Client Snapshot

DAVID AKERSON
Senior Consultant, Special Tribunal for Lebanon. Former Attorney, Office of the Prosecutor United Nations International Criminal Tribunals for Yugoslavia and Rwanda; Lecturer, University of Denver Sturm College of Law

CUSTOMER PROFILE: David Akerson is a trial lawyer with a broad international law and human rights portfolio ranging from human rights work in apartheid South Africa to prosecuting perpetrators at the Yugoslavia and Rwanda international criminal tribunals. His expertise is in core international crimes of genocide, war crimes and crimes against humanity, practice and procedure of the international tribunals, complex international criminal litigation, and international tribunal policy and management.

BUSINESS SITUATION: David Akerson's team of law school interns was analyzing the evidence in the case against one of the century's most notorious war criminals - Charles Taylor, president of Liberia. His armies of terror were directly responsible for hundreds of thousands of deaths, and tens of thousand of rapes, amputations, imprisonments, tortures, and enslavements during the Sierra Leone Civil war from 1991-2002.

SOLUTION: As he had in his previous trials, Akerson chose CaseMap to use as a central repository for a chronology that eventually grew to over 2,700 facts. Students used CaseMap to extract, organize, and analyze facts culled from witness interviews that were typically produced as Word® documents and from trial transcripts. CaseMap helped his team simultaneously link facts to witnesses and to source documents. This fact alone helped overcome many workflow obstructions encountered when using traditional methods of case organization and analysis.

PRODUCT SUMMARY: CaseMap helps methodically organize and share documents, facts and issues and displays them in a visual matrix, so critical links and connections are easy to spot. Plus, its light review and production features make it an essential eDiscovery Solution for smaller cases.

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One morning in Mattru Jung:

Talloi was playing with his friends Junior, Kaloko, and Ishmael when they heard shots ring out from the other end of the village. All around them, people were screaming and running into the jungle. Talloi and his friends had to decide quickly - follow the rest of the village, or run in the opposite direction and locate their parents first? Instinct took over, and they joined the rest of the panicked villagers hiding deep in the jungle.

They would never see their parents again.

It was 1995 and the Revolutionary United Front (RUF) had come to Mattru Jong in the heart of Sierra Leone's diamond mining country. Sierra Leone was rich in alluvial diamonds - diamonds that sit on the surface of the soil - which could be easily smuggled and sold into world markets. Charles Taylor, president of Liberia, which shares a border with Sierra Leone, supported the RUF so he could get control of the diamond mines.

Soldiers of the revolutionary groups intimidated the locals with a campaign of terror that included amputations, rape, murder, and kidnapping. The diamonds they stole to finance their revolution were called "blood diamonds."

The War Crimes Tribunal Commences:

The United Nations created the Special Court for Sierra Leone in 2002 in conjunction with the government of the country to investigate and to try any persons who committed atrocities. Charles Taylor's indictment in 2003 was a first—the President of a country accused of war crimes committed by rebels in a neighboring state.

Few disputed that the crimes had been committed. One of the prosecution's challenges was to prove that Charles Taylor "aided and abetted" the war crimes committed by the RUF in Sierra Leone. President Taylor had always maintained he knew nothing about the RUF's activities.

This trial was poised to last years, and involve testimony from several hundred witnesses. The United Nations Special Court knew it needed help managing the enormous quantity of testimony and facts involved, which is why it turned to David Akerson to be a consultant. He had a proven track record: he worked for the International Criminal Tribunals for Rwanda in Tanzania (ICTR) and the former Yugoslavia in The Hague (ICTY). And at the International Tribunals, Akerson wore two hats: attorney and legal software expert.

The Case Begins With A Big Problem:

With several hundred witnesses testifying, many over the course of several days, Akerson knew that monumental amounts of evidence would be generated. His law students were poised to help read the tens of thousands of pages of transcripts, but even that presented another hurdle. Finding the connections between witnesses, facts, and legal issues (especially when each student was familiar with only a small percentage of the facts) required an extraordinary amount of time-consuming collaboration, and even then many details that can crack a case often get missed. In addition, it was difficult to discover whether two witnesses' descriptions of the same event differed, (or if witnesses were even referring to the same event at all) until students read each other's notes, sometimes months later. Perhaps the most difficult part was that two students reading two different witnesses' transcripts might arrive at startlingly different conclusions depending on whether they knew their facts corroborated or contradicted each other's. Even if one student did reach a conclusion, testing it often involved re-reading hundreds of pages of testimony. These challenges were not insurmountable. **Enter LexisNexis® CaseMap® case analysis software.**

