

CaseMap Software Forces Trial Lawyers to Think & Plan

By David L. Narkiewicz

MOST TRIAL lawyers have always created pages of handwritten or typed notes when preparing their cases. These notes usually include facts, issues, witness names, and questions that need to be answered about the case. Even if the lawyer has these notes in electronic form, they're usually contained in a word processor file, which is just slightly better than a yellow legal pad placed in a paper file.

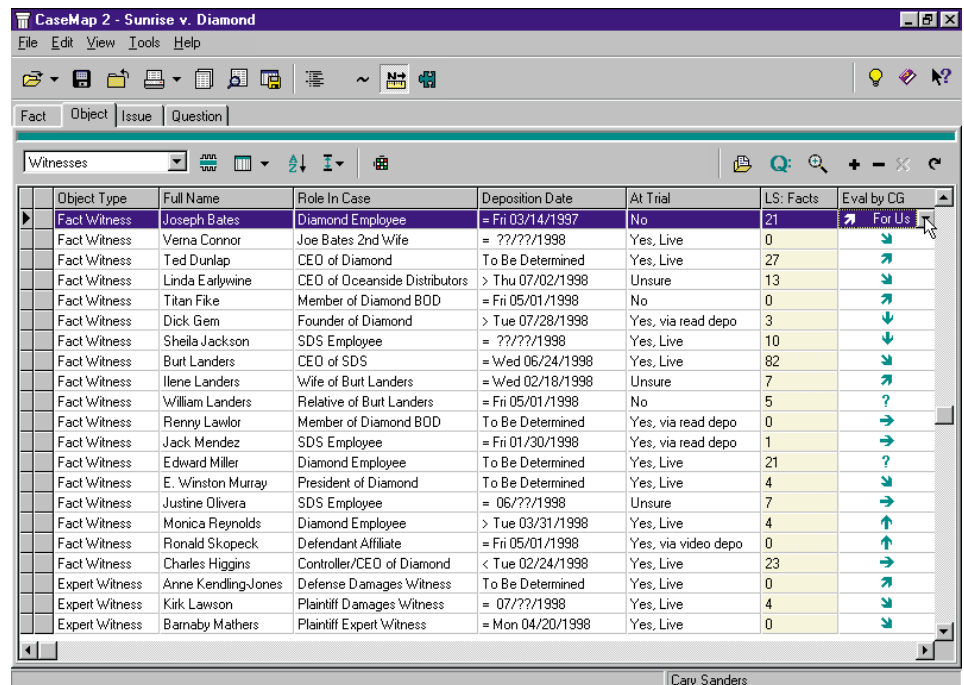
CaseMap Version 1.0 from CaseSoft lets trial lawyers enter that same information electronically. It breaks the information down into essential elements and categorizes and evaluates each segment of the information, thus allowing users to retrieve, reorganize and filter the information as needed as the case progresses to trial or settlement.

CaseMap does this by using four main category tabs for each case: Fact, Object, Issue and Question. "Facts" are the essential facts in the case that can be listed chronologically or in numerous other ways. "Objects" are all of the potential witnesses, essential documents, physical evidence and other relevant matters related to the case. This grouping of persons and things can be as general or as specific as you want, and it allows the user to link the "object" to the essential facts. "Issues" can be separate causes of action, elements of damages, and other details that need to be proved. "Questions" are simply that, things in the case for which an answer is needed.

The program allows individual questions to be assigned to associates or staff, with due dates attached, so that the user knows

what has been assigned, to whom and when the assignment is due. The "question" feature is helpful, especially for sole practitioners, because it helps keep track of what needs to be done in the case. When a "question" is answered, you can then

A new feature of CaseMap now permits litigators to list the source of the fact, such as the exact page and line location in the deposition transcript of a witness, the location of an admission in a letter to be used as an exhibit, or the location of a



CaseMap's Object Tab makes it easy to create custom reports about the witnesses, documents, and organizations involved in a case.

move it to the "fact" tab in the program.

One feature I particularly liked was how the program allows users to evaluate each essential fact, object and issue in the case as to whether it is "heavily for us," "for us," "neutral," "against us," "heavily against us," or "unsure." Additionally, in the "Fact" portion of a case, the disputed status of each fact can be listed, such as "disputed by opposition," "disputed by us," "undisputed" and "unsure."

"fact" in an expert's report. It also now permits you to tag a word processor file or scanned document file and link it to a specific fact or object. By doing this, you can actually view the document, transcript or exhibit while in CaseMap. It doesn't automatically do this, but in a big case, it's worth the effort needed to accomplish it.

Another useful feature is the data refinery tool. This feature allows users to filter information according to specific

needs, such as all undisputed facts relating to a particular issue. This is extremely useful with a motion for summary judgment or request for admissions. The “timeline” feature in the Fact category permits you to give the exact date and time of a fact, if necessary. It also allows you to place the time in a time zone, so that if you have a case involving national or international events, it can be chronologically coordinated so that 2 p.m. local time in London appears ahead of 2 p.m. in New York and 2 p.m. in California.

