

Legal Consultant Helps Client Firms Recover \$85.6 Million Using Litigation Software



Overview

Location: Chicago, Illinois and New York, New York

Industry: Legal Consulting

Customer Profile:

Ronin Consulting helps its clients capture information and data that give their case presentation a visual edge. Ronin also helps them to identify their cases' strengths and weaknesses in order to develop the best strategies for their cases and win.

Business Situation:

Documentation in a major legal case can run to tens of thousands of pages and require tens of hours of review for every hour an attorney spends in the courtroom. Mike Rogers wanted a better way to manage the enormous amount of documentation.

Solution:

Rogers uses CaseMap® and TimeMap® software from LexisNexis®.

Benefits:

- Faster analysis and insight into cases
- Greater productivity, more collaboration
- Faster creation of more effective presentation materials

Product Summary

Litigation Services

- CaseMap®
- TimeMap®

Whether he's representing plaintiffs in a medical malpractice case or trying to save a young man from a murder-one conviction, attorney Mike Rogers organizes and understands the facts of the case faster and more insightfully than he ever thought possible—and then presents his arguments just as persuasively to judges and juries. His secret? CaseMap® and TimeMap® from LexisNexis® Litigation Services. Rogers has been so successful using these LexisNexis tools, that he's built a legal consulting firm—Ronin Consulting—to advise attorneys on how to use technology to win their cases, too. The result: Ronin's plaintiff-firm clients have recovered \$85.6 million in verdicts and settlements, while its defense-firm clients have avoided more than \$75 million in claims.

The Situation

Mike Rogers didn't think much of his client's client.

The young man, by his own admission, had been drinking and driving around Chicago with two of his buddies when they were joined by a woman whom he thought was 18 years old—but who later turned out to be just 15. Their party got rowdy and the four decided to go to a nearby park to have sex. The night ended with the young woman's death.

Ultimately, the young man was charged with raping and strangling her. His two buddies became witnesses for the prosecution. One said he had heard the defendant admit to choking the woman; the other claimed not to have heard the confession.

The defendant was represented, pro bono, by one of Chicago's biggest and best-known law firms. The defense theory was that the deceased had died from a positional asphyxiation and that the defendant's buddies had been pressured into implicating him in order to avoid being charged with the murder themselves.

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Mike Rogers, Ronin Consulting

But with the contradictory stories and inconclusive evidence, the lawyers hit a brick wall in their defense. That’s when they brought in Rogers.

Rogers had been a prosecutor for more than 15 years as an Illinois State’s Attorney and his prosecutor’s instincts told him that this defendant, like most defendants, was guilty. But Rogers was on this case not as a prosecutor, but as the head of the firm—Ronin Consulting, one of the most successful legal consulting firms in the country—that he’d founded after leaving the prosecutor’s office. Rogers had named his consulting firm after the ancient Japanese samurai, called “ronin” who, without allegiance to a single master, wandered the countryside, always as an outsider.

Rogers didn’t think much of the young man—but he also didn’t think he was guilty of murder. The man was facing a possible death sentence. Could Rogers find a way to help the young man’s attorneys free him?

“A Monstrous Undertaking”

One of the most famous cases in Illinois during Rogers’ time as a prosecutor was that of the notorious serial killer Paul Runge, convicted of murdering seven women. The prosecutors working on the case knew that Rogers had started using technology to manage and present cases so they asked for his help to organize the case. The Runge project was ultimately successful and it taught Rogers a great deal about using computers to organize cases.

Rogers now shares a key lesson from the Runge project with Ronin Consulting’s clients: computer software can make a crucial difference in winning a case.

Despite its gruesome subject, the *Runge* case was a typical trial in at least one respect: it was preceded by an avalanche of paper. The documentation in that case, based in part on two years of FBI surveillance, included some 50,000 documents stored in file cabinets and banker’s boxes that filled an entire room at the courthouse.

Typically, Rogers and his colleagues would spend 20 to 30 hours organizing the documents for every hour they would actually spend in the courtroom. That organization would mean creating separate inserts or subfolders for every aspect of the case, then cross-referencing the subfolders to connect related information and to create a timeline of the events in the case. Pulling needed information would mean hours more rummaging through the boxes to find it.

“It was an archaic system,” recalls Rogers, “a monstrous undertaking—but it was how we did our jobs.”

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The Solution

A High-Tech Alternative to Bankers’ Boxes

The *Runge* case inspired Rogers to find a more efficient way to manage information. Case-management software systems existed as alternatives, but most were cumbersome and required days of specialized training with third-party software such as Crystal Reports to pull information out of the case file.

