

FASTCASE:

THE DAWN OF A NEW ERA FOR MISSOURI PRACTITIONERS

By Gary Toohey

If your firm placed an advertisement such as this in your local newspaper, how many applications would you receive? The answer: *None. Zero. Zilch. Nada.*

On the other hand, starting on June 1, the partner described in that advertisement will arrive at your office, ready to start working for you immediately. Welcome to Fastcase, your new partner in the pursuit of quality representation of your clients.

The Missouri Bar has entered into a contract with Fastcase, one of the fastest growing legal research services in the nation, to offer free legal research service as a member benefit to all lawyers who are licensed and eligible to practice law in Missouri. This arrangement means that eligible Missouri Bar members will enjoy unlimited access, unlimited usage, and unlimited printing of researched items – all at no cost.

“By negotiating this contract with Fastcase, The Missouri Bar has added a free member benefit that will not only be of direct assistance to practitioners in their day to day work, but also potentially save them thousands of dollars each year,” said Missouri Bar President C. Ronald Baird. “For busy lawyers, access to Fastcase’s extensive research capabilities will allow our members to better represent their clients

D3 CLASSIFIED

Help Wanted

A successful law firm is currently seeking a partner for an immediate opening. We expect said partner to provide consistent, reliable performance. We are looking for a partner who will fulfill the requirements listed below.

Must Be Available

24 hours a day

Seven days a week

Including nights,

Weekends and

Holidays

No salary.

No fringe benefits.

Apply today!

Bookkeeper

This part-time position is responsible for preparing & balancing all deposits/payments; managing accounts receivable account; maintaining records; etc.

Computer Information Technologist

The Missouri State Public Defender System has an opportunity for an in-

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while also reducing overhead. And that is a win-win proposition for everyone.”

“There are a significant number of lawyers in our state who don’t have access to services such as LexisNexis and Westlaw for whatever reasons – whether it is financial or the inability to use a computer,” said attorney Alan Steinberg of St. Louis, who chaired a special Missouri Bar task force that recommended Fastcase to the state bar’s Board of Governors. “This [Fastcase] is just a tremendous bar benefit. This is a *huge* benefit.”

WHAT IS FASTCASE?

Fastcase is a Washington, D.C.-based company founded in 1999. Since then, it has grown into one of the largest caselaw databases in the world, with more than 250,000 subscribers worldwide.

Prior to forming Fastcase, company founders Ed Walters and Phil Rosenthal were practitioners in Washington, D.C. “One of our larger clients needed legal research for a project, but asked us not to charge them for the expensive services our firm used,” Walters recalled. “When we couldn’t find an affordable alternative, Phil and I decided to leave and build one ourselves.”

Members of The Missouri Bar were some of Fastcase’s earliest subscribers, and the company has exhibited at the annual Solo and Small Firm Conference at the Lake of the Ozarks. In addition to Missouri, Fastcase launched similar member benefits in eight other states: Florida, Maryland, Illinois, Iowa, Oklahoma, Louisiana, Virginia and Tennessee.

“Fastcase levels the playing field between small firms and large firms, providing everyone the kind of access to the law that only the largest firms have enjoyed,” said Rosenthal. “Now all lawyers, from the biggest firms to

the most remote solo practitioner, will have the entire national law library right on their desktops.”

WHAT IS INCLUDED?

Fastcase offers all Missouri Bar members access to an enormous national legal research library. The service includes Missouri cases from 1886 to present, but also includes caselaw from all 50 states going back to at least 1950. Fastcase’s federal libraries are comprehensive as well, with U.S. Supreme Court cases from 1 U.S. 1 to present, and the U.S. Courts of Appeal from 1 F.2d 1 to present. Databases are updated daily and include cases from the courts within 24-48 hours of their release.

Fastcase’s research library also includes the Missouri Revised Statutes, the Missouri Code of State Regulations, court rules and the Missouri Constitution, as well as the U.S. Code, Code of Federal Regulations and – with few exceptions – the statutes, codes, rules, and constitutions of all 50 states.

Members also will be able to purchase access to MoBarCLE deskbooks on the service.

In addition, Missouri Bar members can upgrade to a premium package that also includes federal district courts from 1924 to present and federal bankruptcy cases from 1 B.R. 1 to present. In addition, the premium version of Fastcase offers a comprehensive newspaper archive, which is searchable for free and offers individual articles to purchase for \$3 per article. This archive includes the *St. Louis Post-Dispatch*, *Kansas City Star*, *Columbia Daily Tribune*, *Jefferson City News-Tribune*, *Springfield News-Leader* and other Missouri newspapers.

The premium package – normally \$1,240 per lawyer per year – is being offered to Missouri Bar members for a

cost of only \$175 per lawyer per year. *That is a savings of \$965 per year.*

Members will be able to access Fastcase via The Missouri Bar’s website (www.mobar.org) by simply clicking on the Fastcase link found there. Because the service is Web-based, Missouri Bar members will have no discs to buy or software to download. It is accessible anywhere lawyers have Internet access, 24 hours a day, seven days a week – at the office, at home, or on the road.