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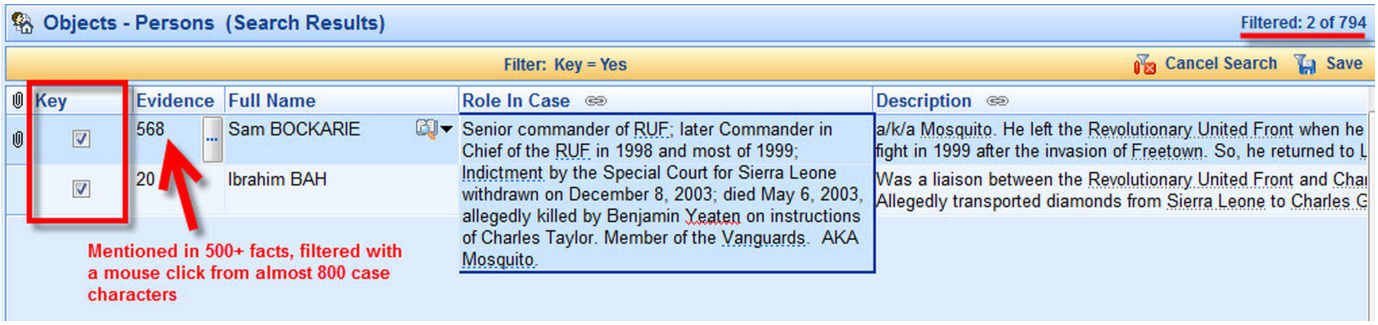
Prosecuting the Case:

Once Akerson's team entered relevant information from the witness transcripts into CaseMap, all team members had an immediate perspective on the over 2,700 facts, links and connections that held the case together, and fingertip access to each and every fact - something not possible with Word.

> *"CaseMap kept track of which witness testified to what in this extremely complicated trial. We were able to instantly pluck the testimony of key witnesses out of the chronology to deliver meaningful reports to the case team in The Netherlands."*
>
> – Akerson

Example 1: CaseMap illuminates an important connection:

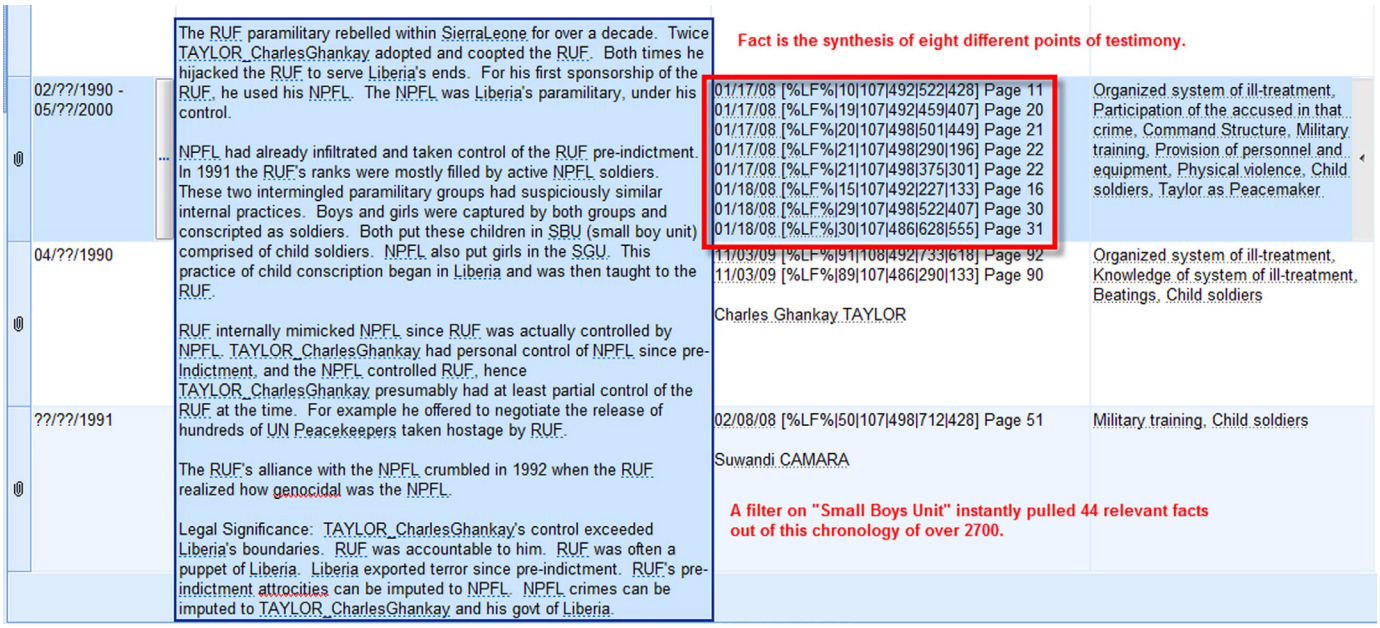
Here's an example of filtering on two of the key witnesses in the Cast of Characters in CaseMap. For instance, the prosecution had to keep track of over 800 characters. As you can see in the screenshot below, Sam Bokarie is attached to 568 facts, and Ibrahim Bah, to 20 facts. The way CaseMap links characters and facts together makes it much easier to spot connections that otherwise might have been missed. Anyone looking at this CaseMap file had instant access to facts and documents across multiple witnesses.



