

# Developments in Legal Research: From AI to Fastcase 7

Lee Van Duzer, J.D., M.L.S.

April 12, 2017

PowerPoint slides can be found at:

<http://www.co.washington.or.us/LawLibrary/cle-information.cfm>

## 1. Introduction

- a. The Washington County Law Library offers local attorneys 24 hour access cards, a 14 person conference room, small attorney work room, online databases including HeinOnline, National Consumer Law Center, Lexis Advance, and Westlaw (with expanded content).

## 2. ROSS AI Plus Wexis Outperforms Either Westlaw or LexisNexis Alone, Study Finds

- a. Small study group – 16 researchers, four groups: Boolean search only; Natural language search only; ROSS plus boolean search; and ROSS plus natural language search.
- b. ROSS performed better, but natural language was second.
- c. Increased efficiency – less time with ROSS; study translates this into financial benefit.
- d. Participants reported higher satisfaction with ROSS.

Sources:

<http://www.lawsitesblog.com/2017/01/ross-artificial-intelligence-outperforms-westlaw-lexisnexis-study-finds.html>

<http://www.rossintelligence.com/> (White Paper)

## 3. What is ROSS?

- a. According to a ROSS founder: “Right now, 80% of people who need lawyers can’t get one. ... ROSS is one tool that lawyers can put in their toolkit and reach a really strong market that is in need for greater access to justice.”
- b. See also IBM Deep Blue (Watson precursor), and Google’s AlphaGo.

Sources:

<http://abovethelaw.com/2016/03/alt-legal-can-computers-beat-humans-at-law/>

<http://www.theatlantic.com/sponsored/ibm-transformation-of-business/watson-takes-the-stand/283/>

## 4. What is AI?

Sources:

[https://en.wikipedia.org/wiki/Artificial\\_intelligence](https://en.wikipedia.org/wiki/Artificial_intelligence)

<http://abovethelaw.com/2016/03/alt-legal-can-computers-beat-humans-at-law/>

## 5. Robot Lawyers

- a. DoNotPay ([www.donotpay.co.uk](http://www.donotpay.co.uk)):
  - i. Created by a 19-year-old, London-born second-year Stanford University student.
  - ii. Asks a series of questions, then guides users through the appeals process.

- iii. Formulaic process suited to AI.
- iv. Views recipients as vulnerable and exploited.

b. LawBot ([www.lawbot.info](http://www.lawbot.info))

- i. Created by law students at the University of Cambridge.
- ii. Helps victims of crimes understand their legal options.
- iii. Covers 26 major criminal offenses in England

Sources:

<https://www.theguardian.com/technology/2016/jun/28/chatbot-ai-lawyer-donotpay-parking-tickets-london-new-york>

<http://www.lawsitesblog.com/2016/12/chatbot-helps-crime-victims-guage-legal-options.html>

6. You have already used A.I.

a. Currently in Westlaw and Lexis

- i. Natural Language Processing is a form of AI
- ii. Both have added machine learning in new platforms.
- iii. West is working with ROSS Intelligence.

- b. Potential Biases: “The top ten results from each resource showed very little consistency, and hardly any overlap in the cases, and only about 7% of the cases returned were in all six database results.”

Sources:

<https://www.neotalogic.com/wp-content/uploads/2016/04/Artificial-Intelligence-in-Law-The-State-of-Play-2016.pdf>

<http://www.geeklawblog.com/2016/12/understanding-technical-bias-of-westlaw.html>

7. Legal Analytics

Sources:

<http://abovethelaw.com/2016/05/alt-legal-the-forecast-for-legal-analytics-is-mostly-sunny/>

8. Specific Examples

- a. Technology-assisted review (TAR, or predictive coding) uses natural language and machine learning techniques against the gigantic data sets of e-discovery.

b. Lex Machina ([lexmachina.com](http://lexmachina.com) – now a LexisNexis company)

