Handwriting expert points finger at Karr, Scripps Howard News Service, August 22, 2006

4 Kilzer, Lou; Writing analyst was disqualified; Judge challenged expertise of man linking note to Karr, Rocky Mountain News, August 23, 2006

5 Ratcliff, David, What can Google do for you? The no-frills search engine has taken the Internet by storm. But if you're using it just for simple Web research, you're tapping only a fraction of its potential, Trial, Sept. 1, 2006.

6 Grant Brings "Deep" Web to Surface, US States News, January 16, 2006 ("Librarians call this trove of knowledge the 'invisible' or 'deep' Web, and some studies suggest as much as 80 percent of the information sources available on the World Wide Web are part of this hidden trove").

7 Harris, Bernard, Business Center Future Awaits Library Tax Vote, Lancaster New Era, April 11, 2005 ("Kleiman said the databases, such as Dun & Bradstreet, Standard & Poor's and [Lexis]Nexis, are a 'hidden Internet' with information that cannot be gleaned from a simple Google search").