Example 2: CaseMap identifies 44 facts relative to the "Small Boys Unit"

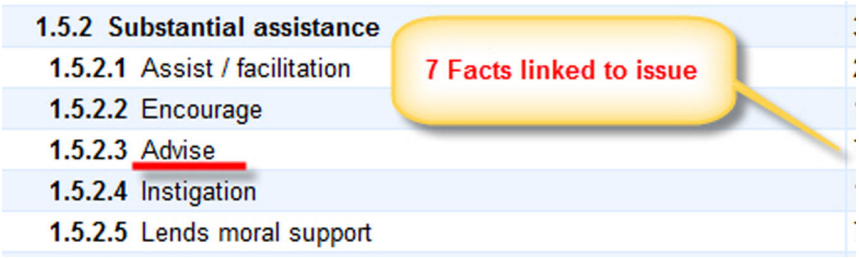
A filter on "Small Boys Unit" in the Fact Text on CaseMap's Facts spreadsheet pulled up 44 facts mentioning the Unit. The fact's Sources field is the synthesis of eight different points of testimony," says Akerson.

"This is very elegant and effective in CaseMap," says Akerson. "To accomplish this same kind of search using Word narratives would take a huge amount of time."

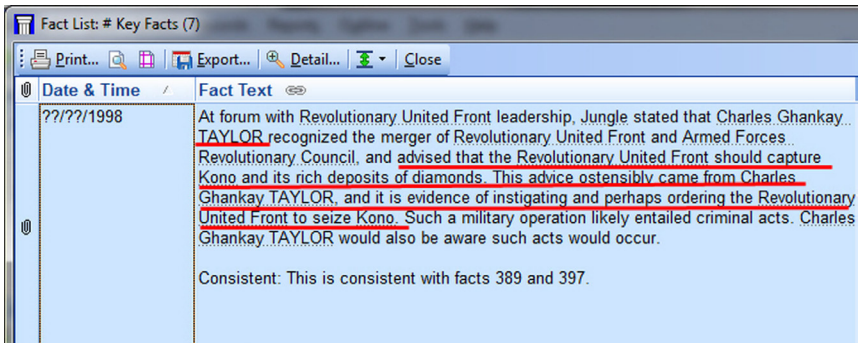


Example 3: CaseMap takes the facts, and builds the case

Akerson set up an Issue outline on the Issues spreadsheet. Then students linked the issues to Facts, Persons, and Documents. "CaseMap helped us pull together evidence that Charles Taylor advised the RUF, helping to prove his guilt," said Akerson.



Double-click the "7" and this is the first fact in the Fact Box. Again, CaseMap easily accomplishes with a couple of mouse clicks what would take hours or days to retrieve from a set of Word reports.



CaseMap was instrumental in forcing the teams to work in granular facts (the CaseMap chronology) instead of a narrative of the witness interviews and descriptions of the evidence. In addition, CaseMap was extremely useful whenever the teams had to pull together memos related to the issues.

Conclusion

Taylor's trial stretched from June of 2007 to November of 2010. A verdict of guilty was announced for Taylor in April of 2012 and Taylor was sentenced to 50 years. As far as case and evidence volume goes, the Special Court for Sierra Leone was about as complex as international cases get. With over 800 characters, and years of proceedings, the traditional means of handling evidence and testimony would have been overwhelming. The shared database that CaseMap used enabled David Akerson and his law students to analyze the evidence simultaneously. In addition, CaseMap displayed all case evidence in a visual matrix, so connections were easier to identify.

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