Then Rogers started to work with the newly available CaseMap® and TimeMap® software products. CaseMap is a central repository for case knowledge, used to organize information about the facts, documents, individuals, issues, and law in a given case. Information can be entered directly into CaseMap or sent to it from any of more than 25 other programs, from general-purpose software such as Adobe® Acrobat® to specialized software such as Applied Discovery® and Concordance®. The TimeMap graphics program is designed to easily create highly visual and intuitive timelines—in as little as a few seconds with information automatically imported from CaseMap.

CaseMap became the high-tech alternative to that roomful of banker’s boxes. Each document was scanned and linked to the CaseMap file, with Rogers also having the ability to enter information as a typed entry or to import it directly from other programs. But unlike the banker’s box system, each fact could be directly linked to the document from which it came, giving Rogers one-click access to documents that might otherwise have taken hours or days to locate.

Rogers found the time savings to be phenomenal. The 20 to 30 hours of preparation time for each hour of courtroom time shrank by 67 percent. “Once the documents were linked to the CaseMap file, I didn’t have to worry about paper any more,” says Rogers. “I wasn’t wasting time to find paper—I was spending more time thinking about the case and how I was going to win it.”

Nowadays, Rogers finds that CaseMap is one of the tools that makes his consulting business possible. “By using CaseMap, I can review a case in four to six hours that might have taken me as much as 40 hours the old-fashioned way,” he says. “That makes it practical for me to come in, review a lawyer’s case, and get down to the business of offering advice on strategy and tactics. I can handle my caseload and adapt to another lawyer’s caseload incredibly fast, using CaseMap.”

Under Rogers’ guidance, his clients find the time savings from CaseMap equally impressive. “CaseMap has completely changed the way we operate,” says Brian King, an attorney at Chicago’s Komie and Associates, a client of Ronin Consulting that specializes in complex criminal and civil litigation.

“Once I have my file in CaseMap, I can sort and pull information any way I want to look at it.”

Mike Rogers, Ronin Consulting

“We used to manage all our information on paper. Every time we had to respond to a discovery motion, we had to go through the entire file and copy the documents by hand. The process could take two days. Now, with everything in CaseMap, we just click and drag the documents we need into a folder. What used to take days now takes 30 minutes.”

King also finds CaseMap a plus when the government sends 50 CDs of information to the firm during the course of a criminal case. “We pop the CDs into a computer, pull that information directly into CaseMap, and create links back to the original documents. It cuts down tremendously on the time required to process the information.”

Benefits

Analyzing Information in New Ways

Providing a centralized repository for organizing case information is just the first step in using CaseMap, according to Rogers. The software also enables him and his lawyer-clients to analyze case information in entirely new and more productive ways. With a few clicks, they can see every fact related to any individual, place, or event in their CaseMap files, enabling them to probe their data to explore patterns in a fraction of the time it would have taken otherwise. A CaseMap case file also provides discrete sections for storing their research, questions, and to-do items—all with direct links to relevant items anywhere else in CaseMap.

“Once I have my file in CaseMap, I can sort and pull information any way I want to look at it,” says Rogers. “I can follow a defendant, or anyone else associated with a case, from start to finish, flagging issues as I go. I can begin to think about lines of cross examination, and put them into NoteMap®, a simple software outlining tool, do my analysis, and hand it off to a lawyer.”

Analysis isn’t just faster with CaseMap. Sometimes, reviewing the data from different perspectives reveals patterns that might not have been detected otherwise. That’s what happened recently with a case that Brian King put into CaseMap.

“It was a negligence case,” says King. “That’s the way our client brought it to us and that’s what we thought it was. But once we started looking at all of the information in CaseMap, we saw connections in the plaintiff’s behavior that no one had thought about before and we realized it was not a negligence case—it was a fraud case. I’m not so sure we would have identified that without CaseMap.”

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Mike Rogers, Ronin Consulting

Greater Productivity, More Collaboration

Rogers and his lawyer-clients are working way more efficiently than they could before, thanks to CaseMap. When case files were maintained in banker’s boxes, there was only so much preparation that a lawyer could do while he or she was away from those files—say, in an airplane, hotel, or client’s office. But now, an attorney can be productive anywhere by replicating the CaseMap file onto their laptop. “When I show clients how they can take an entire case file with them on an airplane, they really get excited,” says Rogers.

CaseMap doesn’t just boost individual productivity—it boosts group productivity as well, by enabling more attorneys to work together on a case.