- i. Looks at timelines of IP cases and outcomes based on court or judge.

c. Ravel ([ravellaw.com](http://ravellaw.com))

- i. By analyzing cases, Ravel could find “that certain judges are re-using the same language over and over again, or according themselves to patterns, like focusing on the third factor in a four-factor test.” Ravel then leverages those insights to help lawyers anticipate how their motions will be decided before a specific judge and what language and arguments might be most persuasive. (Above the Law)

- d. Premonition (premonition.ai)
  - i. Analyzes outcomes of lawyers relative to judges.
  - ii. “The old saying goes that ‘a good lawyer knows the law, but a great lawyer knows the judge.’ It’s true: we have found that the judge-attorney pairing is worth 30.7 percent of an outcome.[“] (Neota Logic)

Sources:

<http://abovethelaw.com/2016/05/alt-legal-the-forecast-for-legal-analytics-is-mostly-sunny/>

<https://www.neotalogic.com/wp-content/uploads/2016/04/Artificial-Intelligence-in-Law-The-State-of-Play-2016.pdf>

## 9. Questions about AI

### 10. Fastcase

- a. Can still use old interface
- b. Most functionality already exists on Fastcase 6
  - i. But you may need extra steps to get to it
- c. Use is up there with Lexis and Westlaw among lawyers in a survey among Clio members – might be selection bias since Clio integrates with Fastcase. (<https://www.fastcase.com/now-its-the-big-three-in-legal-research/>)

### 11. Fastcase 7

- a. Use toggle switch to get to Fastcase 7, or back to Fastcase 6.

### 12. Fastcase 7 Home

- a. Help and Support
- b. Differences between Oregon State Bar and Oregon Law Library subscriptions
  - i. OSBar
    - 1. 50 states
    - 2. ORS back to 2007
    - 3. Session Laws back to 1999
  - ii. Oregon Law Library
    - 1. 8 states (9th circ minus Hawaii)
    - 2. ORS 1853 - 1935
    - 3. Session laws back to 1841

### 13. Results – Natural Language (**natural language processing**)

- a. “Is a social host liable for injuries caused by an intoxicated guest”
  - i. Terms and connectors

### 14. Terms & Connectors Results

- a. Converted to terms & connectors: host /s liable /s injur\* /s ((intoxicat\* OR drunk) /5 guest)
  - i. For names, use /3 e.g. Erik /3 Bucher for “Erik Bucher,” “Erik M. Bucher,” or “Bucher, Erik.”

### Display Explanation

- b. Red dollar sign = not in subscription
- c. Search within results
  - i. E.g. Underage or minor
- d. Filters – choose content type or jurisdiction
- e. Word Cloud – frequently used terms from search results (**analytics**)
- f. Forecite – documents frequently cited in results but not containing all search terms (**analytics**)
- g. Interactive Timeline (**analytics**)
  - i. Graph of relevance and time
  - ii. Size indicates relative number of citations within
    - 1. Search results – yellow
    - 2. Forecite results – orange
    - 3. Entire database - gray

### 15. Interactive Timeline

- a. Can enlarge and zoom
- b. Hover over case then select title

### 16. Outline View

### 17. Advanced Search

- a. Choose libraries
- b. Add or remove titles
- c. Choose jurisdictions
- d. Add dates
- e. Show search tips