Fastcase also supports terms and connectors (or “Boolean”) searching, natural language searching, and searching by citations. The service includes both official citations and citations to commercial reporters – both at the header of the case and within the case for “star pagination.” Search expressions utilized by the service are familiar to users of most commercial legal research systems.

One of the standard features of Fastcase is its “best-case first” ranking of search results, which works like Web search engines that list the most relevant results at the top of the list. In addition, users can decide for themselves which cases are most important, sorting the search results by date, how often the case has been cited in other cases, its relevance score, or even alphabetical order. Information about the cases is displayed in the results list, including the citation and either the most relevant paragraph or the first paragraph of the case. And, unlike most other Web-based utilities, Fastcase offers dual-column printing of cases in Word, PDF, or Word Perfect-compatible Rich Text Format.

WHY FASTCASE?

How did Fastcase come to be selected as the provider of this dynamic new member benefit being offered by The Missouri Bar? The answer to that

simple question involves a great deal of hard work, thoughtful consideration and hands-on testing by The Missouri Bar's Online Legal Research Task Force.

That group was appointed by then-Missouri Bar President Douglas A. Copeland in late 2005. This diverse group included lawyers from large, mid-size and small firms, along with a solo who practices from his home, a law librarian, a government lawyer, a lawyer-technologist, and a prosecutor. The group was originally chaired by then-Missouri Bar President-Elect C. Ronald Baird. However, when Baird became president of the state bar in September 2006, St. Louis attorney Alan Steinberg took over the reins of the task force.

"The first thing we did was try to identify what we would need," said task force member Jason Lamb, the Audrain County Prosecuting Attorney. "Once we identified that need – which was to provide a free online basic legal research service that would be available to everyone, whether they were a solo practitioner, member of a larger firm or government entity – then we started looking at which vendor might be the best one."

To begin that process, the task force developed a Request for Proposal (RFP) and circulated it to all of the major players in the legal research market, along with smaller companies and others offering services to other state bars. Four vendors responded, with the task force eventually narrowing the choice to two providers.

"I think we were aware that a lot of other states had jumped in and made their selections," said University of Missouri-Columbia School of Law Librarian Randy Diamond. "But we're the Show-Me State, and we wanted to move more cautiously and make sure that the providers we were dealing with were going to provide the best possible results. We patiently went through product trials, met with the vendors, and

developed collaboratively a list of what we felt were the most important features that we needed from whom we ultimately selected. It was a very methodical, well thought out, cautious shopping process."

Ultimately, the task force settled on Fastcase as the provider that could best meet the needs of the most Missouri practitioners. But why?

"I do a lot of legal research," Steinberg said. "The thing that jumped out of the box for me was crossing state libraries and asking a question and getting an answer. You can research many libraries across many states. The ability to go out on a cross-state basis is a huge, huge benefit."

"We came away with a sense that Fastcase was willing to work with us to make adjustments within its package to make it even more useful to Missouri lawyers," Diamond added. "They currently have case law going back to 1950, and that alone would have made it a wonderful addition. But there are many practitioners who, as part of their practices, need access to case law going back 100 years or more. So Fastcase is going to start placing those older cases on the service going back to Missouri Cases Volume 1."

The value of the service provided by Fastcase is echoed by other state bars that have contracted with the company to provide online legal research for their members. Harry Shipley, executive director of the Iowa State Bar Association, said its review committee "just felt that the functionality of this system was superior. Fastcase offered more right out of the box in terms of cost, time of implementation, content and usability."

"We liked how quickly Fastcase got us up and operational," added Paul Carlin, executive director of the

Maryland State Bar Association. "We felt that the service was very intuitive and easy to use, so there would be a minimum of training for our members." He added that usage of Fastcase by members of the Maryland bar has tripled in one year.

WHAT'S NEXT?

Fastcase is easy to use and doesn't require an understanding of complicated technology. Navigation through its site is easy and intuitive. Once a member has logged in, Fastcase's own tutorial is a great place to start. It lasts about six minutes and covers most Fastcase features. For those who want more training, one-hour webinars will be scheduled at a later date, and training

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sessions will be conducted at both the Solo and Small Firm Conference and The Missouri Bar Annual Meeting.

Members of the task force clearly believe that Fastcase will have a direct and immediate impact upon many Missouri practitioners.

"As we in the bar educate practitioners throughout the state in terms of various CLE training programs, we can show them how to maximize their use of Fastcase to get as much of what they need from it as they can," said Diamond.

"The law is always changing and I think that we, as practitioners, have to stay up to date," Lamb said. "New lawyers have been trained in online legal research while in law school, but there is a whole generation of attorneys out there who didn't have that training while in law school. I think the bar saw a need and set out to fill it."

Gary Toohey is The Missouri Bar's Director of Communications.