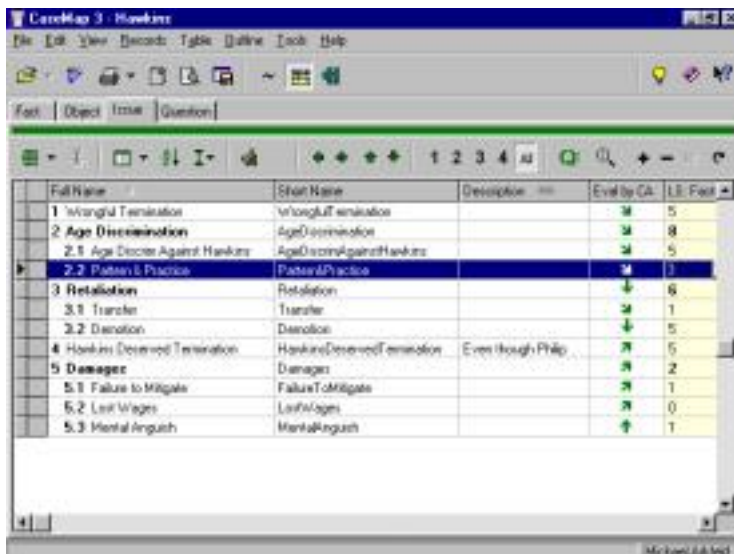


Chapter 6 - Computer Concepts and Legal Applications

Litigation Outliner and Case and Timeline Analysis Tool



The screenshot shows the CaseMap 3 software interface. It features a menu bar (File, Edit, View, Records, Table, Outline, Tools, Help) and a toolbar with various icons. Below the toolbar is a tabbed interface with 'Fact', 'Object', 'Issue', and 'Question' tabs. The 'Fact' tab is active, displaying a table with the following data:

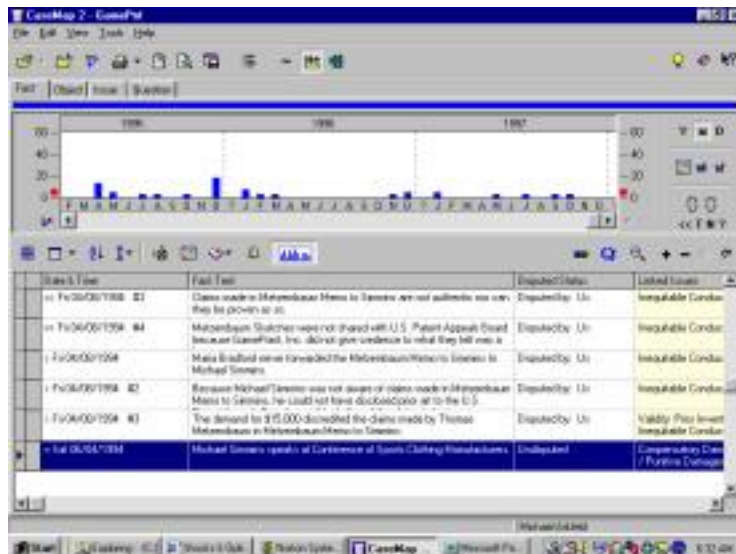
Full Name	Short Name	Description	Eval by CA	LS Fact
1 Wrongful Termination	WrongfulTermination		5	5
2 Age Discrimination	AgeDiscrimination		8	8
2.1 Age Discrimination Against Hawkins	AgeDiscriminationAgainstHawkins		5	5
2.2 Pattern & Practice	PatternPractice		5	5
3 Retaliation	Retaliation		6	6
3.1 Transfer	Transfer		1	1
3.2 Discretion	Discretion		5	5
4 Hawkins' Discovered Termination	HawkinsDiscoveredTermination	Even though Philip	5	5
5 Damages	Damages		2	2
5.1 Failure to Mitigate	FailureToMitigate		1	1
5.2 Lost Wages	LostWages		0	0
5.3 Mental Anguish	MentalAnguish		1	1

From the time a litigation client walks through the door, assembling case facts in an accessible and useable format for trial is a necessity. If you want to replace your legal pad with sophisticated but easy to use litigation knowledge management software, consider CaseMap and TimeMap. They are litigation analysis tools as opposed to merely data management tools.

CaseMap enables you to outline the issues in your case and then to organize and link the facts, documents, witnesses and demonstrative evidence that relate to the issue and subissues. CaseMap can easily replicate the following litigation process for analysis and reports.

For example, when we initially review a case for preparation for litigation, we build a list of the parties, key witnesses, organizations, and documents in a case. These persons, documents, or organizations will be the main building blocks for our case. We then begin to define the causes of actions, elements, and factual issues that will be determinative in our case.

After this, we begin the process of linking the parties to key issues, build a chronology of known facts (with date and times), and link these facts to issues. We also need to determine if the fact is disputed and the source and whether the fact is favorable, unfavorable, neutral, etc. This list of facts will assist in focusing your attention on any questions in the case. From this factual foundation, you can then move to case analysis by creating timelines and chronologies of your facts. CaseMap replicates this case presentation process, which may then be used in many litigation functions such as an opening statement, summary judgment, etc.



For example, if you print out a set of facts that are both favorable and unfavorable, then one can discuss the facts with your clients and co-counsel to determine the probability of success at trial or for use during settlement negotiations. Also, CaseMap can be used to prepare a motion for summary judgment. As you enter your facts into CaseMap and mark them undisputed, then you can print out a report for the court showing the undisputed facts supporting your MSJ categorized by issue.

Other features include replication and synchronization, which provides the capability of using CaseMap on a laptop while traveling and then merging your workproduct onto the main computer when you get back to the office; filtering and tagging of facts allows for one to limit the facts that appear on your spreadsheet to facts about a particular issue, etc., and CaseMap permits you to export reports as HTML for use on your Internet, Extranet, or Intranet site.