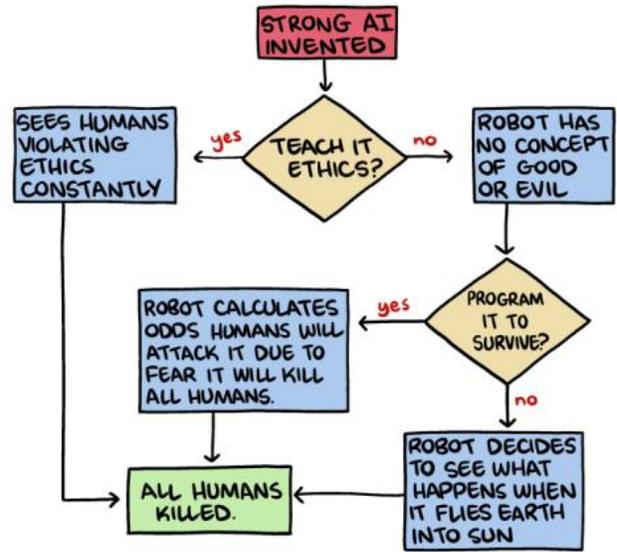
### 18. Authority Check

- a. “Note that Authority Check only lists later citing cases in the Fastcase database. We do not hold Authority Check to be a complete replacement for services such as Shepard’s or KeyCite[.]” (<https://www.fastcase.com/faq/>)

19. Bad Law Bot

a. Example of negative results

20. Questions



Smbc-comics.com

<http://smbc-comics.com/index.php?id=4122>

## Bibliography

- 3 Geeks and a Law Blog: Understanding the Technical Bias of Westlaw, Lexis Advance, Fastcase, Google Scholar, and Casetext. (n.d.). Retrieved April 11, 2017, from <http://www.geeklawblog.com/2016/12/understanding-technical-bias-of-westlaw.html>
- Ambrogi, R. (2017a, January 17). ROSS AI Plus Wexis Outperforms Either Westlaw or LexisNexis Alone, Study Finds. Retrieved April 11, 2017, from <http://www.lawsitesblog.com/2017/01/ross-artificial-intelligence-outperforms-westlaw-lexisnexis-study-finds.html>
- Artificial Intelligence in Law: The State of Play 2016 - Artificial-Intelligence-in-Law-The-State-of-Play-2016.pdf. (n.d.). Retrieved April 11, 2017, from <https://www.neotalogic.com/wp-content/uploads/2016/04/Artificial-Intelligence-in-Law-The-State-of-Play-2016.pdf>
- Gibbs, S. (2016, June 28). Chatbot lawyer overturns 160,000 parking tickets in London and New York. *The Guardian*. Retrieved from <https://www.theguardian.com/technology/2016/jun/28/chatbot-ai-lawyer-donotpay-parking-tickets-london-new-york>
- Koebler, J. (2017, April). Rise of the Robolawyers. *The Atlantic*. Retrieved from <https://www.theatlantic.com/magazine/archive/2017/04/rise-of-the-robolawyers/517794/>
- Lohr, S. (2017, March 19). A.I. Is Doing Legal Work. But It Won't Replace Lawyers, Yet. *The New York Times*. Retrieved from <https://www.nytimes.com/2017/03/19/technology/lawyers-artificial-intelligence.html>
- Now it's the Big Three in Legal Research « Fastcase | The Smarter Alternative for Legal Research. (n.d.). Retrieved from <https://www.fastcase.com/now-its-the-big-three-in-legal-research/>
- Sohn, E. (n.d.-a). alt.legal: Can Computers Beat Humans At Law? Retrieved from <http://abovethelaw.com/2016/03/alt-legal-can-computers-beat-humans-at-law/>
- Sohn, E. (n.d.-b). alt.legal: The Forecast For Legal Analytics Is Mostly Sunny. Retrieved from <http://abovethelaw.com/2016/05/alt-legal-the-forecast-for-legal-analytics-is-mostly-sunny/>
- Sohn, E. alt.legal: ~~I Still Haven't~~ Found What I'm Looking For! (n.d.). Retrieved from <http://abovethelaw.com/2016/01/alt-legal-i-still-havent-found-what-im-looking-for/>
- Watson Takes The Stand. (n.d.). Retrieved April 11, 2017, from <http://www.theatlantic.com/sponsored/ibm-transformation-of-business/watson-takes-the-stand/283/>
- See also: International Association for Artificial Intelligence and Law (<http://www.iaail.org/>)