There is also a “casewise graphic” fea-

search engine, such as Summation or Concordance. However, CaseMap is a good program to use in conjunction with a case management/contact management program and/or a search engine.

For trial lawyers, the biggest negative of CaseMap is that you can’t really delegate the initial inputting of information. Since CaseMap is a thinking tool, it requires the trial lawyer responsible for the case to think through each fact, object and issue. While this can be tiresome, all trial lawyers do it in one form or another now by using either a yellow legal pad or a word

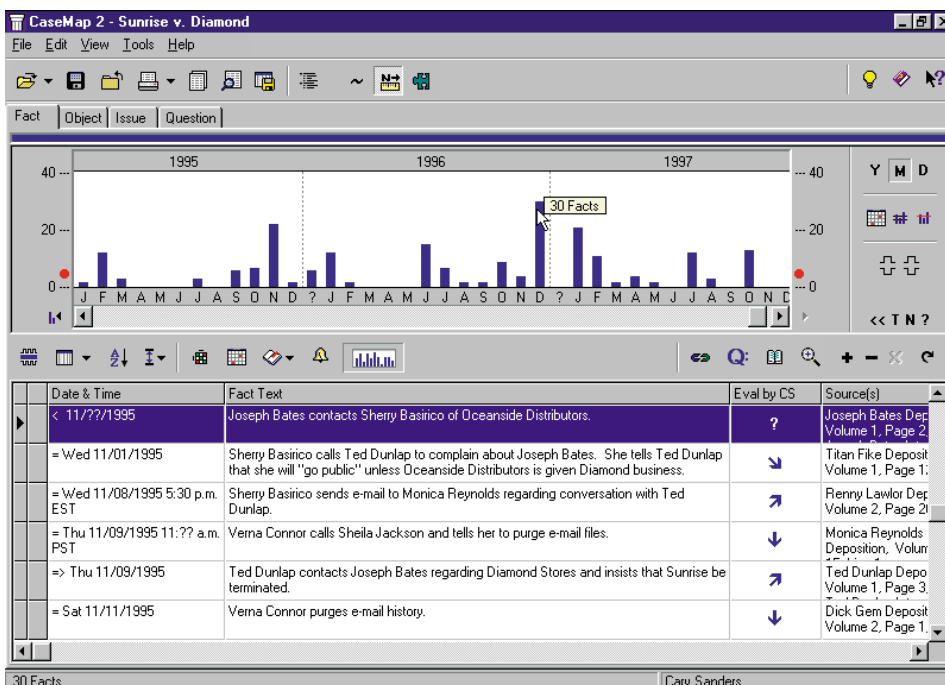
on your notebook computer. You can use it during depositions or during trial to help locate information on the fly and help keep you organized.

As a sole practitioner, I have found CaseMap valuable as both a simple tool to quickly retrieve a single fact, such as the exact date and dollar amount of a particular contract in a breach-of-contract case, and as a complex tool to help me prepare my most difficult business torts cases involving multiple defendants and scores of witnesses for trial.

CaseMap is the best software thinking tool I have found for trial lawyers, because it forces us to think and plan while inputting information about a case. The program makes it easier for trial lawyers to think about every significant fact in a case, and how those facts interrelate with issues, exhibits and witnesses.

The minimum specs for this program are a Pentium 200 with 32 Ram and 30 Mb of hard disk. CaseMap is a 32-bit SQL relational database program that installs from six floppy disks (which load easily). It comes with an informative paper manual, 90 minutes of free telephone training and 90 days of free telephone support. A network version is not yet available, but the beta version is currently testing well. It is expected to be available in February.

For additional information on CaseMap, contact CaseSoft, 5000 Sawgrass Village Circle, Ponte Vedra Beach, FL, 32082. Telephone: (888) 277-3763; e-mail: info@casesoft.com. Or visit their Web page: www.casesoft.com.



Case facts can be sorted, listed and displayed in a variety of ways, making it easy to judge the strength of your case.

ture that permits the user to see the facts spread over days, months or years. If you have a case that has facts extending over a lengthy period of time, this allows you to see how the facts are spread out and, with a few clicks, you can go right to the relevant points.

It’s important to know that CaseMap is not a case management or contact management program. It doesn’t replace or compete with Microsoft Outlook, TimeMatters, Amicus, TrialWorks, Abacus or similar programs. It’s also not a

processor. If you buy this program, you must be willing to put in the time and effort to learn the program and enter information. Once you do, the dividends it pays in thorough case preparation are well worth it.

You don’t need to be a big-firm lawyer to take advantage of CaseMap. Sole practitioners or small firms can benefit from CaseMap’s ability to organize a multitude of information, in order to level the field when battling a big firm on the other side. This is especially true if CaseMap is loaded

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