“My clients can put 10 or 15 or more attorneys on a case when that case is in CaseMap,” says Rogers. “Everyone has access to all the case content at the same time—there’s no need to hunt down a file on someone’s desk. That means more people can work on a problem at the same time—so they can solve the problem that much faster. In addition, when new attorneys are brought onto a case, perhaps to replace attorneys who have left the firm, they can get up to speed more quickly thanks to CaseMap—there’s no loss of institutional memory.”

Rogers plans to put that CaseMap benefit through its paces for an upcoming trial involving 24 attorneys and 40 support staffers at six law firms on the plaintiffs’ side. “With CaseMap, we’ll have everyone drawing from and adding to the same CaseMap repository via the Web, so everyone will work off consistent information—the same names, the same terms, the same collective set of issues. Attorneys will replicate the CaseMap file to continue to work while they’re traveling. This is the only way we could hope to coordinate so much information among so many people. Without CaseMap, this would be a nightmare.”

Putting It All Together

CaseMap may help Rogers and his lawyer-clients organize and analyze their cases better and faster—but that’s only part of their job. They also have to convince judges and juries of their arguments. CaseMap helps there, too.

Rogers also uses CaseMap and TimeMap to produce presentation materials that will be given to expert witnesses, judges, juries and others. In one complex litigation, for example, he exported CaseMap data to TimeMap to create a detailed chronology of the events of the case, then created copies of the chronology for the trial. The expert witness referred to the chronology for his testimony, and the judge and jury members could easily follow along using their own copies of the chronology produced from TimeMap.

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Rogers also finds the software helpful for preparing presentations to use during opening statements. “I make a timeline in TimeMap, blow up the fonts to 32 point, change the color schemes to work as slides, and export the contents to PowerPoint. Then in PowerPoint, I can add video or other content to the presentation. That then becomes part of my opening statement.”

How convincing are the presentations that Rogers produces with CaseMap and TimeMap? Rogers used a timeline presentation in a medical malpractice case in which he worked with the plaintiff’s attorney against a major New York City hospital. The patient in the case was given an excessive dose of potassium and went into cardiac arrest. The doctors and nurses claimed that the dose had never been given.

Rogers and the attorney created a CaseMap file that linked the lab requests, pharmacy notes and other seemingly miscellaneous documents from the medical chart to a timeline. The pharmacy notes showed that antidotes to potassium poisoning had been administered to the patient before the hospital lab tested the patient’s blood for potassium. The timeline supported the argument that the nurse had given the patient a “hot shot” and then tried to reverse the poisoning

Rogers exported the timeline to TimeMap and created a highly graphical and understandable slide presentation of the events. Rogers showed the presentation to the judge and to the hospital’s insurance underwriter.

“The insurance company had been fairly tough on this until they saw our opening presentation, which contained the TimeMap timeline and the exhibits that supported the assertions in the timeline,” recalls Rogers. “It suddenly hit them how badly they’d look in court and they doubled their offer to us. We were able to settle right away.”

It’s not just Rogers’ lawyer-clients and their clients who benefit from CaseMap and TimeMap. Rogers does, too. He credits the software from LexisNexis Litigation Services with playing a crucial role in the immediate success of his consulting firm, which has helped plaintiffs’ attorneys recover more than \$85.6 million in settlements and verdicts and saved defense attorneys’ clients \$75 million in exposure since the company opened. That success, in turn, helps to generate a steady stream of new and repeat clients for Ronin Consulting.

“CaseMap enables me to work faster and more productively, to work with greater insight, and to communicate the results of that insight to others in more compelling ways,” says Rogers.

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CaseMap versus Murder One

When Rogers was faced with the aggravated assault and murder case, he sensed that CaseMap could help make sense of the conflicting stories told by his client’s client and the two witnesses against him. Rogers cross-referenced the police reports with copies of the witnesses’ handwritten statements and the grand jury transcripts. Glaring discrepancies became apparent as Rogers started sorting through the data in CaseMap. He built a custom report in CaseMap that allowed him to quickly bring the attorneys up to speed on the inconsistencies that appeared throughout the information.

Rogers advised the attorneys to ask the prosecution for other documents and for other information about the witnesses. Rogers and the attorneys began to see a distinct chance of winning an acquittal and shared their information with the prosecutors, who started to rethink the strength of their case. The defendant was offered a sentence that amounted to time considered served.

“Getting a disposition that went from life in prison, or death, to time considered served was an incredible result,” says Rogers. “The analytical tools of CaseMap helped bring the defense team and the prosecution to an equitable resolution. Would we have gotten this result without CaseMap? I’m glad I didn’t have a chance to find out.”

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